ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

MINUTE BOOK 4 1875-1876

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Rockingham County VA

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January 18, 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, January 18, 1875.-

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

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

Bargain & Sale.	Isaac Thomas' Exor.,	to Caroline V. Rhodes,
Trust Deed.	D. B. Kline,	" Joseph Miller, trustee,
Bargain & Sale.	John Shank,	" Henry A. Roads,
" "	Noah Spitzer & wife,	" Henry Zirkle,
" "	B. M. Parrott, Atty. for &c,	" same,
" "	Emanuel Suter & wife, &c,	" Abraham Swartz,
" "	Shem S. Keatwoole & Geo. Swartz Commrs.	" Robert A. Gilmore,
" "	A. M. Brunk & wife,	" Albert G. Fishback,
" "	James Riddle & wife,	" James M. Riddle,
" "	Samuel Kline & wife,	" John F. Kline,
" "	D. A. Flecker,	" Mary Pentz,
" "	Gideon Rosenberger & wife,	" Wm. A. Bazzle,
" "	same,	" James O'Roark,
" "	George W. Reubush,	" Frank M. Chapman,
" "	Philo Bradley & wife,	" Joshua Wilton,
" "	Jno. G. Miller & wife & others,	" James Miller,
" "	John G. Miller & wife,	" same,
Trust Deed.	Willis B. Moffett,	" W. T. Williams,
" "	Bruce Hughes,	" Wm. H. Garland,
Note, &c.,	Robert Cook,	" Garrett King,
Bargain & Sale.	Josiah Beery & wife,	" James Ritchie,
Art. of Agreement.	Allison Breeden,	" Jr. Nancy & Christopher Wetzel,
Bargain & Sale.	Adam Showalter & wife,	" Joseph W. Rhodes,
" "	Jr. Keatwoole, &c, trustees,	" same,
" "	Emanuel Suter & wife & others,	" D. B. Showalter & Saml. G. Simmons,
" "	Emanuel Suter & wife & others,	" D. B. Showalter,
" "	Daniel Wine & others,	" same,
" "	Samuel Sanger & wife,	" same,
" "	Hugh Swope & wife,	" Noah Taylor,
Trust Deed.	J. H. Dovel,	" J. S. Hannaberger, trustee,
Mech. Lien,	M. & G. Scott,	@ The Blythe Iron & Steel Company,
Release Deed.	Samuel Dinkel,	to G. H. Berlin,
Bargain & Sale.	Daniel Link & wife, (old deed)	" Henry Price, &c. trustees,
" "	Wm. C. Harrison & wife,	" Samuel R. Allebaugh,
" "	G. H. Berlin, &c,	" Willis Wise,
" "	Samuel Hindgardner & wife,	" Rebecca May,
" "	Henry Neff,	" Christian Rennow,
" "	Samuel Coffman & wife,	" Jacob Shank,

Bargain & Sale,	Thomas M. Basford & wife	to	Betsy Ann Fenaughty,
" "	George M. Berlin,	"	John M. Miller,
" "	G. L. Hopkins & Henry Kisling, &c,	"	Reuben May,
" "	James P. McLeod & wife,	"	Philip Maphis,
" "	Wm. H. Grove & wife,	"	James P. McLeod,
" "	John Stoner & wife,	"	same
" "	Abram L. Longs wife,	"	Henry L. Shoup,
" "	Jacob Lago,	"	Eliza Ann Burgess,
" "	Giles Devier & wife,	"	Wm. S. Perry,
" "	John H. Buston,	"	W. W. Silcott & J. C. Staples,
Release Deed,	S. B. Allebaugh Trustee & Exor. of J. A.	"	Wm. C. Garrison,
Bargain & Sale,	Abraham Miller,	"	Bridgewater Milling Company,
" "	Noah Taylor	"	Catharine Taylor,
" "	P. D. Byerly, &c,	"	Jonas A. Lacuenbach,
" "	L. H. Ott, &c, Trustees R. B. Afsn.	"	same,
Mech. Lien,	Peter Guyer,	"	N. J. & R. C. Douglass,
Release Deed,	John Kennepp Exor,	to	Charles C. Haas,
Bargain & Sale,	Edward L. Kennpes & wife,	"	Simon Whitzel,
" "	Daniel P. Good & wife,	"	Emanuel Suter,
" "	John P. Good & wife,	"	same,
Trust Deed,	B. F. Coffman, &c,	"	B. F. Grayson, jr, Trustee, &c,
Bargain & Sale,	J. W. Ragsdale Trustee from Jane Walker,	"	Frederick Hillyard, jr,
" "	Philip Ritchie & wife,	"	Philip Ritchie, jr,
" "	Jacob Minniak,	"	Melvina Bulva,

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 Account of R. A. Scott, Admr. of Wm. Dingley, dec'd;
" " " " " Gideon Rosenberger, " " Fanny Getty, "
" " " " " Noah Maitz, Exor. " Dan'l Bazzell, "
" " " " " Joseph Heatwole " " Jno. S. Heatwole, "
" " " " " Riley Armentrout, guard. " Mary F. Armentrout, &c,

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

Appraisement & Sale Bill of the Estate of Adam Armentrout, dec'd;
Appraisement Bill " " " " John Archeart, dec'd;

Vacation orders seen and inspected and approved by the Court.

Thomas A. Kisling, this day presented in Court an Account against
cert'd. the County of Rockingham, amounting to the sum of $24.00 for cushioning &c, 12 Jury Chairs, 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 out of levy for 1874.

Wm. C. McAlister this day presented in Court an Account against
cert'd.

the County of Rockingham, amounting to the sum of $12.25 for making Coal Box, for work & material on Jury stand, &c, 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, out of the Levy for the year 1874.

For reasons appearing to the Court, the order made at the December Term last of this Court, whereby C. S Byrd, Jailor of this County was allowed the sum of $215.55, for support, &c, of Prisoners, is hereby revoked; and thereupon
c/p. & d. the said C. S. Byrd, Jailor of Rockingham County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $31.80 for receiving, dieting &c., the following named Prisoners, viz: Geo. Parker, Rockingham Weakley, W. L. Saunders, John Kenan, Charles Bantley, John Johnson, Albert Harris, Robert Johnson, Edward Minnick & Robert Faulkner, & furnishing clothes, &c, 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, (said Account covering the period of time from Sept. 12, to Dec. 31, 1874 inclusive)

On motion of W. H. Kedrick, a creditor therein, G. W. Mauzy is appointed
✓ Trustee instead of J. H. Winsborough, who has left the State, in a Deed of Trust, executed by W. S. McGahey, &c, to J. H. Winsborough, of record in the Clerk's office of this Court.

Richard Dunlap, colored, is allowed the sum of Three Dollars for
c. & p. d. services at the Court-House to January Term 1875, which is ordered to be certified to the Treasurer of this County for payment.

On an application to establish a public road leading from Rev. L. L. Reed's orchard to the widow Leaks'. It is ordered that the Report heretofore made and filed in this cause, by James D. Keltzel, Road
c. & p. Comm'r. for Central Township, be re-committed to said Comm'r Keltzel,
✓ with directions to review said proposed road, and make any change in his report he may think advisable in the location of said road. Said Comm'r. is also directed to ascertain the distance of said road from the Court-House to Mrs. Leaks'- also the distance of the present road, known as the Port Republic road, between the same points.

David Plecker,
Jackson Rhodes. } an Bridge Petition.

It appearing to the Court that the order heretofore made, appointing E. S. Kemper, Daniel Kauffman, H. M. Argenbright, Daniel Byerly & Reuben
c. & d. Kauffman, Commissioners to ascertain what will be a just compensation for such of the lands of said Rhodes as is proposed to be taken by said Plecker for the purposes of the Nat. Crawford Bridge, and damages to the residue of the tract, beyond the peculiar benefits resulting to such residue from the construction of said Bridge, has not been executed nor even served upon said Commissioners, & for reasons appearing to the Court, it is ordered that said Byerly be excused from acting as such Commissioner, and it appearing that the said Argenbright is too sick

to perform any such duty, It is ordered that Ed. S. Kempen, Daniel Huffman, Reuben Huffman, Joseph B. Lorie & Wm. Morgan be appointed such Commissioners to execute said order, and that they meet upon the land in question on the 3d day of February 1875. for that purpose.

On the application of Daniel Huff & others, for the establishment of a public road running from Jacob Kempen, near Friedens Church to the old Furnace Road at Naked Creek Church, It is ordered that the Commissioners of Roads for Ashby Township view said proposed route, and report the propriety of establishing the said road; said report to be made according to the provisions of the road law of Virginia.

It appearing to the Court that the Jailor of this County has under his control, a certified Lunatic, Susannah B. Carey, a citizen of this County, and it further appearing to the Court that it is proper to contract with a proper & fit person for the maintenance & care of the said Lunatic; It is therefore ordered that Samuel A. Carey be appointed a Committee to have the care, custody and maintenance of the said Susannah B. Carey until the further order of the Court, that he be allowed therefor 40 cents per diem, and thirty dollars per annum for clothing. And it is further ordered that the said Carey execute bond before this Court in the penalty of $400. with good personal security, conditioned to exercise proper care & make proper & decent provision for said Lunatic,

And thereupon the said Samuel A. Carey appeared in Court, and together with Samuel W. Kline, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Four Hundred Dollars, conditioned as required by law and the above order, and qualified as the Committee of said Susannah B. Carey.

On motion of Daniel Kiser, John Flory & Joel Garber, It is ordered that the Commissioners of Roads for Ashby Township, in execution of the order made at the last term of this Court, to view & report upon a change in the Road from Isaac Billets to the Harrisonburg & Warm Springs Turnpike, he shall also view & report upon the propriety of changing said road, so as to run down along Sanders line to the Lindsay or Early corner, and thence by way of Yates & Polk's brick House on the Early tract to the said turnpike.

The Court doth appoint Jarvis McD. Adair, as Clerk of Ashby Township, in this County, to fill a vacancy occasioned by the death of Wm. H. Dinkle, late Clerk of said Township.

Lewis Waterman Exor.
vs.
M. L. Gay } W. E & D.

This cause is continued until next term of the Court at the cost of the Plaintiff, and on motion of the Defendant, the non-residence of the Plaintiffs being suggested, the Court doth enter a Rule against them for security for costs

William A. Runkle,
vs
Samuel Ulrich. } Upon a Notice.

On motion of the Plaintiff, this cause is dismissed.

Nicholas Miller
vs
Jacob A. Armentrout, Exr. of Ky. Engebright, dec'd } Upon a Rule to execute new bond, &c.

Ordered, That this cause be placed upon the Docket.

Wm. E. Roller, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.30 for summoning Inquest upon body of a dead child, and for arresting Thos. Wolaker charged with misdemeanor and for summoning 4 witnesses for Commonth, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Reuben Bonds, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.60 for arresting Madison Many, charged with the felony, summoning witness, mileage & expenses of Prisoner, 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 writing purporting to be the last will and testament of Jacob D. Williamson, jr., was this day presented in Court, and being proved by the oaths of L. P. Hunkel and D. M. Hunkel, the two subscribing witnesses thereto, was admitted to probate; and on the motion of Thomas Lemon Williamson & David L. Hunkel, the Executors therein named, they appeared in Court, and entered into and acknowledged a bond in the penalty of Sixty thousand dollars, (without security, as provided in the will,) conditioned according to law, and qualified as the Executors of the last will and testament of the said Jacob D. Williamson, jr, dec'd.

And upon their further motion, the Court doth appoint Samuel Grim, Madison West and Thomas Moore, to appraise the Estate of said Jacob D. Williamson, jr, dec'd, after first being duly sworn.

The writing purporting to be the last will and testament of Abner Canada, dec'd, was this day presented in Court, and being proved by the oaths of Samuel Shank and Eli Summers, the two subscribing witnesses thereto, was admitted to probate; and on the motion of Abraham Shank, the Executor therein named, he appeared in Court, and together with Wm. Summers and Samuel Shank, his sureties, who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of $1500 conditioned according to law, and qualified as the Executor of the last will and testament of Abner Canada, dec'd. And upon this further motion, the Court doth appoint Samuel Shank, Jacob L. Rhodes, Eli Summers & Joseph Bowmans to appraise the Estate of said Abner Canada, any three of whom may act, after first being duly sworn.

The writing (purporting) to be the last will and testament of Christian Bowers, dec'd., was this day presented in Court, and being proven by the oaths of George J. Risling and J. S. Logan, the two subscribing witnesses thereto, and the codicil thereto attached, being also proven by the oaths of George J. Risling & Hugh Morrison, the two subscribing witnesses thereto, was admitted to probate.

On the motion of the Rev. W. T. Walker, it appearing to the Court, that he is a regularly ordained Minister of the Gospel in the Christian Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with Jesse Burkholder, 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.

exd.

On the motion of the Rev. Peter S. Rhodes, it appearing to the Court that he is a regularly ordained Minister of the Gospel in the Christian Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with Jno. W. Rhodes, Wm. A. Roads and John W. Frank, 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.

ord

The Court doth appoint Andrew B. Irick, General Receiver of the County Court of Rockingham County; and thereupon the said A. B. Irick appeared in Court, and together with Robert A. Gibbons, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Ten Thousand Dollars, conditioned according to law, and qualified accordingly.

On an application of Solomon Frank & others, to establish a public road, leading from the Mountain Valley Road to Linleytown Road, Henry Pulse, Comm'r. of Roads for Linville Township, (having this day) returned into Court his Report on said proposed road, It is ordered that the following land-owners be summoned to shew cause at the next term of this Court, if any they can, why said Road should not be established according to said Report, viz:- Henry Frank, Mrs. Freeze, Daniel Swank, Timothy Funk, John B. Yongue, ——— Sipe, William Rondabush, Ephraim Reubush, Jonathan Funk and Jacob M. Zirkle,

1 V. C. a/pias issued 8 Jul 8th.

Edward S. Peale

vs

J. P. Raleton, late S. R. C., & as such Admr. of P. Cole, dec'd } 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, being solemnly called, upon motion of the Plaintiff, by counsel, It is considered by the Court that this judgment be revived in the name of Edward S. Peale against James P. Raleton, late S. R. C., and as such Admr. of the Estate of P. Cole, dec'd, and that the Plaintiff may have execution against the goods and chattels of the deceased in the

hands of his said Admr. to be administered for the sum of $123.00 with interest thereon at 6 per cent. per annum from the 1st. day of September 1860, till paid, and $7.61 costs, and also his costs by him in this behalf expended.

Weltzel Price & Whitmore Shop Road,
vs
Jacob Dundore,

For good cause shewn against it, the Report of the Commissioners appointed to ascertain what will be a just compensation for such land of the said Dundore as is proposed to be taken for said Road and damages to the residue of the tract, beyond the peculiar benefits, is set aside, and Abraham Paul, John Simmers, Jacob Funkhouser, John H. Long and George W. Arey are hereby appointed Commissioners to execute said order, instead of the aforesaid Commissioners heretofore appointed. And the said Abraham Paul, John Simmers, Jacob Funkhouser, John H. Long & George W. Arey are instructed that the said Dundore is entitled to compensation for the value of such of his land as is proposed to be taken for said road, without regard to any peculiar benefits resulting to the residue of the tract from the construction of said Road, such peculiar benefits, if any, being legitimate offsets only against any damages resulting to such residue of the tract by the construction of the road. The said Commissioners to meet on said lands to execute this order on the 3rd. day of February, 1875.

William Eiler, Edward S. Kemper, D. Eiler and G. W. Manzy, four of the Commissioners heretofore appointed to assign to Margaret M. Peale, her Dower in the Real Estate in this County, whereof her husband Jonathan Peale died seized, having at a former term of this Court, returned their report of their assignment, and Edward S. Peale ~~heretofore~~ one of the heirs of said Jonathan Peale having opposed the establishment of the said assignment on the ground that the same was excessive, and the widow being willing to accept the same as a just assignment, issue was joined by the said Margaret M. Peale, the widow of said Jonathan Peale and the plea of the said heir Edward S. Peale, whereupon the Court, at the December Term 1874 of this Court heard the evidence of both parties, and by consent of all parties, the Court took until this present term of the Court to consider of this judgment, whereupon after due consideration of the law and the evidence adduced by both parties hereto, the Court is of opinion to confirm the said Report of said Commissioners, and doth order that the said assignment of Dower, by the said Commissioners to the said Margaret M. Peale be established, and the same accordingly and orders that she hold the said lands so assigned to her, as and for her Dower as aforesaid. And the Court doth adjudge that the said Margaret M. Peale do recover of the said Edward S. Peale her costs by her about this matter expended, in having the said Report confirmed, and the costs of making the Assignment to be borne by all the heirs of Jonathan Peale, dec'd, equally.

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the Poor

It appearing to the Court on the testimony of George Miller, Overseer of for the Town of Harrisonburg, that Delvina, a female orphan child, colored, who has heretofore been under the charge of George & Sarah Blake, colored, is likely to become chargeable to the County, on motion of said George Miller, and for reasons appearing to the Court, It is ordered that said Overseer of the Poor for the town of Harrisonburg, bind as an apprentice to Joseph S. Logan the said Delvina, orphan child as aforesaid, now about eight years of age, until the said Delvina arrives at the age of eighteen years. The business this apprentice is to be taught is that of housekeeping & house-work. The said Joseph S. Logan shall maintain said apprentice and teach her reading and writing; and also pay said apprentice at the end of her eighteenth year the sum of Thirty Dollars, and furnish her a suit of comfortable clothing, for which payment, &c, bond shall be taken by the said Overseer of the Poor from the said Joseph S. Logan.

Benj. F. Wheeler,

J. Koenenbach, g.ar. of E.H.B. Huffman } Upon a Suggestion.

This cause having been fully heard at the December Term of this Court, by consent of the parties thereto, the decision of the case was reserved by the Court until this term, and the Court having now fully considered the same is of opinion that the Plaintiff should recover of the Defendant the sum of $36.65 with interest thereon from the 23d. day of June 1874; it is therefore considered by the Court that the Plaintiffs recover of Jonas N. Koenenbach, Treasurer of the Rawley Springs Company the sum of $36.65 with interest thereon from the 23d. day of June 1874, the amount due said E.H.B. Huffman, by said Company at said date,

Memo:— Upon the rendition of the decision in this cause, J.S. Effinger, an interpleader, by counsel, filed his bill of Exceptions to the judgment of the Court, which are in the words & figures following, to-wit: Benj. F. Wheeler, Pltff vs Jonas N. Koenenbach, Deft Upon a Sug. &c, which he prays may be signed sealed and enrolled, which is accordingly done.

This day came Saml. R. Wampler, who alleges that he is aggrieved by an erroneous entry made in the Land Book by John R. Jones, Assessor of Central Township, Rockingham County in the year 1874 whereby he is charged with $1.62 taxes for the year 1874 on a tract of Land containing 23¼ Acres, described as lying in said Township, and thereupon said Saml R. Wampler moved the Court to exonerate him from the payment of the said $1.62 so erroneously assessed, against him for said year, which motion was defended by John Paul, the attorney for the Commonwealth for said County, and John R. Jones the Assessor who made the assessments 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 1874, and that application

for redress against the erroneous entry, was made this day for the first time, and it appearing that the said Saml. H. Wampler was charged for said year with taxes upon two tracts of land, namely one tract containing 22¼ Acres, the other containing 23 A. 0 R. 06 poles of land, which are one and the same tract of land, and owns only the tract of 23 A. 0 R. 06 poles and not the tract of 22¼ acres, 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 Saml. H. Wampler is erroneously charged on said book with taxes amounting to the sum of $1.62 on the said 22¼ acre tract, Whereupon, It is ordered that the said Saml. H. Wampler be exonerated from the payment of $1.11 State tax and 51 cents County tax (total $1.62 taxes) so erroneously charged, if not already paid, and if paid, that it be refunded to him; and the Assessor is directed to strike the 22¼ acre tract from his books.

Ordered, That John Paul, Attorney for the Commonwealth for this County, be allowed the sum of $41.66⅔ for his services in this Court, for the month of January 1875, and that the same be certified to the Treasurer of this County for payment.

cap. ord.

Adam H. Brewer, Collector of Central Township, this day presented in Court a List of Delinquents for the non-payment of Capitation & Property Tax and a List of Improper Assessments of Taxes in said Township for the year 1872, 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 Lists, and each case therein contained, verified by their oath 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.

Samuel A. 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 Central 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 such List, and each case therein contained, verified by his oath thereto attached, 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.

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

Chas. F. O'Ferrall.

At a County Court, continued and held in and for the County of Rockingham, on Tuesday, January 19, 1875. at the Court House thereof.

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

Upon the Petition of Joseph Shickel, Committee of Mary Stokes, an insane person, to procure an order for sale of the lands left to said Mary Stokes, by the will of ~~her~~ deceased husband John Stokes, for the purpose of raising the family, &c.,

This cause, came onto be heard this 19th day of January 1875, upon the Petition of Joseph Shickel, Committee of Mary Stokes, the deposition of witnesses and the report of Ft. N. Daingerfield, Commissioner in Chancery. to whom was refered this cause at a former term of this Court, And the cause was argued by counsel. Upon consideration whereof, it appearing to the Court from the depositions taken in the cause, and the report of Commissioner Daingerfield, that Mary Stokes is insane and an inmate of the Western Lunatic Asylum at Staunton, that the lands in the petition mentioned are insufficient to yield rents adequate to the support of the children; that they are steadily depreciating in fee simple and rental value, and that it will be greatly to the interest of all parties interested in said lands that they be sold, and the proceeds of sale put at interest for the benefit of those interested therein, the Court doth adjudge, order and decree that Joseph Shickel, who is hereby appointed a special Commissioner for the purpose, proceed to sell, either publicly or privately, as he may deem best, the lands in the Petition mentioned, on the following terms, to-wit; one fifth cash and the residue in four equal annual payments, the purchaser giving bonds for the deferred payments, with approved security; and the said Commissioner is directed to report his action under this decree, to this Court.

cu/p'd. for I.S.

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 County, this 20th day of January 1875.

James McD. Adair, who was appointed Clerk of Ashby Township, in this County at the Fall Term 1874, of said Court, to fill the vacancy occasioned by the death of Wm H. Dinkel, late Clerk of said Township, this day appeared before me in vacation, and together with J. W. F. Allemong, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $2.000 conditioned as the law directs, and thereupon took the several oaths prescribed by law.

All of which is hereby certified to the Clerk of said Court, together with said bond, who is directed to spread this order on the Minute Book of this said County, and record the said bond in this said office.

Chas J. O'Ferrall,
Judge Rockingham Cir.

Teste
J. E. Logan, Clerk

Monday, February 15, 1875.

At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, February 15, 1875.

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 January Term, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Trust Deed,	A. J. Douglas & wife	to Joseph T. Logan, trustee for Jane & Mary E. Myers,
Bargain & Sale,	Peter Shaver & wife,	" Jonathan & Joel Rinker,
" "	Wm. McK. Sawfley & wife	" James M. Sawfley,
Trust Deed,	Shepherd McKay & wife,	" Wm. J. Coffman, trustee for &c,
Mechanic's Lien,	Wm. Sigler,	" D. D. Dovel & wife
Bargain & Sale,	Abm. Diehl's Exor.	to Wm. Showalter,
Trust Deed,	Wm. S. Showalter & wife	" A. M. Newman, trustee,
Power of Attorney,	Joseph D. Bowman,	" Charles E. Haas,
Bargain & Sale,	Chas. A. Yancey, Commr,	" A. P. Nicholas,
" "	Henry Nicholas & wife,	" same, (old deed)
" "	Heirs of Jacob Nicholas,	" same, (" ")
" "	Philip Liggett & wife,	" same, (" ")
Survey & Plat	Jacob Nicholas' Estate,	(re-recorded,)
Trust Deed,	Wm. M. Keedie & wife	" G. W. Mauzy, trustee for E. W. Naylor,
Bargain & Sale,	Benoni Chrisman & wife,	" Emanuel Sipe,
" "	Henry McDorman & wife,	" same,
" "	Elias Hudlow,	" Lydia Hudlow,
" "	M. A. See & wife,	" Wm. H. Bowers,
" "	Sarah J. Leake,	" Wm. G. & Lizzie A. Leake,
Trust Deed,	W. G. Leake & Lizzie A. Leake,	" George G. Grattan, trustee,
Bargain & Sale,	John R. Smatts & wife,	" Franklin S. Lantz, (in lieu of old deed,)
" "	George Null	" Leonard F. Null,
" "	R. M. Grubb & Amanda Grubb	" Adam & Philip Shultz,
Plat & Boundaries,	Jacob Moyers,	" Thomas Atchison,
Bargain & Sale,	P. R. Harrison's Heirs,	" Franklin Sisler,
" "	Catharine Seiver,	" Harvey Dove,
" "	Jacob Rygger & wife,	" George H. Sawfley,
Trust Deed,	Dewitt C. Rinehart & wife,	" Jasper Rawse, trustee for Gideon Kratzer,
Bill of Sale,	E. J. Johnson & Geo. W. Johnson,	" Edward D. Freeman,
Bargain & Sale,	Chas. A. Yancey, Comm.	" Emma L. King,
Trust Deed,	Eli Keenan & wife,	" Ed. S. Conrad, trustee for J. N. Loewenbach,
Bargain & Sale,	W. A. Conrad,	" Peter Gurgen,
" "	Sophia M. Beard,	" Silas Beard, (in lieu of old deed)
" "	John Dinkel & wife,	" P. H. Snyder, (old deed,)
" "	John Q. Mumfield & wife & J. H. Liggett,	" S. H. Bowman,
" "	John R. Kagey,	" Andrew Kelmer,
Power of Attorney,	Christian Miswander & others,	" John G. Gochenour,
Bargain & Sale,	H. H. Waesche & John Kenney,	" First National Bank of Harrisonburg,
" "	Benoni Chrisman & wife,	" Emanuel Sipe,
" "	J. Koogler & D. C. Koogler,	" Jacob Dundore, &c,

Bargain & Sale.	D. C. Koogler,	to	H. V. Koogler, &c.,
" "	John Crouse & wife,	"	Geo. W. Miller, trustee for Sarah Miller,
" "	Cornelia E. Nicholas	"	Albert P. Nicholas,
Deed of Release.	L. H. Att, &c, Trustees R. B. Association	"	A. L. Greiner.
Homestead.	Albert Wilhite,		
Bargain & Sale.	Ettie C. Paul & Robert C. Paul	"	Robert Liskey,

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

Appraisement & Sale Bill of Jesse Carrier, dec'd;
" of Bonds of the Estate of Elizabeth Harshbarger, dec'd;

On the motion of N. J. Wall, and he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, leave is granted him to remove his Eating House and Retail Liquor Store to his room in the building rented by him from Dr. James N. Harris, on Main Street in the town of Harrisonburg.

On motion of D. H. Rolston, S. R. C, and as such Adm. with the will annexed of Peter Michael, it is ordered that J. B. Burner, N. J. Bader, C. Wetsel, Z. D. Gilmore, J. N. Hammen and Joseph Bare, do appraise the Estate of Peter Michael, dec'd, any three of whom may act, after first being duly sworn.

J. M. Weaver & Shaver Roberts. } Rug.

Geo. W. Kemper & others
On Road Petition.

On motion of the Plaintiffs these causes are dismissed.

Commonwealth & B. F. Bond. } Indictment for obstructing a Road.

This day came as well the attorney for the Commonwealth as the Defendant, by his counsel, whereupon the Defendant moved the Court to quash the Indictment, and after argument of counsel, upon consideration, the Court doth sustain the motion, and it is considered by the Court that the defendant go hence without day.

Commonwealth, & James Carter. } Upon an Indictment for Lascivious cohabitation

Commonwealth & Chas. F. Miller } Upon an Indictment for T. & B.

For reasons appearing to the Court, the trial of these two causes is continued until the next term,

Commonwealth, & A. G. Sigler, } Upon an Indictment for retailing ardent spirits without a License.

This day came the Defendant by counsel, and filed his plea of not guilty, and thereupon the trial of the cause is continued

until the next term, and the Court doth award a Rule against A.J. Sigler, a witness summoned on behalf of the Commonwealth, returnable to the next term for his failure to appear at this term.

Commonwealth,
&
Thomas Maupin & others. } Upon an Indictment for a misdemeanor.

This day came the Defendants, by counsel and filed their pleas of "not guilty", whereupon the trial of the cause is continued until the next term, and the Court doth award a Rule against A.J. Sigler, a witness summoned on behalf of the Commonwealth, returnable to the next term of the Court, for his failure to appear at this term.

Commonwealth,
&
Charles Fridley, } Upon an Indictment for retailing ardent spirits without a License. No. 1.

This day, came the Defendant, and confessed in open Court a judgment for Thirty Dollars and for costs. It is thereupon considered by the Court, that the Commonwealth recover of the Defendant, Thirty Dollars fine, and her costs, by her, in this behalf expended.

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same,
&
same. } Upon an Indictment for same, No. 2.

This day, came the Defendant, and confessed in open Court, a judgment for Thirty Dollars, and for costs, It is thereupon considered by the Court, that the Commonwealth recover of the Defendant, Thirty Dollars fine, and her costs, by her, in this behalf expended.

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same,
&
same. } Upon an Indictment for same, No. 3.

This day, came the Defendant, and confessed in open Court, a judgment for Thirty Dollars, and for costs, It is therefore considered by the Court, that the Commonwealth recover of the Defendant Thirty Dollars fine, and her costs, by her, in this behalf expended.

James F. Lowman,
&
James McDorman. } Attachment. & Woodson Compton,
&
James McDorman. } Att,

On motion of the Plaintiffs, and for reasons appearing to the Court, these two causes are dismissed at the cost of the Defendant, It is therefore considered by the Court that the Plaintiffs recover against the defendant James McDorman, their costs, by them in their behalf expended.

Allan C. Bryan,
&
Zachariah Raines, } Upon an appeal,

For reasons appearing to the Court this cause is dismissed,

Jacob T. Bowers, the Executor named in the last will and testament of Christian Bowers, which was admitted to Probate at the last term of the Court, having in writing to the Court produced & renounced his right to qualify as said Executor, (and it appearing in evidence that the renunciation was renounced per night,) on the motion of the Heirs of said Christian Bowers, the Court doth appoint John M. Roleston, Admr. d. b. n. of the Estate of said Christian Bowers, and thereupon he appeared in Court, (made oath the law to a c. complied to law,) and together with David Bear, Saml. A. Finkbaugh and George Ehrisman, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3.1000 conditioned according to law, a certificate is granted him for obtaining letters of administration, d. b. n. upon the Estate of said Christian Bowers, in due form, and the Court doth appoint Michael Bowman, Adam Rowl, George Rowl, John Showalter and Joseph Showalter to appraise the Estate of said decedent, any three of whom may act, after first being duly sworn.

On the motion of Col. Jackson Horn, it appearing to the Court that he is an agent for the sale of religious Books, the Register of Plains Township is directed to issue him License, as such Agent, upon the Payment of One Cent Tax.

The writing purporting to be the last will and testament of Jacob Miller, dec'd, was this day presented in Court, and being proven by the oaths of William Campbell and John J. Parker, two of the subscribing witnesses thereto, was admitted to probate; and thereupon Abraham Parker, the Executor therein-named, appeared in Court, and together with Martin Parker, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $7,400 conditioned according to law, and qualified as Executor of the last will and testament of said Jacob Miller, dec'd; and the Court doth appoint Wm. A. Bruce, Jno. J. Parker, D. S. Bowman and David Bowman, to appraise the Estate of said decedent, any three of whom may act, after first being duly sworn.

D. D. & J. F. Taylor

Upon application to discontinue old Road,

On motion of D. D. & J. F. Taylor, it appearing to the Court that legal notice has been given of the same, leave is given them to file their application to discontinue the Public Road running from Mumma's Run to the Spring Branch at the Dwelling House of Geo. W. Hammaker, the same being part of the old Maccamuttew Road, running from the Rockingham Turnpike to Wolfley's Ford, and this application is continued.

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

Chas. S. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday February 16, 1875.

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

Joseph Dinkle
&
J. C. Herring, } Upon an Attachment.

This day came again the Plaintiff by his attorney, and the Defendant being solemnly called, came not, on the motion of the Plaintiff, and upon introduction of testimony, It is considered by the Court that the Plaintiff recover against the Defendant the sum of $22.85 with interest thereon from 1st day of May 1871, and his costs, by him in this behalf expended. And it having been proved before the Court that Dr. Allen L. Jones of this County has funds in his hands due to the Defendant, J. C. Herring, to an amount exceeding the debt, interest and costs, and he having been summoned as garnishee under said Attachment, It is considered by the Court that the Plaintiff recover against the said Dr. Allen L. Jones, the garnishee of said Defendant J. C. Herring, the said sum of $33.85 with interest thereon from the 1st day of May 1871, till paid and his costs by him in this behalf expended.

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issued. The Court doth award Rules against Jacob P. Rhodes, John M. Maxey and Jacob Kyger, who were summoned at this term of the Court for their failure to appear, returnable to the next term of this Court.

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c.o.p.d for V.K.H. It appearing to the Court from the Report of A. M. Newman, Comm'r, of Accounts, bearing date, October 30, 1874, and from the special report of said Commissioner of date Janry. 11, 1875, filed in the Clerk's office Janry 14, 1875, to which report there are no exceptions, that there is in the hands of Thomas K. Harnsberger, Administrator of Robert L. Yancey, dec'd, the sum of Two Thousand, three hundred and thirty-nine Dollars and fifty-one cents, ($2.339.$\frac{51}{100}$) two-thirds of which said sum, to-wit: $1559.67 is the interest therein of the infant children of said Robert L. Yancey, dec'd, as named in said Report; thereupon the Court doth order that Thomas K. Harnsberger Admr. of Robert L. Yancey, dec'd, do pay over to Andrew B. Irick, the General Receiver of this Court, the said two-thirds of said sum of $2339.$\frac{51}{100}$, to-wit:- the said sum of $1559.67, and the said General Receiver is ordered to loan the same out upon good and sufficient Real Estate security, compounding the interest thereon annually, and thus hold the said fund subject to the future order of this Court.

D. D. Dovel's Admr.
&
John Flannery, &c. } Unlawful Entry & Detainer.

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

H. L. Shoup, Appellant
&
John C. Brock, Appellee } Appeal from a judgt of a Justice of the Peace.

This day came again the

the parties by their attorneys, and cause submitted to the Court, and upon consideration, the Court doth affirm the decision of the Justice of the Peace, and it is considered by the Court that the Appellee J. P. Brock recover of the Appellant, H. S. Shoup, the sum of $1.00 costs before the Justice, and his costs by him in this behalf expended.

Josephine R. A. Coffman
@
Washington, Cincinnati & St Louis Railroad Company } Upon a notice & motion.

On motion, this cause is dismissed agreed, by consent of parties.

The Washington, Cincinnati & St. Louis Railroad Company,
@
Isaac Bowman, }

The Commissioners appointed to ascertain what will be a just compensation for such of the land of the freehold whereof the said Isaac Bowman is tenant, as is proposed to be taken by said Company for its purposes & for the damage to the residue of the tract, have ascertained that for the land so taken & for the damage to the residue of the tract from the work to be constructed, One Hundred and seventy-five dollars will be a just compensation, and having returned their Report to that effect to the Clerk's Office of this Court according to law, to which Report there are no exceptions taken, It is therefore ordered that the said Report be confirmed, And it appearing to the Court that the said sum of $175.00 has been paid by the said Company to Martin Brunk, the assignee & vendee of said land & damages, the said Bowman having sold the said land to the said Brunk, during the pendency of this suit & proceedings, It is ordered that the said Martin Brunk do convey the land so taken by the said Company for its purposes, to the said Company, by deed with general warranty. And that this cause be stricken from the docket.

Same
@
James N. White & Charles Brock } In reference to the White & Brock land.

It appearing to the Court that the said Company and James N. White, (the owner of the White & Brock land,) have agreed upon Three hundred and fifty dollars as a fair compensation for the land of the freehold of said White, which is taken by said Company for its purposes, and for the damages to the residue of the tract. And it further appearing to the Court that the said Company has paid to the said White the said sum of $350.00, It is ordered that the said White do convey the said land so taken by said Company for its purposes, to the said Company, by deed, with general warranty, and that this cause be stricken from the docket.

Same
John Bowman } The Commissioners appointed to ascertain what

will be a just compensation for such of the land of the freehold whereof the said John Bowman is tenant, as is proposed to be taken by said Company for its purposes & for the damage to the residue of the tract, have ascertained that for the land so taken & for the damage to the residue of the the tract from the work to be constructed, One Hundred dollars will be a just compensation, and have returned their Report to that effect to the Clerk's Office of this Court, according to law, to which Report there are no exceptions taken, It is therefore ordered that the said Report be confirmed. And it appearing to the Court that the said sum of $100.00 has been paid by the said Company to the said John Bowman, It is ordered that the said Bowman do convey the land so taken & paid for by said Company to the said Company, by Deed with general warranty, and that this cause be stricken from the docket.

Lewis Watson's Exor.
&
Wm. C. Gay. } Unlawful Entry & Detainer.

This day came again the parties by their attorneys, and thereupon came a Jury, to-wit:- Jacob H. Driver, S. B. Good, G. B. Strother, James R. Dice, Philip Keller, Wm. M. Mantz, B. F. Showalter, Joseph Ritchie, W. H. Peterson, V. N. Lam, B. F. Rickard and E. H. B. Huffman, who being elected, tried and sworn the truth to speak whether the Defendant unlawfully withholds from the Plaintiff's possession of the premises in the writ mentioned, 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 Plaintiffs, the possession of the premises described in the writ.

Commonwealth,
&
T. W. Rinehart. } Indictment for Trespass Assault & battery.

This day came again as well the attorney for the Commonwealth, as the Defendant by his attorneys, and thereupon came a Jury, to-wit:- N. W. Shuler, E. S. Peale, John S. Effinger, Reynolds Wise, Noah Rodgers, John Linaweaver, John W. Flannery, R. R. Rondabush, Reuben Gowl, J. W. Miller, John Kelly and Wm. Haga, who being elected, tried and sworn, the truth in and upon the premises to speak, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 10 o'clock.

The writings purporting to be the last Will and Testament of David Kollar, dec'd, consisting of two certain writings, written upon one sheet of paper, both bearing date as of the 25th day of December 1874, and signed by said David Kollar, the one writing appointing David M. Kollar Executor thereof, and the other appointing Philip Kollar Executor thereof, the attesting witnesses to both of said writings being the same persons, viz:- S. Mills McMullen, David Reedy & John G. Armentrout, was presented in

Court, proven by the oaths of L. Miles McMullen, David Ready & John G. Ammentrout the subscribing witnesses, and ordered to be recorded; the Court hereby admitting to probate the said two writings as and for the last will and testament of David Hollar, dec'd. And, on the motion of Philip Hollar & David M. Hollar, the Executors therein named, they have leave to qualify as Executors of the said last Will & Testament of the said David Hollar, dec'd, for the purpose of carrying out the separate functions prescribed by said Will, whereupon Philip Hollar executed a bond with David Ready & Geo. W. Hollar as his sureties (who justified as to their sufficiency) in the penalty of $2500.00 conditioned according to law, and David M. Hollar executed a bond in the penalty of $10.000.00 without security, conditioned according to law, the testator having requested in his said will that no security be required of the said David M. Hollar, and thereupon the said Philip Hollar and David M. Hollar qualified according to law as Executors of the last will & testament of the said David Hollar, dec'd;

And on the further motion of Philip Hollar, the Court doth appoint David Ready, Geo. W. Hollar, Dewitt Hoffman, David Swartz & Wm. J. Miller to appraise the Estate of said David Hollar, which under his said will is to be administered by said Philip Hollar any three of whom may act, after first being duly sworn.

And on the further motion of David M. Hollar, the Court doth appoint John G. Ammentrout, L. Miles McMullen, David Ready, Philip Hollar & Benjamin A. Showalter, to appraise the Estate of said David Hollar, which under his said will is to be administered by said David M. Hollar, any three of whom may act, after first being duly sworn.

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

Dav. L. O'Farrell, J.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, Feby. 17, 1875.

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

Thomas H. Basford this day presented in Court an account against the County of Rockingham, amounting to $12.00 for repairing Court House door and Bell, 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.

Lewis Watson's Exor.
&
M. C. Gay. } Unlawful Entry & Detainer

This day came again the parties, by counsel, and the defendant by counsel, moved the Court to set aside the verdict of the Jury rendered in this cause on yesterday, and grant him a new trial, which motion, upon argument of counsel, the Court doth overrule. It is therefore considered by the Court that the Plaintiffs recover of the defendant possession of the premises described in the writ, and also their costs, by them, in this behalf expended. And the Court doth order that a writ of Possession do issue, directed to the Sheriff of Rockingham County.

On an application of Joseph Shickel, Committee of Mary Stokes, a lunatic, for sale of lands.

This cause came on to be again heard this 17th day of February 1875, on the papers heretofore read, the proceedings heretofore had, and the report of Joseph Shickel, Special Commissioner to sell said lands, showing that he had sold the same to Henry Thomas, at the price of $1.000.00. And the cause was argued by counsel. On consideration whereof the Court doth adjudge, order and decree that said sale to Henry Thomas, by said Joseph Shickel, Commissioner of the lands of said Mary Stokes, dec. and the same is hereby confirmed. And said Joseph Shickel, Committee of said Mary Stokes, lunatic, is directed to collect of said Henry Thomas the down payment on said lands, and to withdraw the bonds for the deferred payments filed in this cause, and collect the same as they become due, and hold the same subject to the order of the Court. After the payment of the down payment by said Henry Thomas, the said Joseph Shickel, who is hereby appointed a special Commissioner for the purpose, shall execute to said Henry Thomas, a deed, with special warranty, to said lands, retaining in said deed a lien on said lands, to secure the payment of the unpaid purchase money.

Commonwealth
&
T. W. Pinchcant. } Indictment for Trespass, Account & Battery.

This day came again the Jury sworn and empanelled on yesterday for the trial of this cause, pursuant to their adjournment, 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.

Wamy Raines &c,
&
Le. Mohr, &c. } Upon a warrant.

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

Rader, Appeal Rader, Appellant
Appersniak, Appellee } Upon an Appeal.

On motion of the Appellant, on motion of the Appellee, this cause is continued until at his costs, and at his costs, and a Rule awarded against Henry M. , one of Appellee's witnesses, one of Appellee's witnesses for his failure to appear at returnable to the returnable to the next term of this Court.

} Upon an appeal.

On motion of the is continued until the next term at her

Ordered, That Court be adjourned now morning at 10 o'clock

O'Neall.

now morning

O'Neall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, February 18, 1875.

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

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 Thos. K. & Aby. Harnsberger, Admrs. of John Harnsberger,
" " " " " C. A. Yancey, Admr. of C. Argabright.
" " " " " Jasper Hawse, " " Abm. Wenger,
" " " " " same, " " Isaac Pineheart,
" " " " " C. A. Yancey, " " Y. C. Ammon,
" " " " " L. H. Taylor, Exr. " W. S. Bayliss,
" " " " " B. F. & N. B. Armentrout Exrs. " Davis Armentrout
" " " " " Jacob & Jno. Harshbarger " " John J. Harshbarger,
" " " " " Rudolph Myers, Exr " Joseph Conner,
" " " " " Henry A. Showalter " " Anthony Showalter,
" " " " " Wm. A. Thompson, " " Geo. B. Shaver,
" " " " " Geo. W. Andes, guard. " Wm. G. Andes,
" " " " " P. H. Armentrout " " Quincy Hooker, &c,
" " " " " A. S. Rosenberger, " " Delilah A. Handley,
" " " " " Crawford Zirkle comm. " Delilah Zirkle,
" " " " " C. A. Yancey, Trustee. L. C. Myers,
" " " " " same, " " same,

Report of A. M. Newman, Commr. in Ect of R. L. Yancey,

R. A. Gray, for &c. @ D. H. Rolston, S. R. C. } Upon a Notice For failure to return Execution &c. C. C. Norton, &c,

This Notice being returnable to the 1st day of this term, not having been docketed, on motion of the Plaintiff, and for reasons appearing to the Court the same is now placed upon the Courts docket as for then.

Nicholas Miller, @ Jacob A. Armentrout, Exr. of Wm. Argabright, dec'd, } Upon motion to revoke powers as Exr.

This day came again the Plaintiff by his Attorney, and it appearing to the Court that the Defendant has had due notice of this motion, and he still failing to appear, It is ordered that for reasons appearing to the Court, that Nicholas Miller, the surety of said Jacob A. Armentrout, Exr. of Wm. A. Argabright, dec'd be released from his suretyship, and that the powers of said Jacob A. Armentrout Exr. of Wm. Argabright, be and the same are hereby revoked,

J. W. Kirtley & others,

copied. Upon an application heretofore filed for new Road from the Bridge on the Shenandoah River, at the intersection of the said River

and the Rockingham Turnpike to old Road, at or near Mrs. Kagey's.

It is ordered that J.C. Kettle, Commr. of Roads for Central Township proceed to view the Route down the River from said Turnpike & Bridge to the Lick Ford & thence by the old Road to the present road, and report in pursuance of Sections 23 & 24 Chapter 52 Code of 1873.

For reasons appearing to the Court, the Court doth revoke the order made at the December Term last, whereby S.F. Keaton, Special Constable, was allowed the sum of $10.45 for charges upon the arrest of Adeline Grim & May Eutzler, charged with misdemeanor, and thereupon the said S.F. Keaton, Special Constable presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $6.25 for arresting Adeline Grim & May Eutzler, charged with misdemeanor, summoning witnesses, meals furnished prisoners, mileage, tolls, wagon-hire, &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.

cd.

For reasons appearing to the Court, the Court doth revoke the order made at the December Term last, whereby S.F. Keaton, Special Constable, was allowed the sum of $3.65 for charges upon the arrest of Jeremiah Collier, Thomas Kiger and John Kisling, charged with misdemeanor, and thereupon the said S.F. Keaton, Special Constable, presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.10 for arresting Jeremiah Collier, Thomas Kiger & John Kisling, charged with misdemeanor & summoning witnesses, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cd.

It appearing to the Court that there a number of causes now pending upon the Appeal Docket of this Court, in which there have been no orders, other than continuances, for a number of years, It is ordered by the Court that Rules do issue against the parties Appellant and Appellee, returnable to the next term of this Court, requiring them to prosecute said causes, or show cause why they shall not be dismissed.

D.D. Dovel's Exor.
John Flannery &c. } Unlawful Entry & Detainer.

This day came the parties by their attorneys and the defendant by counsel, moved the Court to require the Plaintiff to dismiss the cause upon the ground that the subject in controversy, or a larger portion of it, is under the jurisdiction of the United States Court of the Western District of Virginia, in proceedings purposely pending there, which motion the Court overruled, and thereupon the Defendant moved the Court to require the Plaintiff to dismiss his cause as to 732 acres, part of the lands demanded in the summons upon the same ground, which motion the Court also overruled; The plaintiff appearing by counsel and objecting to said motions, and the Court hearing said motions upon the evidence and argument of counsel, Thereupon the Defendant moved the Court for leave to file a plea in abatement, which motion the Court doth overrule, and

Thereupon the Defendants filed their three several bills of exceptions to the opinion of the Court, which are in words & figures following, to wit:- "D D Dovel's Exor. & John H. Flannery &c."- "D D Dovel's Exors. & John H. Flannery, &c," and D D Dovel's Exor. & John H. Flannery, &c," which they pray may be signed, sealed and enrolled, which is accordingly done; and thereupon the Defendants filed their plea of "not guilty", and the trial of the cause continued until the next term.

The writing (purporting) to be the last will and testament of J. H. Detamore, dec'd, was this day produced in Court, and being proven by the oaths of George Kleinman and John H. Roleston, jr, two of the subscribing witnesses thereto, was admitted to probate; and thereupon George Kleinman the Executor named in the will, appeared in Court and entered into and acknowledged a bond in the penalty of $3.000 &c (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 J. H. Detamore, dec'd; and upon the motion of said George Kleinman, the Court doth appoint J. H. Roleston, Joshua Leupp, Daniel Leupp jun and Wm Read, to appraise the Estate of said John H. Detamore, any three of whom may act, after first being duly sworn.

The Court under the provisions of the 5th Section of Chapter 50 of the Code of Va. 1873 doth appoint Samuel Shacklett, Anthony Heckman and Dr. J. H. Neff, as Commissioners to inspect the Jail of this County, and make quarterly Reports in regard to its condition, &c, as provided in said Section of the Code, commencing with January 1, 1875;

Asbury Harrison,
&
Allen. Steele,
} upon a motion to quash Execution.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, doth overrule the motion to quash said Execution, and it is considered by the Court that the Defendant recover of the Plaintiff, his costs, by him, in this behalf expended.

Jacob Hoover,
&
James Steele,
} Upon a motion to quash Execution.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, doth overrule the motion to quash said Execution, and it is considered by the Court that the Defendant recover of the Plaintiff his costs, by him, in this behalf expended.

Commonwealth,
&
D. W. Rinehart
} Upon an Indictment for trespass, assault & battery.

This day came again the Jury sworn and empannelled on Tuesday 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, P. M. Rinehart, guilty in manner and form as charged in the Indictment, and assess his fine at Four Hundred and fifty dollars."

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. 19, 1875.

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

On motion of James Kenney, Trustee of A. C. Bryan, leave is given him to withdraw the original bond filed in the case of James Kenney, Trustee, vs. J. P. Effinger, which was decided in this Court in 1866, & which decision was afterwards reversed in the Court of Appeals, upon his leaving an attested copy of said bond with the papers of said cause; said bond to be filed in the Chancery suit of James Kenney, Trustee of A. C. Bryan against J. P. Effinger, now pending in the Circuit Court of Rockingham County.

original note delivered to Wm. H. C. Conrad, atty
B. Compton, atty
+ copy bond filed in papers. Ind'ts
C. & C. C.

On an application to establish a public road, leading from Keltzels Mill to Whitmers Blacksmith shop,

The Commissioners appointed at the January term 1875, of this Court to ascertain what will be a just compensation for such of the land of Jacob Dundore as is proposed to be taken for said road, having returned their report according to law, said report being signed by Jno. H. Long, John N. Simmers & Jacob Funkhouser, three of said Commissioners, and it appearing from said report that said Commissioners ascertained that $45.00 will be a just compensation for such of the land of said Dundore as is taken for the purposes of said road, and there being no exceptions taken to said report, It is ordered that the same be confirmed; and it is further ordered that Central Township pay to said Jacob Dundore, the said sum of $45.00 and provide for the payment of the same out of its next annual levy, and it is further ordered that said road be established according to a former order entered in this cause, as follows, to-wit, beginning in the road opposite James Keltzels Mill, running thence along the present road one mile and twenty-two (22) poles, to near Joseph Spitzels stable, thence S 40 3/4 W 26 poles through Joseph Spitzels land, thence 28 poles through Abram Spitzels land, to Deputy's line in the road, thence with said line S. 4 W. 24 poles to Dundores land, thence S. 1° W 10 poles through Dundores land to his and Longs line, thence with said line S 64 W. 102 poles to Dundores corner, thence N. 86½ W. 38 poles with Dundores line to near Joseph Lucas

Lanjo corner, thence S. 47 W. 36 poles running nearly as the road formerly ran, through Josephus Lanjo land, thence 44 poles through Wm. L. Whitmer's land, thence S 81½ W. 20 poles through said Whitmer's Land to the Harrisonburg and Rawley Springs Turnpike, a distance from the beginning to the termination of two miles and thirty poles.

Solomon Kauffman,
&
Wm. Steele,
} Upon a motion to quash an Execution.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, doth sustain the motion to quash. It is therefore considered by the Court that the said Execution be quashed, and that the Plaintiff recover of the Defendant his costs by him in this behalf expended.

John P. Brock,
&
W. T. McGahey, &c.,
} motion upon a Delivery Bond.

The Defendants this day filed their special plea of former judgment, to the filing of which the Plaintiff objected as not offered in time, and not sufficient in law; but it appearing to the Court by the Clerk's endorsement on the papers and other evidence that said plea was filed at the June Court 1874, and that there can be no surprise on the Plaintiff, the same is ordered to be filed, to which the Plaintiff proposed to file four special replications, to the filing of which and each of which the Defendants objected as not being sufficient in law as an answer to their plea, but the Court overruled said objection and permitted the said replications to be filed, and they were accordingly filed, to which the Defendants excepted, whereupon the evidence and argument of counsel being heard, the Court is of opinion that the Plaintiff is not precluded by said plea of former judgment from the right to judgment and execution on the Forthcoming Bond mentioned in the Notice, and that the former judgment was not a judgment on the merits of the case. It is therefore considered by the Court that the Plaintiff recover against the Defendants the sum of $1587.74 the penalty of said bond and his costs by him in this behalf expended. And the said Defendants in mercy, &c. But this judgment is to be discharged by the payment of $793.87, with interest thereon to be computed at the rate of six percent. per annum from the 8th day of January 1874. till payment and the costs.

L. Eger & Sarah Eger, Appellant,
&
Town of Harrisonburg, Appellee,
} 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, doth reverse the judgment of the Justice of the Peace, and considers that the Appellants recover against the Appellee the sum of $12.00 their costs before the Justice below; and the Court then proceeded to give such judgment as the Justice below ought to have given. It is therefore considered by the Court that the Ap-

pellee recover of the Appellant L. Eger, the sum of $12.60 with interest thereon from the 18th day of October 1874, till paid, and its costs by it, in this behalf expended.

Commonwealth,
vs.
F. W. Rinehart,
} Upon an Indictment for Trespass assault & battery.

This day came again as well the Attorney for the Commonwealth as the Defendant by his counsel, whereupon the Defendant moved the Court to set aside the verdict of the Jury rendered in this cause on yesterday, which motion, the Court, upon consideration, doth overrule. It is therefore considered by the Court that the Commonwealth of Virginia recover against the Defendant F. W. Rinehart, Four Hundred and Fifty Dollars the amount of the fine ascertained by the verdict of the jury, and her costs, by her in this behalf expended.

"Memorandum" - Upon the trial of this cause, the Defendant, by his counsel, excepted to an opinion of the Court given upon said trial, and tendered his bill of exceptions, which was signed, sealed and enrolled and made part of the record in the cause - which is in the words and figures following to wit: (Here insert the Bill of Exceptions.)

Washington, Cincinnati & St. Louis Railroad Company,
vs.
Abraham Weaver.
}

It appearing to the Court that the Defendant has received payment of the amount reported in this case in favor by the Commissioners, and that he has made a Deed to the Plaintiff for such part of his land as is taken for the said Road, It is ordered that this cause be dismissed, and stricken from the Docket.

The Court doth order that the following named persons be each allowed the sum opposite their names for their services during this term of the Court, which are ordered to be certified to the Treasurer of this County for payment, viz:-

Jacob H Driver,	$4.00	Philip Keller,	$4.00	W. H. Peterson,	$3.00
S. B. Good,	4.00	Wm. M. Marty,	4.00	O. H. Lain,	2.00
G. B. Strother,	4.00	B. F. Shumaker,	3.00	B. F. Rickard,	3.00
James R. Dice,	4.00	Joseph Ritchie,	3.00	E. N. B. Kauffman	3.00
John M. Marty,	2.00				

The Court doth order that the following named persons be each allowed the sum opposite their names for their services during 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:-

cpd certified to Aud. of Pub. Accts.

N. H. Shuler,	$3.00	Levi Rodgers,	$3.00	Reuben Rowe,	$3.00
E. S. Peale,	$3.00	John Linaweaver,	3.00	J. Wesley Miller,	3.00
John J. Effinger,	3.00	John K. Flannery,	3.00	John Kelly,	3.00
Lewis S. Wise,	3.00	R. R. Rondabush,	3.00	Wm. Hagar,	3.00

Commonwealth,
@
W. J. W. Pinchcart. } Upon an Indictment for Trespass, Assault & Battery.

This day came again as well the Attorney for the Commonwealth as the Defendant by his counsel, and on the motion of the Defendant, by his counsel, It is ordered by the Court that execution of the judgment in this cause, be suspended for a period of thirty days, after the rising of this Court, in order to give the Defendant an opportunity to present a petition for a writ of Error to the judgment aforesaid.

J. P. Brock,
@
W. J. McGahey &c., } Upon a motion to quash a forthcoming Bond.

On motion of the Plaintiff, this cause is dismissed.

Lewis Watson's Exor.,
@
M. C. Gay, } Unlawful Entry & Detainer.

Memorandum, upon the trial of this cause, the Defendant by counsel, excepted to an opinion of the Court given upon said trial, and pursuant to leave reserved upon said trial, tendered his two several bills of Exceptions, which he prays may be signed, sealed and enrolled, and made part of the record in this cause, which is accordingly done, and are, following to wit, following to wit: "Lewis Watson's Exor. @ M. C.'s Exor. @ M. C. Gay," &c's Exor. @ M. C. Gay," &c.

John P.
motion upon a Delivery Bond
W. J. McG

Memorandum, upon the trial of this cause, the Defendant by his counsel excepted to an opinion of the Court given upon said trial, a bill of exceptions, which was signed, sealed and made part of the record in this cause, which is in the words and figures following to wit: (Here insert the Bill of Exceptions.)

Solomon Guggenheim,
@
William Steele. } Upon a motion to quash an Execution.

Memorandum, upon the trial of this motion the defendant by his counsel, excepted to an opinion of the Court given upon said trial, and tendered his bill of exceptions, which was signed, sealed and enrolled, and made part of the record in this cause, which is in the words and figures following to wit: (Here insert the Bill of Exceptions.)

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

Chas. F. O'Finall.

In Vacation:—

Before the Judge of the County Court of Rockingham County:—

On the 1st. day of March 1875, Henry Neff, on the 2d. day of March 1875, Saml. R. Sterling, Abraham Andes, and William L. Harrison, on the 4th. day of March 1875, Jacob Moyers, by Saml. R. Sterling, his Attorney in fact, and on the 8th. day of March 1875, Jonas A. Loewenbach, sureties in the official bond of Saml. R. Allebaugh, Treasurer of Rockingham County, executed on the 15th. day of December 1873, personally appeared before me, Judge of the County Court of said County, and severally acknowledged a writing, bearing date on the 1st. day of March 1875, giving their consent to the extension of time allowed the said Treasurer to make his final settlements with the Collectors in this County and with the Auditor of Public Accounts as provided by an Act of the General Assembly of Virginia, for extending the time for the collection of Taxes, &c, approved Feby. 23, 1875. All of which is hereby certified to the Clerk of said Court together with the Power of Attorney from said Jacob Moyers to Saml. R. Sterling, and said Clerk is directed to record the same in his office.

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

Teste.
I. T. Logan, Clerk.

In Vacation:—

Before the Judge of the County Court of Rockingham, this 1st. day of March 1875.

A. V. Brenner, Collector of Central Township in said County, this day personally appeared before me Judge of the County Court of said County, and together with Granville Eastham, D. H. Moffett, by M. M. Silbert, his Atty. in fact, J. N. Loewen, John C. Woodson, M. M. Silbert and Eli Keeran, by Granville Eastham, his Atty. in fact, as his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $14,000 00/100 conditioned according to law, as required by an Act of the General Assembly of Virginia, approved Feby. 23, 1875, for extending the time for the collection of Taxes, &c, All of which is hereby certified to the Clerk of said Court, together with the Powers of Attorney from D. H. Moffett to M. M. Silbert and from Eli Keeran to Granville Eastham, and the said Clerk is directed to record the same in his office.

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

Teste.
I. T. Logan, Clerk.

In Vacation:—

Before the Judge of the County Court of Rockingham County, this 1st. day of March 1875.

E. R. Neff, Collector of Plains Township, in said County, this day personally appeared before me, Judge of the County Court of said County, and together with Henry Neff, Moses Mason, Jacob Kniegardner and S. R. Allebaugh, as his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $12.000 00/100, conditioned according to law, as required by an Act of the General Assembly of Virginia, for extending the time for the collection of Taxes, &c., approved February 23, 1875. All of which

is hereby certified to the Clerk of said Court.

Teste,
J. D. Logan, Clerk.

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

Law Vacation.

Before the Judges of the County Court of Rockingham County, this 1st. day of March 1875.

W. J. Finkel, Collector of Linville Township, in said County this day personally appeared before me Judge of the County Court of said County, and together with William C. Harrison, John L. Good, H. N. Beery and Saml. P. Sterling as his securities, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $13.000 00, conditioned according to law, as required by an Act of the General Assembly of Virginia, for extending the time for the collection of taxes, &c, approved Feby. 23, 1875. All of which is hereby certified to the Clerk of said Court.

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

Teste,
J. D. Logan, Clerk.

At a County Court held in and for the County Court of Rockingham County, at the Court House thereof, on Monday March 15, 1875.-

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 inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	Edward Koontz & wife,	to Robert Skinner,
Land Division, &c,	Harvey Keets	Real Estate Division.
Bargain & Sale,	John Koleinger & wife,	" Noah Minnick, &c, Trustees, &c
" "	Samuel E. Long & wife,	" Daniel Garber,
" "	Henry Keil,	" D. C. Brunneman, Trustee, &c,
" "	Jacob Lincoln & wife & N. B. Lincoln & wife,	" Abram C. Long,
" "	R. Johnston, Commr,	" Henry Mason,
" "	Elizabeth Ann Layman,	" John T. Rimel,
" "	Nancy Allen,	" Lee Allen,
" "	Geo. W. Effinger & wife,	" Martha Shands, in her own right, &c,
" "	Francis Staling & wife,	" George G. Grattan,
" "	Jacob F. Keller & John A. Keller,	" Frederick Rodes,
" "	John F. Long & wife	" James C. Keeltzel,
Trust Deed.	D. H. Landes,	" G. W. Berlin, trustee, for &c,
Bill of Sale,	J. E. Cattes,	" J. N. Funkhouser,
Bargain & Sale,	Eliza A. Norman,	" David B. Kline,
" "	C. Burnt & wife & M. Burnt & wife,	" Isaac B. Kline,
" "	Isaac Wenger & wife,	" same,
" "	Emanuel Suter & wife,	" Peter Wenger,
" "	D. H. Rolston, Commr,	" William B. Compton,
" "	Geo. W. Moore & wife,	" Sarah R. Good,
" "	Joseph Armentrout & wife,	" Wm. H. Buntner,
" "	G. W. Berlin & wife,	" Charles Friddy,
" "	Mary Ann Rook,	" Michael Minnick,
" "	David Zigler & Dl. Zigler & wife,	" Wm. A. Pence,
" "	David F. Linaweaver & wife,	" Silas Keuton,
" "	Samuel Butler & wife &c,	" Henry Pulse,
" "	John W. F. Allemong & wife,	" Daniel Garber,
" "	Isaac Acker & wife,	" Charles T. Acker,
" "	John Acker,	" same,
" "	Peter Acker,	" same
" "	Wm. A. Showalter & wife,	" Geo. W. Showalter,
Mechanic's Lien	A. J. Life,	" James Huffman,
Trust Deed.	Geo. W. Showalter & wife,	" Solomon Beery,
Bargain & Sale,	Isaac Wenger & Jacob Keil, Exrs. &c,	" John Wenger,
" "	Peter L. Roller & wife, &c,	" John G. Edwards, Trustee, &c,
" "	James O'Rourk & wife,	" Michael Deuer,
" "	Thomas McGuire,	" Peggy Lambert,
" "	Samuel E. Long & wife,	" Paul Miller, Sam'l Miller & David Swiger
" "	same,	" same,
" "	Lucy Coakley,	" Peachy R. Coakley,

Bargain & Sale,	Benj. F. Kemper & wife	to	Geo. W. Kemper,
" "	John L. Moyerhoeffer,	"	Charles A. Faulcar,
" "	John Mefferly & wife,	"	J. S. Ramsberger,
Bill of Sale,	Edward Howard,	"	Isaac W. Brown,

The Committee, Samuel Shacklett, A. Hockman and J. H. Neff, appointed to examine the Jail, this day returned their Report into Court which is ordered to be filed.

On the motion of James J. Miller, it appearing to the Court that he is an Agent for the sale of religious Books, the Assessor of Central Township is directed to issue him License, as such Agent, upon the payment of One Cent Tax.

The writing purporting to be the last will and testament of Rezin W. Bryan, was this day presented in Court, and proven by the oaths of G. W. Berlin, ~~and~~ & G. H. Robertson the subscribing witnesses thereto. ~~and the hand-writing of G. H. Robertson, the other subscribing witness thereto, was proved~~ the same is admitted to probate; and thereupon, John E. Bryan, the Executor therein-named appeared in Court, and together with Geo. W. Berlin, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of 1.000^{00}, conditioned according to law, and qualified as the Executor of the last will and testament of said Rezin W. Bryan, dec'd.

The writing purporting to be the last will and testament of Wm. H. Dinkel, dec'd, was this day presented in Court, and being proven by the oaths of J. W. Jacobs and P. Herring, two of the subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Lewis Hettrick, dec'd, was this day presented in Court, and being proven by the oaths of Joel Flory and Frederick Linhoff, was ~~this~~ admitted to probate; and Benjamin Berlin, the Executor therein-named, declining to qualify as such, on the motion of John L. Thompson, who made oath thereto according to law, he appeared in Court, and together with E. H. Cromer and Benjamin Berlin, his sureties, who justified as to their suf-ficiency,) 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, with the will annexed, in due form, upon the Estate of said Lewis Hettrick, dec'd.
And the Court doth appoint Abraham Sager, Joel Flory, Hiram Hoffman, Daniel Bowman & Benjamin Berlin to appraise the Estate of said Lewis Hettrick, after first being duly sworn.

Joseph Byrd, a Justice of the Peace for this County, having certified that Julia A. Wise, an infant over 14 years of age, had appeared before him on the 13th. day of February 1875 and made choice of Charles P. Airey as her guardian, the said Charles P. Airey, appeared in Court and together with Adam W. Wise, his surety, (who justified as to his sufficiency,)

entered into and acknowledged a bond in the penalty of 1.000^{oo} conditioned according to law, and qualified as the guardian of said Julia A. Allise.

M. M. Silcott, a justice of the Peace for this County, having certified that Martha M. Fitzgerald, an infant over the age of 14 years had appeared before him on the 4th. day of March 1875, and made choice of A. B. Shick as her guardian, the said A. B. Shick appeared in Court, and together with Jonas A. Loewenbach, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of 8.000^{oo} conditioned according to law and qualified as the guardian of said Martha M. Fitzgerald, in the stead of Joseph D. Blair, who resigned, as shown by a copy of an order entered at the Feby. Term 1875. of the County Court of Pittsylvania County.

cop'd. by

On motion of Stanfield Jackson, It is ordered that the Estate of F. M. Layton, dec'd, be committed to D. H. Rolston, Sheriff of this County, for administration, said F. M. Layton having been dead for more than three months, and no person qualifying as his Administrator

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It appearing to the Court from an inspection of the Report of A. M. Newman, Comm'r. of Accounts, of the settlement of the account of Thomas K. Hamolerger & Henry Hamolerger, Adm'rs. of John Hamolerger, dec'd, bearing date Jany. 9, 1875, filed Jany. 19, 1875, that there is in the hands of said Administrators, as such, due the unknown Heirs of Jacob Hamolerger & Catharine his wife, the sum of Twenty-six $\frac{63}{100}$ dollars, and that a like amount is due from said administrators to the unknown heirs of Jacob Single & Mary his wife; the Court doth hereby order said Thomas K. Hamolerger & Henry Hamolerger as such Adm'rs. of John Hamolerger, dec'd to pay over to Andrew B. Shick, as General Receiver of this Court, the said several amounts due the said unknown Heirs of the said Jacob Hamolerger & wife and the said Jacob Single & wife, and that said General Receiver hold the same subject to the further order of this Court.

cop'd. from Chas

On an application of D. K. Weaver & others for the establishment of a public road, commencing on the Bridgewater & Paul's Mill road, on the lands of Peter Kline, and terminating on the Rockville & Paul's Mill road, near Philip Keller's,

cop'd.

It is ordered that the Commissioners of Roads for Ashby Township, view the route of said proposed road and report to the next term of this Court, as to the propriety of establishing said road, said Report to be according to Law,

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On the application of Edward L. Kemper & others, for the establishment of a public road, commencing on the Keeslytown road near Capt. Key, and running to the Valley Railroad at the Depot, near Bierly's Mill,

cop'd.

It is ordered that the Commissioners of Roads for Ashby Township view said road and report according to law to the next term of this Court, as to the propriety of establishing said Road.

On the application of John M. Melhorn & others, to have a public road established, leading from the Shenandoah River, at a point near Ammon's Mills to the Port Republic road, distance about half a mile,

copied.

It is ordered that the Commissioner of Roads for Stonewall Township view the route of said proposed road and report to this Court, according to law.

On an application of Chas. J. Brock & others, to establish a public road, commencing on the Keezletown Road, thence by Mary's Store to the Yellow Massanutten Springs,

copied. ✓

It is ordered that the Commissioner of Roads for Plains Township, view said proposed road and report to this Court, according to law, and report on any other route he may think advisable.

John W. Taylor, who was, on the 1st. day of March 1875, 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 Jacob Lincoln, 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 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 W. Taylor took the several oaths prescribed by law.

entitled.

The Court doth this day appoint Samuel L. Slusser as Collector of Ashby Township, in this County, to fill a vacancy occasioned by the failure of said Samuel L. Slusser to ~~qualify~~ comply with the requirements of An act of the General Assembly of Virginia, approved Feby. 23, 1875, for extending the time for the collection of taxes, &c, to serve as such until his successor is qualified to enter upon the discharge of the duties of his office, and thereupon the said Samuel L. Slusser appeared in Court, and together with Samuel Slusser, Edward S. Kemper and Jo. B. Wetsel, 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. And thereupon the said Samuel L. Slusser took the several oaths prescribed by ~~Law~~

The Court doth this day appoint James B. Eastham as Collector of Stonewall Township, in this County, to fill a vacancy occasioned by the failure of said James B. Eastham to comply with the requirements of An Act of the General Assembly of Virginia, approved Feby. 23, 1875, for extending the time for the collection of taxes, &c, to serve as such until his successor is qualified to enter upon the discharge of the duties of his office, and thereupon the said James B. Eastham appeared in Court, and together with J. A. Shipp, B. F. Sooter and Geo. G. Strayer, 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 James B. Eastham took the several oaths prescribed by law.

On the motion of Samuel L. Kuper, Collector of Ashby Township, Jacob Wright appeared in Court, and qualified as his Deputy, by taking the oaths prescribed by law.

On the motion of James B. Eastham, Collector of Stonewall Township, Geo. G. Strayer, appeared in Court, and qualified as his Deputy by taking the oaths prescribed by law.

Samuel R. Alleshough, Treasurer of this County, this day presented in Court lists of Delinquent Lands sold by him on the 1st. day of January 1875, (Court day,) Purchased by individuals, and also a List of Lands Purchased by the Commonwealth, 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.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, March 16, 1875.

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

Wm. H. Morgan,
&
Henry W. Roller, J. Showalter & Jeremiah Temple, } Upon a Notice,

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

Y. W. Sable this day presented in Court an Account against this County of Rockingham, amounting to the sum of $28.25 for Coal furnished for the Court House, which 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 1875.

R. N. Gray, for &c,
&
D. H. Roleton, S.R.C. } Upon a Notice.

Ordered, That this cause be dismissed at the Defendants cost.

George M. Shaver, Appellant
&
Jacob E. Rhodes, Appellee } Upon an appeal,

Ordered, That this cause be continued until the next term of the Court at the cost of the Appellee.

W. F. Devier, Appellant
vs
James Sellers, Appellee, } Upon an appeal.

Ordered, That this cause be dismissed agreed.

Nancy Crawford Appellant
vs
N. M. Cave, Appellee } Upon an appeal.

On motion of the Appellant, this cause is continued until next term at her costs.

Commonwealth,
vs
A. G. Sigler, } Upon a Misdemeanor.

Ordered that the trial of this cause be continued until the May Term next of this Court, and that Rules be awarded against J. Bateman & G. H. May, witnesses for the Commonwealth and against Abner Brown, Wm. Miller, Reuben Scott, Chas. F. Miller, Jacob Snider, Wm. Bateman, Wm. D. Marden, John Harvey, Benj. E. Long, Dyer Woodson, Jerry Dowel, C. A. Roler & John R. Bumgardner (Page Co.) witnesses for the Defendant, returnable to the May Term next of this Court, for their failure to appear at this Term of the Court when duly summoned.

Commonwealth,
vs
Thomas Maupin, &c, } Upon a misdemeanor.

Ordered, That the trial of this cause be continued until the May Term next of this Court, and a Rule is awarded against L. F. Gaither, one of the Defendants witnesses, returnable to the May Term next, for his failure to appear at this Term of the Court, when duly summoned.

Samuel H. Lambert,
vs
Daniel A. Wine, Adm'r. of Samuel Lambert, dec'd } Upon an award.

The award of Wm. Beard, D. N. VanLear and James Todd, arbitrators to whom was submitted the matter in controversy between said parties, for arbitration and settlement, having returned their award into this Court in pursuance of the agreement of submission, and the said Daniel A. Wine, Adm'r. of Samuel Lambert, dec'd, having in writing, waived the rule to show cause against the said award, and agreed that judgment may be entered thereon for the amount of said award, It is therefore considered that the Plaintiff recover against the Estate of the Defendant the sum of $89.58 with interest thereon from the 23rd. day of August 1874, till paid, and his costs by him in this behalf expended.

Commonwealth
vs
Charles F. Miller. } V. A. & B.

Ordered, That the trial of this cause be continued until the

May Term next of this Court, and Rules are awarded against Jacob Mohler, Wm. C. Patterson and Elias Pickay, witnesses for the Commonwealth and against Joseph Waller, Robert Shiflett, Nick Jewett, Burrel Wells, Moses Stricklen & Wm. Patterson, witnesses for the Defendant, returnable to the May Term next of this Court, for failure to appear at this term of the Court, when duly summoned, and on motion of the Defendant, and for reasons appearing to the Court, the Court doth order that ~~he~~ Wm. G. Commonford be endorsed as prosecutor.

Ordered, That the following named Jurors be allowed the sum of One dollar each, for their services at this term of the Court, in the trial of Commonwealth causes, to be certified to the Auditor of Public Accounts for payment, viz:—

certificate to Aud. of Pub. Acc'ts

Anthony Hockman, Joseph Wenger, J. M. C. Hamsberger, Geo. F. Brunhouse, Joseph Somers, Adam Koontz, Michael Lohr, Charles F. Acker, Elias Empfield, J. D. Shipe, J. C. Staples and John Leedy.

expired.

The Court doth award Rules against the following-named Jurors, returnable to the next term of this Court, for their failure to appear at this term of the Court, when duly summoned, viz:— Wm. H. Saufley, Joseph C. Ritz & R. A. Scott.

issued.

John W. Blackburn,
&
John Williams, (colored,) } Upon an attachment.

This cause came on this day to be heard, and the Plaintiff having proved his debt against the Defendant, which amounts to $70.71 with interest from the 1st. day of January 1867, subject to a credit of $15. paid Jan. 1st 1870, being the amount realized from the sale of the property levied on by the attachment in this case. It is therefore considered that the Plaintiff recover against the Defendant the sum of $70.71 with interest from Jany. 1. 1867, until paid, subject to a credit of $15.00 paid Jan. 1st 1870, and that he recover his costs herein expended.

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Upon the application of Dr. Rizer & others, for the establishment of a public road from near Isaac Reibert's to the Hagerstown and Mason Springs turnpike, (on the first line reported,)

It appearing to the Court that Dr. Wm. Rizer

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

Chas. J. O'Donnell.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, March 17, 1875.

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

For reasons appearing to the Court, and from evidence introduced, the Court doth appoint I. F. Brenner, Committee of Mrs. Eliza A. Homan, and thereupon said I. F. Brenner appeared in Court, and together with P. W. Pugh, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $6.000^{00} conditioned according to law, and qualified as the Committee of the said Eliza A. Homan,

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D. G. Dovel's Adm'r.

vs

John Flannery & D. Lafayette Dovel } W. E. & D.,

This day came again the parties by their attorneys, and thereupon came a jury to-wit:- D. F. Ritenour, John S. Effinger, Alex. Logan, John Kelly, Nevil Rodgers, D. M. Huffman, Christian Yeakel, Patterson Greiner, E. C. Peale, John Leedy, Henry Heick and Adolph Wise, who being elected, tried and sworn the truth to speak whether the Defendants unlawfully withhold from the Plaintiff, possession of the premises in the writ mentioned, 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 Defendants unlawfully withheld from the Plaintiff at the date of the writ, and still so withhold the premises described in the writ, and we find for the Plaintiff the premises so described in the writ. 'John S. Effinger, foreman."

Ordered, That the following-named persons be allowed the sum of One dollar each, for their services at this term of the Court in the trial of civil causes, to be certified to the Treasurer of this County, for payment, viz:- D. F. Ritenour, Jno. S. Effinger, Alex. Logan, John Kelly, Nevil Rodgers, D. M. Huffman, Christian Yeakel, Patterson Greiner, E. C. Peale, John Leedy, Henry Heick & Adolph Wise.

c/fixed.

On an application to establish a public road commencing at the Orchard of L. S. Reed and terminating on the Port Republic Road at or near the widow Leake:

It is ordered that the following proprietors and land-owners along the proposed route be summoned to appear at the next term of this Court, to show cause why said Road should not be established according to the amended report & survey made by James C. Heltzel, Comm'r. of Roads for Central Township, filed at the Feby. Term 1875 of this Court, to-wit:- L. S. Reed, Robert Cummins, Wm. Conrad, Garrett King, First National Bank of Harrisonburg, Calvin Miller, Alfred Thompson, Robert Smith's Heirs, Charles E. Heiss, Jefferson Freeze, Sarah Leake, (widow) & Jacob Bierly.

1 & 12 c/fixed

The writing purporting to be the last will and testament of Martin Liskey, dec'd, was this day presented in Court, and being proven by the oaths of Abram D. Armentrout and John Paul, two of the subscribing witnesses thereto, was admitted to probate; and thereupon Robert Liskey, the Executor therein named, appeared in Court, and together with John Leedy, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2600.00 conditioned according to Law and qualified as the Executor of the last will and testament of Martin Liskey, dec'd.

Samuel Barley,
&
Jacob Waggy,

By consent of parties to this cause, it is referred to Robert Johnston for decision; the decision of said Robert Johnston to be entered on the records of and have the same effect as a finding of this Court.

Upon the Petition of

William alias William H. Monger, setting forth that this Court having heretofore granted him permission to build a Machine Shop and manufactory useful to the Public, upon his lands on Pleasant Run, near Mount Crawford in said County, and to erect a dam seven and one half feet high across said water course upon the lands of Henry M. Roller and to cut a Canal through the lands of Henry M. Roller and Emanuel Roler below said dam for the use of said Machine shop and manufactory, and that he now proposed to raise said dam twelve inches higher than the height allowed in said order, which proposed addition to the height of said dam, may by overflow or by deprivation of water, or in some other way injure to some extent the lands of J. J. Showalter, Henry M. Roller and Jeremiah Temple, all of whom have had due notice of this application, a writ of ad quod dammum is awarded him to the Sheriff of Rockingham County directed, commanding him to summon and impanel a jury composed of twelve freeholders of said County, to meet on the 27th day of March 1875, who after being duly sworn, shall enquire and say if the leave be granted as prayed for by said petitioner, whether the mansion house of any person, or the outhouses, yard, garden, or orchards thereto belonging will be overflowed or taken; what will be a just compensation for the owners of any lands which will probably be overflowed or deprived of water, or otherwise injured for the damages to the same respectively; and in all respects they shall be governed in their inquiring and proceedings by Chapter 63 of the Code of 1873.

writ of ad quod dammum issued

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

Chas. L. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Thursday, March 18, 1875.

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

Shaver & Rader, Appellants
vs
Wm. Minnick, Appellee
} Upon an appeal from a jud't. of J. P.

This day came again the parties by their Attorneys, and the Court having fully heard the evidence and argument of counsel, doth affirm the judgment of the Justice below. It is therefore considered by the Court that the Appellee Wm. Minnick recover of Peter Rader, one of the Appellants, the sum of $8.59 with legal interest thereon from the 7th day of November 1874, till paid, and $4.50 costs before said Justice; and that he also recover of the Appellants Geo. W. Shaver and Peter Rader and their surety, Abraham R. Brenner, his costs by him in this behalf expended.

B. F. Walker, surv'g. partner of J. & B. F. Walker,
vs
A. F. & A. Pirkey, late Constable of Rockingham County, M. J. Moyerhoeffer & Peter Hile, his sureties.
} Upon a Notice.

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 Plaintiff hath shown no ground of recovery against the Defendants. It is therefore considered by the Court that the Defendants go hence without day, and that they recover of the Plaintiff their costs by them in this behalf expended.

Upon the application of D. H. Taylor & Jo. F. Taylor for new road, and the discontinuance of the old road heretofore made,

Reuben Petefish enters his appearance, and contests the discontinuance of the old Massanutten Road from Kinne's Run to Dr. G. W. Harnsberger's House from A. to D. on the map, or any portion of the same, and upon motion of said Petefish this cause is continued at his costs.

L. S. Byrd, Jailor of this County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $164.55 for receiving, dieting, releasing, &c. sundry prisoners from Dec. 31, 1874 to Feb. 23, 1875, 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 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 19, 1875.

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

Solomon Huffman, Pl'ff
vs.
James Steele, Def't. } Upon a Motion to quash an Execution.

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 motion to quash said Execution be overruled, It is therefore considered that the motion of the Plaintiff be overruled, and that the Defendant recover of the Plaintiff his costs, by him, in this behalf expended.

D. D. Dovel's Adm'r
vs.
John Flanney & D. Lafayette Dovel. } W. R. & D.

In this cause, It is considered by the Court that the Plaintiff recover of the Defendants possession of the premises described in the writ, and also their costs, by them in this behalf expended. And the Court doth order that a writ of Possession do issue, directed to the Sheriff of Rockingham County.

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 Saturday, March 20, 1875.

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

Diemer & Smith
vs.
Jones & Bro. } Upon a warrant

Miller & Hess
vs.
Jones Bro's. } Upon a warrant

It appearing to the Court that these causes are improperly upon the Docket at this term, the warrants not having been executed sixty days before this term, and filed in the Clerk's office more than forty days, it being the opinion of the Court that under Chapters 147 & 163 of the Code of 1873, they must be so executed and filed, the same are remanded to the Clerk's office of this County.

Henry Raines, for use of Geo. W. Nicholas,
vs.
Christoph Mohn and W. T. Johnson } Upon a warrant removed from a J. P.;

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, the

Court is of the opinion that the Defendants are jointly indebted to the Plaintiff in the sum of $41.76 with interest thereon from Janry. 26, 1874, and the bottle bond sued on in this case was not obtained by duress or fraud. It is therefore considered by the Court that the Plaintiff recover against the Defendants, the sum of $41.76 with interest thereon from Janry. 26, 1874, till paid, and his costs by him in this behalf expended.

S. N. Coffman, M. D. Coffman & J. N. Bumgardner, merchants & partners under style of Coffmans & Bumgardner, use of D. Miller &c. now for the use of John Paul, Assignee of J. N. Bumgardner,

vs.

First Nat Bank of Harrisonburg & Ro. R. Douthat, garnishees of Wm. H. Peterson,

} Upon a sug. &c Wm. H. Peterson,

This day came again the Plaintiff by his Attorney, and Ro. R. Douthat appeared in Court and answered that he is indebted to the Defendant Wm. H. Peterson, in the sum of Ten Dollars, subject to a credit of $1.15 as of date Nov. 10, 1874. It is therefore considered by the Court that the Plaintiff recover of said Ro. R. Douthat, the sum of $8.85 with interest thereon from Nov. 10, 1874, and on motion of the Plaintiff, the action as against the First Nat. Bank of Harrisonburg, is dismissed.

Ordered, That Samuel Shacklett, Admr. of the Estate of A. St. C. Spinkel, dec'd, late Clerk of this County Court of Rockingham, pay to J. T. Logan, the Clerk of this Court, the sum of Fifty Dollars, for services rendered the Estate of said Spinkel, in examining, signing &c. the fee bills of said late Clerk.

cancelled.

Henry Raines for &c,

vs.

C. Mohr, &c

} Upon a warrant

This day came again the parties by their attorneys, and the Defendants moved the Court to set aside the judgment entered in this cause, which motion the Court doth overrule.

Memorandum: Upon the trial of this motion, the Defts. excepted to an opinion of the Court, in overruling the motion to set aside the judgment and grant them a new trial, and thereupon filed their bill of exceptions, which was signed, sealed and enrolled, and made part of the record, which is in the words & figures, following, to-wit: (Here insert Bill of Exceptions.)

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

Chas. T. O'Ferrall.

Monday, April 19, 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, April 19, 1875.

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 lie spread upon the Minutes, and is as follows, viz:-

Bargain & Sale,	Conrad Senger & wife,	to	Daniel Kline,	
" "	Garland P. Gardner & wife,	"	Thomas K. Miller,	(old deed,)
" "	Nicholas Breeden & wife,	"	same,	(" ")
" "	Ezekiel Lamb & wife,	"	same,	(" ")
" "	John Q. Winfield & wife,	"	Lee Allen, cold,	
" "	John Rinehart & wife,	"	John S. Rinehart,	
" "	David Kollar's Exor. (P. Kollar,)	"	Joseph Thomas,	
Comm'rs Report & Plats, &c,	George Brenneis Estate,		Comm'rs Reports & Plats, &c,	
Bargain & Sale,	Harvey Site & wife,	"	Geo. F. Airey,	
" "	same,	"	Lucy Ann Ward,	
" "	John Q. Winfield & wife,	"	Joseph Schrechhise,	
" "	John B. Wenger & wife,	"	Jacob Geil,	
" "	H. H. Bailey,	"	Eliza A. Herman,	
Deed of Separation	Philip Baker,		Melvina Baker, &c,	
Bargain & Sale,	R. L. Roberts & wife,	"	P. H. Pugh,	
Trust Deed,	Edmond Carter & wife,	"	E. M. Milliams, trustee for P. H. Pugh,	
Bargain & Sale,	W. W. J. Cunningham & wife,	"	Charles T. Acker,	
" "	Jacob Acker,	"	same,	
Trust Deed,	John C. Milliams & wife,	"	D. C. Brenneman, trustee for Hon. Layman	
Bargain & Sale,	John Moyers & wife,	"	Thomas Atchison,	
" "	Saml. Frank, trustee & Mary M. Frank,	"	John Long & Andrew K. Long,	
" "	Silas Lamb & wife,	"	John Stanley,	
" "	Michael Kline & wife,	"	Elijah Minnick,	
" "	Algernon Black & wife,	"	D. W. Gamble, trustee for Frances Riswander,	
Mechanic's Lien,	M. & G. Scott,	vs	Wythe Iron Company,	
Bargain & Sale,	Wm. Chapman & wife & Jno. P. Brock & wife,	to	Michael M. Bowman,	
Trust Deed,	James Huffman & wife,	"	Geo. G. Grattan, trustee for Jas. Scott &c, &c,	
Bargain & Sale,	Jacob Tutwiler's Heirs,	"	Wm. C. Switzer,	
Homestead Deed,	Harrison Riddle,			
Release Deed,	Sarah Eger & L. Eger,	"	Amantha L. Jordan,	
Bill of Sale,	Barbara Bowman,	"	Jacob Zaesman,	
Bargain & Sale,	Lucy Coakley,	"	Peachy R. Coakley,	
" "	A. B. Kinacofe, & wife, &c,	"	same,	
" "	Wm. H. Rondabush & wife,	"	Timothy Frank,	
Trust Deed,	Samuel A. Long & wife,	"	John C. Roller, trustee,	
Bargain & Sale,	C. P. Ehrman,	"	John M. Harmon,	
" "	Samuel Landes,	"	Stuart M. Landes,	
" "	W. S. Gantz, Comm'r,	"	A. C. Long,	

Bargain & Sale,	A. C. Long & wife,	to	Rev. John M. Howe,
" "	A. M. Newman, Commr,	"	Abraham Paul,
" "	Jeremiah Hamsbergen & wife,	"	Andeson Hammer,
" "	John Huffman & wife,	"	Madison Huffman,
" "	J. J. Bowman & wife,	"	Jacob Spitzer,
Land Bond,	Joseph Glattenbeck,	"	A. M. Yates,
Bargain & Sale,	David Estep & wife,	"	Adam R. Baker,
" "	Sarah B. Good,	"	John L. Reichter,
" "	Reuben Risling & wife,	"	same,
" "	Jacob Linaweaver's Heirs,	"	John Linaweaver,
" "	A. B. Brick, Commr,	"	Reuben A. Scott,
Trust Deed,	William H. Rudlowe,	"	John E. Roller, Trustee, &c,
Act of Agent & Mech. Lien,	B. F. Richards & Wm. D. Waesche	"	Wm. M. Bilhimer,
Trust Deed,	P. W. Strayer & wife,	to	James Utt, Trustee, for &c,
Bargain & Sale,	R. Johnston, Commr,	"	Jacob S. Sellers,
Trust Deed,	James W. Berry,	"	C. M. Fellows, Trustee, for &c,
Bargain & Sale,	A. M. Newman, Commr,	"	Thos. Rex Sheets (in lieu of old deed),
Trust Deed,	G. W. Tabb,	"	Geo. G. Grattan, Trustee for Mary C. Tabb,
Bargain & Sale,	Samuel S. Reed & wife,	"	Wm. B. Whitaker,
" "	John J. Miller,	"	Michael M. Miller,
" "	James (Shipley) & wife,	"	Miss Annie D. Gray,
" "	H. L. Shoup & wife,	"	Henry Hale,

The Court doth order that no person shall be permitted to hitch or cause to be hitched to the Court-yard fence, any horse or horses, during the time that said Court-yard fence is being repaired and painted. This order to take effect on Tuesday, April 20, 1875 and the Sheriff of this County is charged with the enforcement of this order.

cap?

Ordered, That Wm. B. Sandy) be fined the sum of $2.50 and costs, for his failure to appear at the March Term of this Court as a drawn juror, when duly summoned, and thereupon said Sandy) appeared in Court and paid to the Clerk thereof the said Fine, $2.50

certified & paid to auditor

S.C.S.C.C.

Upon the application of H. H. & J. F. Taylor to establish new road and discontinue old one:- Upon suggestion to the Court that Luscius Dovel has become the purchaser of the Sallie Dovel land, he waives in open Court service of process and consents to a trial of matters in controversy.

Upon an application to establish a public road leading from a point on the Keedletown road to the Niasanutten Springs, the Comm's of Roads for Plains Township having viewed said proposed road, and returned his report with a diagram to the Court, it is ordered that the following land-owners be summoned to the next term of this Court to shew cause if any they can, why said road should not be established according to said report & diagram, to-wit:- A. Brock, Wm. Bailey, B. F. Armentrout, Noah Maxty, John Smith, John Strickler, Solomon Maxty, Jackson Layman & sister.

1 S/10 A & Fees

Lic'd. c.p.d.

Upon the application of Wm. Mennick, and it appearing to the Court from evidence introduced that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable, It is ordered that a ~~Certificate~~ License be granted him to ~~obtain~~ Keep an Ordinary License, said ordinary to be Kept at his House in the village of Broadway, from May 1, 1875 to April 30, 1876.

Upon the application of A. J. Wall, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good good character, that the place of business is convenient and suitable, It is ordered that a ~~Certificate~~ License be granted him to ~~obtain~~ License to Keep an Ordinary, (together with Retail Liquor Merchants License,) to be conducted at his rooms in the building recently leased by said A. J. Wall from J. W. Harris, in the town of Harrisonburg, from May 1, 1875 to April 30, 1876.

Upon the Application of C. B. Luck, Agent for D. M. Luck, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable, It is ordered that a certificate be granted him to obtain License to Keep an Ordinary, ~~Existing House, with the privilege of selling ardent spirits to be drank at the place~~, (together with Retail Liquor Merchants License,) to be conducted at the Spotswood Hotel, in the town of Harrisonburg, from May 1, 1875 to April 30, 1876.

On the motion of Elizabeth Moyers, she having made oath thereto according to law, she appeared in Court, and together with Jasper Shawe, her 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 her for obtaining) letters of administration in due form upon the Estate of her deceased husband, George K. Moyers.

On the motion of Louisa Lawson, she having made oath thereto according to law, she appeared in Court, and together with Andrew Shaver and Geo. B. Kilmore, her 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 her for obtaining letters of administration in due form upon the Estate of her deceased husband, ~~D. G. Lawson~~, and the Court doth appoint Asa Baugher, Saml. C. Naylor, Jas. A. Ship, George Baugher and Edward Shiflett, to appraise the Estate of said D. G. Lawson, dec'd, any three of whom may act, after first being duly sworn,

Upon the application of M. M. Kibler, and it appearing to the Court from evidence introduced that the said applicant is a person of sobriety and good character, that the place of business is convenient

and suitable, It is ordered that a ~~certificate~~ License be granted him to ~~obtain a License to~~ Keep an Ordinary (together with Retail Liquor Merchants License,) to be conducted at his House in the town of Limberville, from May 1, 1875 to April 30, 1876.

Upon the application of R. L. Roberts, and it appearing to the Court from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable, It is ordered that a ~~certificate~~ License be granted him ~~to obtain a License~~ to Keep an Ordinary, (together with Retail Liquor Merchants License,) to be conducted at his House in the village of Broadway, from May 1, 1875 to April 30, 1876.

Upon the application of George W. Gray, and it appearing to the Court from evidence introduced that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable, It is ordered that a ~~certificate~~ License be granted him ~~to obtain a License to~~ Keep an Ordinary, said Ordinary to be Kept near Gray's Steel House, from May 1, 1875 to April 30, 1876.

On the motion of the Rev. A. W. Way, it appearing to the Court that he is a regularly ordained Minister of the Gospel in the Methodist Episcopal Church South, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with John G. Coates, 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 Abagail Thomas, the widow of Thornton Thomas, dec'd, (it appearing to the Court that she has renounced her right to administer upon the Estate of her husband,) John R. Thomas, who made oath thereto according to law, appeared in Court, and together with Henry Moffett, Michael H. Thomas and Mark Thomas, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $7000.00, conditioned according to law, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Thornton Thomas, dec'd, and the Court doth appoint Benjamin Hoover, Hezod Norman, Wm. W. Mott & Geo. A. Moffett to appraise the Estate of Thornton Thomas, dec'd, any three of whom may act, after first being duly sworn.

It appearing to the Court from the certificate of Jacob May, a Justice of the Peace, that John Hoffman, Sally Hoffman and Amanda Jane Hoffman, infant children of Joseph Hoffman under the age of 14 years, hath chosen said Joseph Hoffman as their guardian, the Court doth appoint him as their guardian, and also as guardian of May Hoffman, an infant child under the age of 14 years, and thereupon the said Joseph Hoffman appeared in Court, and together with Abraham Garber, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, and qualified accordingly.

Ordered, That Court be adjourned until to-morrow morning at 8 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 Tuesday, April 20, 1875.

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

Upon the application of the President & Directors of the Rawley Springs Company, and it appearing to the Court from the evidence introduced that the said applicants are persons of sobriety and good character, that the place of business is convenient and suitable, It is ordered that a ~~Certificate~~ License be granted them to Keep an Ordinary ~~License~~, said Ordinary to be kept at their Houses at Rawley Springs, from May 1, 1875 to April 30, 1876.

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cupd. On motion of Daniel Kiser & others, It is ordered that Joseph Click John M. Miller, Harvey Site, Samuel P. Miller, & Joseph S. Loose be appointed Commissioners for the purpose of ascertaining a just compensation for such of the lands of Thomas M. Site proposed to be taken for the use of the new road from Isaac Heilig's to the Harrisonburg & Warm Springs Turnpike, along the private road between said Kiser & John Flory's woodland on through the lands of said Site. And also to ascertain a just compensation for such of the lands of R. N. Pool, John Flory and William Bundy severally, proposed to be taken for the new road leading from said Heilig's to the said turnpike through the several tracts of land between those points belonging to R. N. Pool, John Flory & Wm. Bundy. The said Commissioners shall meet on the lands of said Proprietors on the said two lines of said road, on the 8th day of May 1875, commencing on said Site's land, near Tom Fishback's Saddler shop, on said Turnpike, at the North end of Bridgewater. And the said Commissioners, in the discharge of their said duties shall comply in all respects with the provisions of Sections 9 & 10 of Chapter 56 of the Code of 1873.

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cfwd. This day came Judson M. Kent who alleges that he is aggrieved by an assessment against him of a License Tax as merchant for the year ending April 30, 1875. It appearing that the firm of R. G. Douglass & Co, composed of R. G. Douglass and J. M. Kent, were assessed with a license tax of $50.00 in accordance with the provisions of Sections 103 and 104 of Chapter 240 of the Acts of 1874, of which the sum of twenty-two dollars and fifty cents, being the July instalment of said license tax was paid to the Treasurer of Rockingham County; that in the month of July,

R. C. Douglass withdrew from the firm, and J. M. Kent continued the business in his own name, and that at the same time under a misapprehension as to his right under Section 201 of said Chapter 240 of said Acts of 1874, to do business under the License to R. C. Douglass & Co; the said J. M. Kent was assessed with a License tax of $25.00 and stands charged therefore with both the License tax against R. C. Douglass & Co of which $37.50 is still unpaid, and with the license tax against J. M. Kent of $25.00 both being for License for the part of the year 1875 beginning July 1, 1875, and ending April 30, 1875; and thereupon the said J. M. Kent moved the Court to exonerate him from the payment of $25.00 the License tax so erroneously charged against him for said year, which motion was defended by John Paul, the Attorney for the Commonwealth for this County, and John R. Jones, the Assessor who made the Assessment, was examined as a witness touching the application. 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. M. Kent is erroneously assessed with License tax amounting to $25.00; whereupon it is ordered that the said J. M. Kent be exonerated from the payment of $25.00 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him.

On motion of E. S. Peale, A. M. Peale & B. A. Thurmond, the Estate of Jonathan Peale is committed to D. H. Roleston, Sheriff of this County for administration, and the Court doth appoint Robert Lisley, Peter Rehard, John Leedy and Abraham Miller to appraise the Estate of said Jonathan Peale, any three of whom may act, after first being duly sworn,

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Upon the applications of Richards & Waesche, S. W. Pollock, F. M. Flick & Bell & Co., for Eating-House and Retail Liquor Merchants Licenses at their places of business in the Town of Harrisonburg,

Upon the examination of testimony for and against in the foregoing applications, the Court doth refuse the ~~certificates~~ Licenses prayed for.

On the Petition of Geo. D. Crousehorn & others, for a public road, running from a new road near David Spicer's to the old Rawley Springs Road near Cooper's Mountain, It is ordered that the Comm'rs. of Roads for Ashby Township view and report on said proposed road to the next term of this Court.

c/p.

Ordered, That this Court be adjourned until to-morrow morning at 8½ 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 21. 1875.

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

On an application to establish a public road, commencing at the orchard of L. S. Reed on the "old Swift Run Gap Road," and terminating on the Port Republic road at or near the widow Leake; On this application the Comm'rs. of Roads for Central Township having made this report with survey & diagram to the Court in this case as well as an amended report with survey and diagram filed at the Feby. term 1875. of the Court, made in pursuance of an order entered at the January term 1875. of this Court, and the parties interested in the lands through which said road runs having been duly summoned to show cause if any they could why said road should not be established as surveyed, and they having failed to show any cause against the same, It is ordered that said road be established as follows; commencing at a point in the "old Swift Run Gap Road" at the East corner of L. S. Reed's orchard, distant from the Ct. House, by Rockingham Turnpike & old Swift Run Gap Road, 376 poles, thence across the corner of said orchard S 8 E 6 poles to a stake near the said old road, thence S 13 W. 80 poles crossing said road and running thro' a field of Robert Cummings, touching said road again on the opposite side of said field to a point in said Road, thence S. 3 W. 221 poles, running through the corner of another field of Robert Cummings, passing over an old stump, said Cummings' corner, running with the line of said Cummings and Conrad's others, crossing said old road to a hickory girdle on King's line, thence with King's and Conrad's line, S. 58½ E 13½ poles to a stake, thence S 8¾ E. 35½ poles running through said King's farm to a stake on C. Miller's line, thence S. 4 E. 36 poles to a stake near a small red oak bush, thence S. 3½ W. 102½ poles running through said Miller's and Smith's heirs (Haas) farm, to a stake on Thompson's land, thence S. 55 W. 8 poles to a stake, thence S. 9¾ W. 20 poles to a large white oak, thence S. 48 W. 4 poles to a stake, thence S. 24 W. 142½ poles, running through said Thompsons' land, and through J. Freeze's lands, to a stake on Bierly's line, thence with Bierly's and Freeze's line, S. 43 W. 45 poles to a hickory Leake's corner, thence with Leakes & said Freeze's line S 53 W. 40 poles to the Port Republic Road; and it is ordered that $15.10 be allowed Robert Cummings and $25.00 be allowed to the First National Bank of Harrisonburg, $30.00 to Garrett King, $40.00 to Calvin Miller, $10.00 to Smith's Heirs, $10.00 to Jefferson Freeze, proprietors through whose lands said road will be located, being damages allowed them by J. C. Kettyle, Comm'r of Roads for Central Township, to be paid out of the next levy made by Central Township for road taxes. It is further ordered that James C. Kettyle, Comm'r of Roads for Central Township proceed to open said road as established in this order. It is

further ordered that the Township Board for Central Township, at its next annual meeting, make a Township Levy sufficient to pay the damages and compensation herein allowed the owners and propriators of lands through which said roads passed as herein ascertained and ordered to be paid.

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 Ac of J. P. Rolston Shff. & Adm. of Gabriel Rhodes, dec'd

" " " " " D. N. Rolston, Guard. of Lillie Ann Reed,

The Appraisement & Sale Bill of Jacob D. Williamson was this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded.

Upon the application of Jacob L. Silcott, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable; It is ordered that he be granted a License to Keep an ~~Ordinary~~ Eating-House, with the privilege of selling ardent spirits to be drank at the place of sale, and Merchants' Retail Liquor License, from May 1, 1875 to April 30, 1876; said business to be conducted in the "Silcott Building" in Harrisonburg, Va.

Rec'd recommend. & License issued to

Upon the application of Mary L. Pollock, she having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable; It is ordered that she be granted a License to Keep an Eating-House, with the privilege of selling ardent spirits to be drank at the place of sale, and Merchants' Retail Liquor License, from May 1, 1875 to April 30, 1876; said business to be conducted at her rooms in the building at present occupied by J. M. Pinkes & others," in the town of Harrisonburg, Va.

Rec'd recommend. & License issued

Upon the application of James Kavanaugh, he having produced in Court, the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable; It is ordered that he be granted a License to Keep an Ordinary, and Merchants' Retail Liquor License, from May 1, 1875 to April 30, 1876; said business to be conducted at his place of business, the Virginia Hotel, in the town of Harrisonburg, Va.

Rec'd recommend. & License issued

Diemer & Smith,
vs
Jones & Bro. } Upon a warrant.

This day came again the parties by their attorneys, and the Defendants filed their plea of set-offs, and the trial of the cause is continued.

Miller & Kef.
vs
Jones Bro. } Upon a warrant.

This day came again the parties by their attorneys, and the defendants filed their plea of set-offs as to $7.50. It is therefore considered by the Court that the Plaintiffs recover against the Defendants the sum of $36.80 with interest thereon from March 1, 1874 till paid (part of the debt demanded) and their costs by them in this behalf expended, and the trial of the cause as to $7.50 is continued.

Upon the applications of Hiram N. Taylor and Joseph F. Taylor to establish a new Road from at or near the intersection of the Massanutten Road and Hunes Run, running near Peter's Church to Taylor's Ford on the Shenandoah River near the Shenandoah Iron Works, and to discontinue the old Massanutten Road from at or near the intersection of the old Massanutten Road & Hunes Run to the Spring Branch, near the Dwelling-House of George W. Hamsbergen,

These applications were this day heard upon the report, of date Dec. 21, 1874, of S. P. N. Miller, Commissioner of Roads for Stonewall Township, in pursuance of an order of this Court at the Nov. Term 1874, the evidence introduced, and the process having been duly executed upon all of the land proprietors along the line as the law directs, and upon the proceedings heretofore had upon the motion of Reuben Petefish to quash the report of S. P. N. Miller, Comm. of Roads, which motion the Court overrules, and was argued by counsel. Upon consideration whereof, the Court doth establish said new Road, as a Public Road, as indicated by said Report & Plat as follows:- Beginning at (B) a willow, on the bank of the Shenandoah River, at Taylor's Ford, and running through the lands of J. Taylor's Heirs, west 5 poles, North 52¼ W 38 poles, down the River to the turn of the old road, S 30 W 16 poles, S. 39 W. 18½ poles, S. 70 West 20 poles to Dr. G. W. Hamsbergen's line, and thence with his & Taylor's line, S. 25 W. 109½ poles, S 44⅓ West 152 poles, with the line of Hamsbergen and Taylor D. Dovel, to the corner, C. W. Dovel & Mrs. S. Dovel, and thence with the division line between them, S. 34 West 220 poles to a point on said line, S. 58 W. 15 poles through the lands of Mrs. Sallie Dovel to a point near a hollow, S. 31 W. 16 poles, croking the Hollow to the line of Daniel D. Dovel's heirs, N. W. Shuler, Executor & in possession, and with the line of Daniel Dovel & Mrs. S. Dovel, S. 84 W. 32 poles to the intersection of the Massanutten road, 51 poles North of Hunes Run,

Appeal Fee $1.15

And the Court doth further establish as a Public Road, the lane running from D. on Plat, the Spring Branch near the Dwelling-House of G. W. Harnsbergen, through his lands 715 yards to the said new road on the line between said Harnsbergen & the Taylors, to Point (C.) on Plat. And it is ordered & directed that said Road from A to B. & from C. to D. be entered of record, opened and cleared of the breadth of thirty feet, agreeably to the courses and distances aforesaid, the said G. W. Harnsbergen by his Atty. consenting to the establishment of said lane as a public road.

No damages are claimed by any party to these proceedings and none are allowed.

The Court doth further order that, that part of the Old Massanutten Road running from the said Spring Branch, near the Dwelling-House of George W. Harnsbergen, point (D.) on Plat, through the lands of said George W. Harnsbergen, to the division line between said Harnsbergen & the lands of Reuben Peterfish, be discontinued.

And the Court doth order that the said Reuben Peterfish recover of the said Hiram A. Taylor & Joseph H. Taylor, his costs, in this behalf expended. Fi. fa. issued

And the said Reuben Peterfish desiring to appeal, of right, to the Circuit Court from the judgment aforesaid, the Court doth order that said Appeal be allowed upon said Peterfish or some one for him executing before the Clerk of said Court bond with security in the penalty of $100.00 conditioned according to law, and the judgment aforesaid is suspended for 30 days in order to give said Peterfish an opportunity to execute said bond, and perfect said Appeal.

The Court doth allow Wilkins & Logan $8.00 for guilding and cleansing Judge Smith's Picture, and directs that the same be paid by the Treasurer of this County, out of Levy for 1875. c. p. d.

Thomas Powell, Constable of Rockingham County, this day presented in Court an account, against the Commonwealth of Virginia, amounting to $8.20 for arresting &c, Silas Morris, charged with felony, and an account, against same, amounting to $8.20 for arresting, &c., Anderson Shufflett, charged with felony, which two accounts being sworn to, were examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c. p. d.

George F. Strayer, Constable of Rockingham County, this day presented in Court an account against the Commonwealth of Virginia, amounting to $5.20 for arresting Geo. Parker, charged with felony, and for conveying Parker & Weakley to Jail, &c which being certified and sworn to before David Gilmer, J. P. was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c. p. d.

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

Chas. T. O'Ferrall.

In Vacation. May 4. 1875.

Simeon Smith, Registrar at Edom, having resigned as such, I do hereby appoint Dr. Wm. S. Fickle to fill the vacancy occasioned by said resignation. All of which is certified to the Clerk of the County Court, this 4th. day of May 1875.

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

Teste,
L. T. Logan, Clerk.

Monday, May 17, 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, May 17, 1875.

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 seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Bargain & Sale,	Jacob M. Good & wife, &c,	to Israel Jones,
" "	Gideon B. Reid & wife	" Wm. G. Brown,
" "	John A. Easley & wife,	" R. L. Roberts,
" "	Daniel G. Wilbert & wife,	" William Berry,
" "	Eliza Rogers,	" Reuben Sellers,
" "	Alex. N. Fultz, Commr. &c,	" A. B. Armentrout,
" "	Abram B. Armentrout & wife,	" Isaac T. Kibler,
Decree &c Circuit Court,	Peter Long, guard. Pltff,	" Amanda Andrew, &c, Defts.
Bargain & Sale,	John Lowen & wife, &c,	" J. H. Hammer & wife,
Trust Deed,	Geo. D. Dovel & wife,	" Joseph P. Houck, Trustee, &c,
Bargain & Sale,	A. S. Byrd, Commr.,	" John Kelly,
Agreement,	G. F. & S. H. Mauck,	& Comm. of Colored Baptist Church,
Bargain & Sale,	Wm. B. Compton, Commr.	to George M. Monger,
" "	same,	" Joseph F. Monger,
" "	Jacob Moyers & wife,	" Jacob F. Seff,
" "	Emanuel Sipe & wife,	" Joseph Layman,
" "	B. G. Patterson, Commr.,	" David Holsinger,
" "	Jacob Showalter & wife,	" John R. Bowman,
" "	Thomas Grove,	" Washington May & Algernon Dove,
" "	David M. Brenneman & wife,	" John Acker,
" "	Reuben Swope's Heirs,	" John R. Swope,
" "	A. S. Gray & C. D. Gray,	" H. J. Gray,
" "	G. W. Berlin & S. S. Miller & wife,	" Solicia Swartz,
Marriage Contract,	John G. Long & Elizabeth F. Brenneman,	" John E. Roller, Trustee,
Bargain & Sale,	Fred'k. Kline & wife,	" Fred'k. Miller & D. Bowman, (old deed.)
" "	Fred'k. Miller & wife,	" Daniel Bowman, (old deed.)
Trust Deed,	John Allen,	" Ed. S. Conrad, Trustee for Wife & S. Conrad,
Bargain & Sale,	Daniel Bowman & wife,	" Addison Hollins,
Homestead,	John Haynes,	
Bargain & Sale,	John Paul, Commr.,	" Jonathan Shafer,
Lease,	Aug. Waterman,	" A. Nicholas,
Trust Deed,	Danl. B. Reid & wife, & a,	" John E. Roller, Trustee, &c,
" "	Simon P. Summers & wife,	" G. W. Berlin, Trustee for A. M. Spitzer,
Release Deed,	Geo. G. Grattan,	" Warren S. Lusty,
Bargain & Sale,	Isaac Paul & wife,	" Wm. Mary E. Lusty,
" "	W. B. Lusty, Commr.,	" same,
" "	Jonas Myers & wife & David Goshenour & wife,	" E. M. & R. L. Myers
Trust Deed,	G. S. Christie, Trustee for Mrs. Sarah E. Jones,	" G. G. Grattan, Trustee for Alleluia Lee,
Power of Attorney,	Cythera A. Jones,	" B. G. Patterson,

Release Deed.	Thomas Donaldson & Geo. R. Gaither	to	J. D. Williamson's Exors,
Bargain & Sale.	B. G. Patterson, Commr,	"	Polly Gantry,
Art. of Agreement.	D. C. Jones,	"	G. W. Babb,
Bargain & Sale.	Noah Maity, Exor. of De Bazzell, dec'd.	to	Isaac N. Airey,
" "	Robert Johnston, Commr,	"	George W. Yancey,
" "	B. G. Patterson, Commr & others,	"	Amos Scott.
" "	Peter Wetzel,	"	S. K. Wetzel & wife & John S. Foley & wife,
" "	Wm. F. Bowers & wife, &c,	"	Elizabeth Brenner,
" "	Isaac W. Bare & wife,	"	same
" "	A. M. Spitzer, Com'r,	"	Charles F. Spitzer,
" "	Charles F. Spitzer,	"	Ambrose M. Spitzer,
Land Division.	John W. Whitmore's		Land Division among the Heirs,
Bargain & Sale.	David Evers & wife,	"	Jacob S. Miller,
" "	Eli Keraw & wife,	"	Wm. W. Rooke & others, Trustees Massanutten E. Church.

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 Bills of the Estate of Peter Michael, dec'd;
" " " " " " " " Jacob Miller, dec'd;
Sale Bill of Personal Property of W. S. Baugher, dec'd;
Appraisement Bill of " " " H. M. Darnall, dec'd;
" " " the Estate of David Keller, dec'd.

The order not having been entered at the April Term last appointing the Judges of Election for the ensuing year, the Court doth enter the order now for then appointing said Judges:-

The Court doth appoint the following-named persons to act as Judges of Election at the respective voting places in Rockingham County, to serve as such for the term of one year, viz:-

Stonewall District.

Conrad's Store,- John C. Walker, H. A. Carpenter & Jas. S. Maiden,
McGaheysville,- C. R. Rush, A. J. C. Bader & David Gibbons, Robert Gibbons,
Port Republic,- G. W. Kemper, jr., J. B. Nicholas & Samuel K. Lewis,
Furnace No. 2,- Jackson Garrison, Sebastian Probst & Stephen Beasley.

Ashby District.-

Cross Keys,- E. S. Kemper, W. W. Rooke & Solomon Beery,
Mt. Crawford,- Samuel C. Switzer, Aaron Shutters & Samuel Painter,
Dayton,- Hiram Coffman, David Suter & J. J. Garber,
Bridgewater,- John W. Williamson, St. Clair Ryle & A. S. Lindsay,
Ottoline,- H. M. Erwine, Wm. Berry & Wm. L. Anderson,
Moyerhoeffer's Store,- Samuel Reubush, Harvey Miller & Chas. A. Vanlear,

Central District.-

Keezletown,- John M. Huffman, Strother Sheets & Aug. Armentrout,
Harrisonburg,- Wm. M. Jay, Philo Bradley & Wm. P. Crone,
Mt. Clinton,- Michael Whitmore, Simon Harman & Martin Beery.

Linville District.-

Melrose,- Peter Neff, Madison Moore & Silum Sellers,
Edom,- D. W. Coffman, John Lincoln & Henry Beery,

Hoover's Shop, - Stephen Fawley, Dl. Brenneman & Alem. Hoover,
Zinger's Glen, - Peter Swank, G. W. Skelton & Solomon Funk,

Plains District:-

Tenth Legion, - J. N. Bowen, Curtis Yates & John Harrison,
Timberville, - Martin Garber, Henry Neff & M. Vaughn,
Coote's Store, - A. H. Huck, Jacob Neff & Henry Wheisler,
Mattie's Store, - Reuben Dove, Isaac Fink & Josiah Bowers,

And Philo Bradley, Hiram Coffman, Alem. P. Grove, John M. Huffman & Wm. H. Gay, are appointed Commrs. of Election.

And for the following Incorporations, viz:-

Harrisonburg, - William Ott, John S. Effinger & George Miller,
Bridgewater, - John Metzger, St. C. Kyle & A. L. Lindsay.

On motion of the creditors of John Beasly, alias John Walker dec'd, the Estate of John Beasly, alias John Walker dec'd, is committed to D. H. Roleton, Sheriff of Rockingham County, for administration, it appearing to the Court that this Estate has been without administration for more than three months

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D. Link, for use of J. A. Loewenbach
vs
John Williamson, gar. of Saml. Swartz, } Upon a sug.

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

On motion of Frank Imnis, &c, the Estate of John Riddle is committed to D. H. Roleton, Sheriff of Rockingham County, for administration, D. B. N.

On motion of John Kephart, It is ordered that John Kephart be relieved from the payment of County Levies for the year 1876. on account of physical inability.

James M. Meaner, Pltff
vs
The Wyethe Iron & Steele Company &c, Defts. } M. E & D.

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

Under an Act of the General Assembly of Virginia, passed March 30, 1875, to provide for working and keeping in order the Roads of this Commonwealth, the Court doth appoint the following Road Commissioners for the respective Magisterial Districts in this County, whose duty it shall be to lay off their respective districts into road precincts, and allot the hands to work on the public roads in each precinct, viz:-

Central District, - John H. Ralston, of D., James C. Kettle, & Strother Sheets,
Stonewall " - H. B. Ramsdenger, J. P. H. Miller & Wm. B. Yancey,
Ashby " - E. S. Kemper, Emanuel Bowers & Peter Paul,
Linville " - Jo. A. Mitchell, Henry Pulse & Allen Sellers,
Plains " - H. L. Shoup, Harrod Roman & J. N. Bowen,

Rebecca A. Dinkel, the Executrix named in the will of her deceased husband, Wm. H. Dinkel, which was admitted to probate at the March Term last of this Court, this day appeared in Court, and together with

J. W. Eamon, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $350.00 conditioned according to law, and qualified as the Executrix of the last will and testament of said Wm. H. Dinkel, decd.

Sarah E. Woodson, widow of John C. Woodson, decd, having, in writing to this Court shewn, renounced her right to administer upon the Estate of her said husband; on the motion of Granville Eastham, who made oath thereto according to law, he appeared in Court, and together with S. H. Moffett, John D. Roleton, of D, Samuel Sheets and G. Robert Eastham, his 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 him for obtaining letters of administration in due form, upon the Estate of said John C. Woodson, decd.

And the Court doth appoint Samuel Shacklett, A. W. Newman, James Kenney & J. W. Liggett, to appraise the Estate of said John C. Woodson, any three of whom may act, after having first been duly sworn.

On the motion of Mary E. Bare, who made oath thereto according to law, she appeared in Court, and together with D. F. Brunner, her 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 her for obtaining letters of administration in due form, upon the Estate of her deceased husband, Joseph Bare,

And the Court doth appoint Milton Hammen, Chas. R. Rush, Arthur Bader & J. J. Little, to appraise the Estate of said Joseph Bare, decd, any three of whom may act, after first being duly sworn.

cont'd.

Patrick Barrer, Pltff,
Patrick Canty, &c, Defts. } Upon a Notice.

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

On the motion of D. H. Roleton, Sheriff of this County, John W. C. Royer is permitted to qualify as his Deputy, by taking the oaths prescribed by law, it appearing to the Court, that he is a man of honesty and good demeanor.

This day, Levi S. Byrd, Jailor of this County, presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $137.70, for dieting, &c, Robert Falkner, Packingham Bradley, John Johnson, John H. Berry, W. L. C. Thompson, Wm. Gough, Thomas Peet, Charles H. Miller & James W. Peet, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

cap'd. & d.

Peter Geyer, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $5.00 for furnishing material and repairing Jail walls, which being sworn to, was examined and allowed by the Court, and ordered to be paid by the Treasurer of this County, out of the Levy for the year 1875.

— cl'd.

On the motion of John C. Jones, Assessor for Central Township, Henry Heatwole this day appeared in Court, and qualified as his Assistant, by taking the oaths prescribed by law.

D. Link, for use of J. A. Loewenbach Pltff.
vs
John Williamson, gar. of Samuel Swartz, Deft. } Upon a Sug.

John Williamson having been summoned to answer whether he is indebted to Samuel Swartz, this day appeared in Court, and acknowledged himself to be indebted to said Samuel Swartz, in the sum of $35.00 and it appearing to the Court that by reason of his writ of Fieri Facias, the Plaintiff has a lien upon said indebtedness, It is therefore considered by the Court that the Plaintiff recover against the Defendant, John Williamson, as garnishee of said Samuel Swartz, the sum of $35.00 with interest thereon from May 17, 1875.

Commonwealth,
vs
Samuel Whisler. } Upon an Indictment for Assault & battery.

This day came as well the Attorney for the Commonwealth as the Defendant in person, who confessed in open Court a judgment for One Cent fine and costs. It is therefore considered by the Court that the Commonwealth recover against the Defendant, one cent and her costs, by her in this behalf expended.

Wm. Beard, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $10.00 for surveying Roads from Mines to Sangerville, - from W.S. Turnpike to Heilmans - from Bridgewater to Heilmans & from Mines to Keller's @ $2.50 each, 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, out of the levy for 1875.

c/d.

Upon the application of Jacob P. Effinger, (he having produced in Court the recommendation of the Common Council of the town of Harrisonburg,) and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place is suitable and convenient. It is ordered that he be granted a License to Keep an Eating House, at the "Richards & Waesche building in Harrisonburg," with the privilege of selling ardent spirits ~~at the~~ to be drank at the place where sold, and also a Merchants Retail Liquor License, until April 30, 1876, he having also produced in Court the Receipt of the Treasurer of this County for payment of said License tax.

R. B. Jones, this day presented in Court, an Account against the County of Rockingham, amounting to the sum of $13.00 for repairing Jail windows and furnishing Material, 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 1875.

c/d.

Abraham Bloser this day presented in Court an Account against the County of Rockingham, amounting to the sum of $3.80 for surveying Road & making plats of same, from L.S. Reed's orchard to the Port Republic

c/d.

Road, near Mrs. Leake's, which being recom to in Court, 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 1875.

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 18, 1875.

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

cap'd. & d. On the motion of George Burke, It is ordered that the Assessor of Central Township, issue License to said Burke, for the privilege of selling Religious Book, upon the payment of one cent Tax.

Commonwealth,
vs. } Indictment for T. A. & B.
Thomas Maupin, &c.

On the motion of the Attorney for the Commonwealth, the trial of this cause is continued until the next term of the Court, and an Attachment is awarded against A. J. Sigler and a Rule against Wm. S. Downs, for their failure to appear at this term, returnable to the next term of the Court.

cap'd. & d. On his motion, and it appearing to the Court that Jonathan Bateman, is unable to pay his taxes, from indigent circumstances, it is ordered that he be relieved from the payment of County and Parish Levies for the years 1874 & 1875.

granted Upon the application of Wm. P. McCall, and from evidence introduced, that the said applicant is a man of sobriety and good character, that the place is convenient and suitable. It is ordered that he be granted a License as Retail Liquor Merchant, at Bellefonte, in this County, until April 30, 1876, he also producing in Court the receipt of the Treasurer of this County, for the amount of License tax.

The Court doth this day appoint Amos Scott, as Overseer of the Poor for Stonewall Township, to fill a vacancy occasioned by the death of Joseph Bare, to serve as such until his successor is qualified to enter upon the discharge of the duties of his office, and thereupon the said Amos Scott appeared in Court, and together with Wm. D. Maiden his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned for the faithful execution of the duties of his office. And thereupon the said Amos Scott

took the reveral oaths prescribed by law.

Upon the application of J. D. Pennybacker, A. L. Maupin, G. W. Shaver &c, for the establishment of a public road from Edom down Linville's Creek to the road leading from Isaac Aiken's to Keezan's Station, on the B. & O. R. R,

The Court doth appoint John Lincoln, Henry Pulse and Emanuel Sipe as viewers to view the ground and report to the Court the conveniences and inconveniences that will result, as well to individuals as the public, if such road shall be as proposed, and especially whether any yard, garden, orchard, or any part thereof, will, in such case, have to be taken.

I
opposed.

The Court doth award Rules against Emanuel Sellers, I. W. Pinchcart, E. P. Myers & D. A. Heatwole, for their failure to appear at this term of the Court as drawn Jurors, when duly summoned, returnable to the first day of the next term of the Court.

issued

The Commonwealth
vs
A. G. Sigler, } Upon Indictment

This day came again as well the Attorney for the Commonwealth as the Defendant by counsel, and on motion of the Defendant and for reasons appearing to the Court, the trial of this cause is continued until the next term, and Rules are awarded against Dyer Woodson & Jerry Dovel, for their failure to appear at this term, returnable to the next term of the Court.

The Commonwealth
vs
Charles F. Miller, } Upon an Indictment for I. A. & B.

This day came again as well the Attorney for the Commonwealth as the Defendant, by his Attorney, and thereupon the Defendant moved the Court to allow him to file a special plea, which motion the Court overruled, thereupon on motion, and for reasons appearing to the Court, the Court ordered a special Jury of twenty Jurors to be summoned, in accordance with Sec. 23, Chapter 158 of the Code of 1873, which panel appeared, and were found to be free from just cause of exception, viz:- Jacob Lago, J. R. Myers, Geo. Miller, Wm. C. Beery, C. W. Fellows, Jacob G. Whitmore, Philip Weller, A. W. Bowman, Philo Bradley, Philip Earthman, Geo. F. Sherman, Harvey Earman, B. F. Wheeler, H. F. Probst, Andrew Lago, E. P. Myers, John Sherman, W. H. Monger, John D. Wine, D. A. Plecker & Wm. H. Ranacofe, from which panel, sixteen were chosen, by lot, viz:- B. F. Wheeler, Philip Earthman, H. F. Probst, Andrew Lago, Wm. C. Beery, Jacob G. Whitmore, Jacob Lago, Wm. H. Ranacofe, J. R. Myers, Geo. F. Sherman, John Sherman, E. P. Myers, D. A. Plecker, C. W. Fellows, Philo Bradley & Harvey Earman, whereupon the Atty. for the Commonwealth and the defendant's counsel struck off the following-named Jurors, viz:- B. F. Wheeler, Wm. H. Ranacofe, D. A. Plecker & Philo Bradley, leaving the following-

persons to constitute the Jury, viz:- Philip Eastham, W. H. Probst, Andrew Lago, Wm. C. Beery, Jacob G Whitmore, Jacob Lago, J R. Myers, Geo. H. Sherman John Sherman, E. P. Myers, C W. Fellows & Harvey Eannon, who being thus elected, tried and sworn the truth in and upon the Premises to speak, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 10 o'clock.

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, May 19, 1875.

Present: Hon. Chas. P. O'Ferrall, presiding.

J. M. Weaver, Pltff.

vs. } W. E. D.

The Wyethe Iron & Steele Company, &c. Defts

It appearing to the Court that this cause has been improperly placed upon the Docket, It is ordered that the same be stricken therefrom.

Wm. L. Braithwaite this day presented in Court an Account against the County of Rockingham, amounting to the sum of $17.00 for repairing & re-hanging Court House Door, repairing Lock and furnishing Bolt and putting same on Hall Door in Ct. House, and furnishing material and repairs done to the Town of the Court House, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment, out of the Levy for the year 1875.

rapd. 2-d.

The Commonwealth,

vs. } Upon an Indictment for I. A. & B.

Charles F. Miller.

This day came again the Jury sworn and impanneled on yesterday, for the trial of this cause, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after sometime returned into Court, and upon their oaths do say, "we, the Jury find for the Defendant", C W. Fellows, foreman. And thereupon, It is considered by the Court that the Defendant go hence, without day, and that he recover against W. G Comonford, the Prosecutor endorsed in this cause, at a former term of this Court, his costs, by him in this behalf expended.

William H. Monger alias William Monger
J. J. Showalter, &c, } Upon a Petition, &c,

This day came again the parties by their Attorneys, and the Sheriff of this County, in pursuance of a writ of ad quod damnum, awarded the said petitioner William alias William H. Monger, on the 17th day of March 1875, returned an inquisition in the words and figures following, to-wit "Virginia, &c, (here insert the inquisition,) upon which inquisition the defendant, J. J. Showalter, had endorsed an exception in the following words and figures, "This report and assessment, &c, (here insert the exception,) whereupon the cause came on to be heard upon the said inquisition and other evidence introduced by the defendant J. J. Showalter and by the petitioner William alias William H. Monger, and upon the argument of counsel, upon consideration whereof, it appearing to the Court, that by granting to the said petitioner the leave applied for, neither the mansion house of any person, nor the out-houses, yard, garden or orchard thereto belonging, will be overflowed or taken, that the health of the neighborhood will not be annoyed, and that ordinary navigation and the passage of fish will not be obstructed, nor the convenient working of the water course impeded, the Court upon the said inquest and other evidence is of opinion to and doth overrule the exception to the inquest and doth confirm the same, and in accordance with the inquisition of the jury, doth grant the leave to William alias William H. Monger to raise his dam upon the lands of Henry W. Roller twelve inches higher than the height allowed in the previous order of the County Court of Rockingham, under which his dam was established, provided that the water, shall, under no circumstances whatever be swelled, at ordinary stage of water, by the said addition to the height of said dam higher than the auger hole drilled in a solid rock, standing in the edge of the waters of Pleasant Run, near or about on the old line, between the tract of land until recently owned by William Showalter, which descended to him from his father, John Showalter, dec'd, and which was lately sold at Commissioner's sale to Henry W. Roller, and the the tract next above it, being another portion of the lands of John Showalter, dec'd, and now in the possession of J. J. Showalter, provided further that the said Monger shall pay to Jeremiah Temple twenty-five cents, to Henry W. Roller twelve and one half cents, and to J. J. Showalter Nine dollars, the damages as ascertained by the jury in their inquisition, and leave is given the said Monger to have the former inquisition and order confirming the same and the present inquisition and so much of this order as confirms the same, recorded in the deed book in the office of this Court, if he shall be so advised. The Court doth further order that the petitioner William alias William H. Monger recover of J. J. Showalter, his costs in this behalf expended, occasioned by his defence of his said Petition.

Ordered, That the following named persons be allowed the sums opposite their names, for their services at this term of the Court, upon the trial of misdemeanor cases, to be certified to the Auditor of Public Accounts, for payment, viz:—

certified to the Aud. of Pub. Accts.

P A Eastham,	$2.00 d	H. F. Probst,	$2.00 d
Wm. C. Beery,	2.00 d	Jacob G Whitmore,	2.00 d
J R Myers,	2.00 d	George H. Sherman,	2.00 d
E. P Myers,	2.00 d	C. M. Fellows,	2.00 d
Andrew Lago,	$2.00 d		
Jacob Lago,	2.00 d		
John Sherman,	2.00 d		
Harvey Eamon,	2.00 d		

Ordered, That the following named persons be allowed the sums opposite their names, for their services at this term of the Court, as drawn jurors, to be certified to the Treasurer of this County, for payment, viz:—

S M. Ott,	$2.00 d	George Miller,	$2.00 d	Philip Weller,	$2.00 d
A. W. Bowman,	2.00 d	Philo Bradley,	2.00 d	L H Taylor,	$2.00 d

For reasons appearing to the Court, the Rule awarded the second day of this term of the Court against E P. Myers, is discharged.

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

Chas. J. O'Ferrall

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Thursday, May 20, 1875.

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

Upon the application of B. F. Bond, and from evidence introduced, that the said applicant is a man of sobriety and good character, that the place of business is suitable and convenient, It is ordered that he be granted a License to Keep an Ordinary, until April 30, 1876, said Ordinary to be Kept at his place of business in the town of McGaheysville in Rockingham County, he having produced in Court the receipt of the Treasurer of this County for the payment of the License Tax.

Right of Business granted. pd pd

Miller & Kesp, Pltff,
vs
Jones Bro. Defts } Upon a warrant.

On motion of the Plaintiffs, this cause is dismissed.

On application for a public road from the Bridgewater & Paul's Mill Road to the Rushville & Paul's Mill road,

E. D. Cromer, Commr. of Roads, having, in pursuance of a previous order of this Court, directing him to view & report on the propriety of establishing said road, having returned his report, with a survey of the proposed route to this Court, & recommended

that the same be established, It is ordered that the following land-
owners be summoned to appear at the next term of this Court,
1874 cap. and show cause, if any they can, why said road should not be
established, to-wit:- Peter Leline, Eli Holland, Lewis Reband, Simeon Long, James F. Lowman & Philip Keller.

On application of J. A. Hammen & others, for a public road from the Lauyer Road to McGaheysville,-

The Commissioners of Roads for Stonewall Township, having, in accordance with a former order of this Court, viewed and reported, with survey and diagram, the route of said purposed road, It is ordered that the following land-owners along the
1874 cap. line of said proposed road, be summoned to appear at the next term of this Court, & show cause, if any they can, why said road should not be established, to-wit:- J. W. Mauzy, Mrs. Jennie Boyers, Elizabeth Maiden, Mary Keyle, Joseph Stover, jr, Addison Royer, Fred'k. Armentrout, Jacob Armantrout, Margaret Michael, A. P. Nicholas, Peterman, Charles R. Rush, Mrs. Bauserman & Saml. Eaton,

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On the application of Daniel Huff & others, for the establishment of a public road from Jacob Shifer's near Friedens Church to the old Furnace Road, at Naked Creek Church,-

E. H. Mooney Comm'r. of Roads for Ashby Township, having returned his report to the Court, with survey, &c, and said report being too indefinite for the Court to take any action thereon, It is ordered that said Comm'r. amend his said report, in the following particulars:- 1st.- To give the full names of all the land-owners along the said proposed route. 2nd. The compensations to which each will be entitled for the land to be taken, and the damage to the residue of the tract of each. 3rd.- Whether any yard, garden, orchard, or any part thereof, will have to be taken.

Said amended report to be made to the next term of this Court.

On the application of Geo. Lounsbourn & others, for a public road from David Spicer's to the Rawley Spring Road,-

1874. E. H. Mooney, Comm'r. of Roads for Ashby Township, having, in pursuance of a previous order of this Court, made his report to this Court, It is ordered that the following land-owners along the route of the proposed road, be summoned to appear at the next term of this Court, and show cause, if any they can, why said road should not be established according to the report of said Comm'r, to-wit:- George Lounsbourn, George Argy, Wm. Robinson, ---- Kilbal, Jackson Robinson, Ira Miller & John Robinson.

On an application of Ed. L. Kemper & others, for a public road leading from the Keezletown road near Geo. Keyo, to the Valley R.R. at the depot near Rieley's Mill,-

The Commrs. of Roads for Ashby Township having

returned his report to the Court, and the same being too indefinite for the Court to take any action thereon, It is ordered that E. H. Conner, Commr. of Roads for Ashby township, amend his said report in the following particulars,
1st. To give the full names of all the land-owners along the said proposed route,
2nd The compensation to which each will be entitled for the land to be taken, and the damage to the residue of the tract of each,
3rd - Whether any yard, orchard, garden, or any part thereof will have to be taken; said amended report to be made to the next term of this Court.

On application of the Grangers of this County, the Court doth allow the said Association the use of the Court House, on to-morrow, Friday, May 21, 1875.

On the application of Charles J. Brock, and from evidence introduced, that the said applicant is a man of sobriety and good character; that the place is suitable and convenient, It is ordered that he be granted a License to Keep an Ordinary until April 30, 1876 - said Ordinary to be Kept at the Yellow Massanutten Springs, in Rockingham County, he having produced in Court the receipt of the Treasurer for the payment of the License tax.

nimd.

On the application of Chas J. Brock & others, to establish a public road, commencing on the Keezletown Road, and terminating at the Yellow Massanutten Springs,

This case came on to be heard this 20th day of May 1875, on the report of Reed Herman, Commr. of Roads for Plains Township, and the diagram accompanying the same. The said report and diagram being too indefinite for the Court to make any order thereon; the Court doth appoint Henry L. Shoup, Thomas Moore and Jacob N. Lowman, viewers, to examine the proposed route of said road, and any other route they may deem necessary; said viewers are directed to have said route surveyed and return with their report a survey of said route or routes, with a diagram; also to report the compensation to which each land-owner along the route, or routes, is entitled for the land to be taken, and the damages to each land-owner apart from the advantage to be derived from the establishment of said road. Said Commissioners to make their report to the next term of this Court,

expired.

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On the motion of Abraham Bloser, who made oath thereto according to law, he this day appeared in Court, and together with John Bloser, Jonas H. Bloser and Noah Bloser, his sureties, (who justified as to their 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, upon the Estate of Jonas Bloser, dec'd.

D. A. Plecker, } Upon a motion & proceedings to condemn such
vs. } of the land of the Defendant as is necessary
Jackson Rhodes, } for the purposes of the Mt. Crawford Bridge.

This day came the parties by their attorneys; and three of the Commissioners, to-wit:- Daniel Huffman, Reuben Huffman and William Monger, appointed at a former term of this Court to ascertain what will be a just compensation for such of the land of said Jackson Rhodes as is proposed to be taken by said Plecker for the purposes of the Mt. Crawford Bridge and damages to the residue of the tract beyond the peculiar benefits resulting to such residue from the construction of said Bridge, having returned their Report as such Commissioners at the February Term 1875 of this Court, together with the Surveyor's Plat of the said land, from which Report the said Commissioners ascertained the said compensation as due from the said Plecker to the said Rhodes, for the land so taken, to be Thirty Dollars, and thereupon the said Plecker then moved the Court to confirm the said Report, which motion was then and there resisted by the Defendant Rhodes, and argument of counsel was heard, but without finally deciding the said motion, this cause was continued from term to term for further evidence and argument on motion of the Defendant. And now this day came the parties again, and after hearing all the evidence adduced and argument of counsel, the Court is of opinion and does order that the said Report be confirmed, and that the Plaintiff, D. A. Plecker recover against the Defendant, Jackson Rhodes his costs by him in this behalf expended in the contest about the confirmation of the said Report. And when the said D. A. Plecker shall have paid to the said Jackson Rhodes, the said sum of Thirty dollars, with interest thereon from the 11th day of February 1875, until paid, he, the said Plecker, shall be invested with all the rights, powers and privileges conferred by the statutes in such cases made and provided,

Memorandum:- Upon the trial of this motion, the Defendant excepted to two several opinions of the Court given on said trial & tendered his two bills of exceptions marked No. 1 & No. 2, which he prays may be signed, sealed & enrolled, and made a part of the record in this cause, and the same is accordingly done, and are in the words & figures, following, to-wit: (Here insert the exceptions)

And on motion of the Defendant, the judgment in this cause is suspended for 20 days upon the said Defendant giving bond & security in $100. penalty, conditioned according to law.

George Eppard, Agent, Pltff
vs. } Upon a warrant,
B. Saylor's Admrs. Defts.

This cause is dismissed, for reasons appearing to the Court, without prejudice, and leave given to withdraw the bond upon leaving an attested copy with the papers; but the Plaintiff is

to pay the costs of the defendant, if any, before the Magistrate, and in this Court, but no Attorneys fee.

It appearing to the Court that William Eppard has been dead more than three months and no administration had upon his Estate, on the motion of Geo. B. Eppard the estate of said William Eppard is committed to the Sheriff of this County, D.K. Ralston, for administration.

Nancy Crawford, Appellant,
@
N. M. Cave, Appellee.
} Upon an appeal from a Justice.

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 Court below is erroneous and doth reverse said judgment, and doth proceed to enter up such judgment as the Court below should have given; It is therefore considered by the Court that the warrant be dismissed, and that the Appellant, Nancy Crawford, do recover from the Appellee, N. M. Cave, her costs, by her in this behalf expended.

Ordered, That the Treasurer of this County do pay to Richard Dunlap, cold. Two Dollars for scouring and cleaning up the lower rooms of the Court-House, previous to their occupancy by the officers of this County.

Isaac Ulenger,
@
Martin Brenneman,
} Upon an attachment.

On motion of the Plaintiff, and for reasons appearing to the Court, this cause is removed to the Circuit Court of this County.

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

Chas. F. O'Donnell.

Monday, June 21, 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday June 21, 1875.

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 upon the Minutes, and is as follows, viz:-

Bargain & Sale.	Wm. D. Bowman,	to	Jos. M. Bowman,
" "	John E. Roller, Comm'r,	"	Benj. N. & N. J. Myers,
" "	John A. Easley & wife,	"	George W. Rehard,
" "	Samuel Singer & wife,	"	H. H. Coakley,
" "	Thomas Good & wife,	"	Isaac Long,
" "	Isaac Long & wife,	"	John Long,
" "	Geo. W. Sizey & wife & others,	"	Wm. A. Thompson & John A. Thompson,
" "	John H. Cave & wife,	"	William Shaver,
" "	Charles A. Yancey & wife, &c	"	Wm. N. Showalter,
" "	M. Harvey Effinger & wife,	"	Joseph Moyers,
" "	Martin W. Brunk & wife,	"	Jacob W. Showalter,
" "	Asa L. Baugher,	"	Linsey Williams,
" "	G. W. Yancey & wife,	"	Harriet Whitmer,
" "	R. W. Pool & wife,	"	Clemente Evinger, trustee Private School,
" "	John A. Wise & wife,	"	R. W. Pool,
Trust Deed,	John Altaffer,	"	Ed. S. Conrad, trustee for John W. Miller,
Bargain & Sale,	Joseph Kyger & wife,	"	Jesse Moyers,
" "	W. M. Shaver & wife,	"	Patrick Tobin
" "	Robert Craig, trustee	"	C. A. Yancey, trustee for Wm. Kate S. Paul,
Partition.	W. H. Waeche & B. F. Richards,	"	J. S. Hammberger & Charles E. Haas,
Bargain & Sale,	C. A. Yancey, trustee & N. M. Newman, Comm'r.	"	same & same,
" "	W. H. Whitaker & wife,	"	Peter W. Rehard,
" "	E. H. Smith, Comm'r.	"	William Britt (old deed.)
" "	Henry Lee & wife,	"	same, (" ")
" "	same,	"	same, (" ")
" "	John Kennap's Exr.	"	Charles E. Haas,
" "	John Crousehorn & Leo A. Miller, trustees	"	Peter Ritchie,
" "	John Hensley & wife,	"	Wm H. Hammer,
" "	same,	"	Price Monger,
Trust Deed,	George Russell,	"	Erasmus Taylor, trustee for Cath. Russell,
Assignment of Lease,	A. Nicholas,	"	The Shen. Land & Anthracite Coal Co. of N. York,
Bargain & Sale,	Michael W. Bowman,	"	Wm. Swartz,
" "	E. J. Shank & Albert Wilhoit,	"	Peter Hile,
" "	Michael J. Kinkead & wife,	"	same,
Deed of Gift.	Joseph Freeze,	"	Mary Freeze,
Bargain & Sale,	W. B. Linty, Special Comm'r.	"	Jacob Monger,
Trust Deed.	Mary E. Lupton,	"	J. S. Hammberger, trustee,
Bargain & Sale,	George G. Gattan, Comm'r,	"	Henry Purnell & Co.
" "	David Fulty, Special Comm'r.	"	Mathias W. Miller,
" "	Samuel H. Moffett, Comm'r,	"	Henry Moffett,

Bargain & Sale,	Jeremiah Armentrout,	to	Cornelius Armentrout,
" "	Francis Staling & wife,	"	B. F. Shaver,
" "	J. N. Sprenkel, Agt. pr. of J. Ryely &c,	"	Francis Staling,
" "	J. S. Hamsberger, Commr,	"	Aaron H. Wilson,
" "	Benj. E. Long & wife,	"	J. S. Hamsbergen,
" "	G. W. Rodgers & wife,	"	Abraham Niswander,
" "	Abraham Niswander & wife,	"	James B. Dickson,
" "	Martin Yarlen & wife,	"	Erasmus Neff,
" "	Adam Rader & wife,	"	Joel Garlen,
" "	G. W. Berlin, Commr,	"	Hezekiah Armentrout,
" "	Benny Zirkle & wife,	"	Susan Kottinger,
" "	John E. Roller,	"	George H. Whiteall,
Trust Deed,	George H. Whiteall,	"	Joseph T. Logan, trustee,
Bargain & Sale,	Peter S. Roller & wife,	"	G. G. Grattan, Exor. of Martha D. Grattan,
" "	G. G. Grattan, Exor. of Martha D. Grattan,	"	Peter S. Roller,
" "	Wm. B. Compton, Commr & F. G. Ray, trustee,	"	Isaac Stone, trustee for Frances Stone & children,
" "	Levi Wise & wife & Saml. Bare & wife,	"	John D. Wise,
" "	John D. Wise & wife,	"	Mary E. Wise, wife of Wm. A. Wise,
" "	Charles A. Yancey, Commr,	"	Alexander Ryser's Heirs,
" "	Samuel Hinegardner & wife,	"	Elizabeth Brenner,
" "	Joseph Bowman & wife,	"	John Raish,
" "	George Miller & wife,	"	Peter Speyer,
" "	Susannah Monger,	"	Joseph Miller, trustee for Elizabeth Landy,
Lis Pendens,	James Huffman,	"	James A. Dofflemoyer, F. M. Russell & Sebastian Snipes,
Trust Deed,	John W. Osbaugh,	"	John E. Roller, trustee for Emd. Armentrout
Bargain & Sale,	Jackson Pittington & wife & others,	"	Simon Miller,
" "	Simon Miller & wife & others,	"	Jackson Pittington,
" "	Simon Miller & wife & others	"	Noah Miller,

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 Enos Lindamood, Admr. of Samuel Lindamood, dec'd;
" " " " Jacob Thomas " " Daniel Thomas, dec'd;
" " " " same " " same, dec'd;
" " " " Wm. A. Ranff, " " Elizabeth Albright, dec'd;
" " " " C. A. Caulear, " " Wm. Caulear, dec'd;
" " " " Madison Moore, " " Sarah E. Moore, dec'd;
" " " " Wm. A. Pence, Exor. " Geo. Brenner, dec'd;
" " " " Wm. S. Thompson, " " Jacob Shoemaker, dec'd;
" " " " Wm. A. Pence, " " John Hinegardner, dec'd;
" " " " Martin Wampler " " Benny Spitzer, dec'd;
" " " " Robt. Craig, trustee in Trust Deed from Francis M. Quaide,

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

Inventory of Bonds & Sale Bill of the Estate of Delilah Fauntleroy, dec'd;
same " Personal Estate of Jonas Bloser, dec'd;
Appraisement Bill of Personal Estate of Jacob D. Williamson, dec'd;
same " " " " Lewis Hedrick, dec'd;

Nelson Morton, Pltff.
vs
William Gaines, Deft. } W. E. & D.

James M. Weaver, Pltff
vs
Wyethe Iron & Steel Co. &c, Defts } W. E. & D.

Jos. N. Riddle, &others Pltffs
vs
Emanuel Wilkins Deft. } motion,

J. P. Rolston, late S. R. C.,
vs
Same & Co. Board &c sureties. } notice,

Commonwealth of Va; Pltff
vs
J. B. Eastham, Collector &sureties Defts. } notice,

Commonwealth of Va, Pltff,
vs
A. H. Brewer & sureties Defts } notice,

Same, for &c, Pltffs.
vs
Same, &c, Defts. } notice,

Same, for &c, Pltffs,
vs
Same, &c, Defts } notice,

On motion of the Plaintiffs, by counsel, It is ordered that the foregoing-named causes be placed upon the Court's Docket, and the Court doth continue the trial of the cause of James M. Weaver Pltff. vs The Wyethe Iron & Steel Company, &c, until the next term of this Court.

For reasons appearing to the Court, the Rules awarded against D. A. Beatwole, Emanuel Silers & A. N. Rinehart, awarded at the last term for failure to appear as among were discharged.

Upon the application of J. S. Sheckliss, and it appearing to the Court that the applicant is a person of sobriety and good character, It is ordered that the License granted at the April term last of this Court, to R. L. Rolston, to Keep ~~at~~ an Ordinary at his house in the village of Broadway, together with Retail Liquor Merchants License, from May 1. 1875 to April 30, 1876, be assigned to said J. S. Sheckliss, to take effect from this day, June 21, 1875.

c'd'd
dep'd.

Upon the application of J. D. Pennybacker, A. L. Maupin, G. M. Shaver, &c, for the establishment of a public road from Edom down Linville's Creek to the road leading from Isaac Acker's to Cowan's Station on the B. & O. R. R.

✓
c'd.

It appearing to the Court that John Lincoln is not a freeholder of Rockingham County, It is ordered that Jacob Moyers be substituted for said Lincoln as Commissioner, and that Jacob Moyers Henry Pulse & Emanuel Sipe do proceed to view the ground and report to the Court the conveniences and inconveniencies that will result, as well to individuals as the public, if such road shall be as proposed, and especially whether any yard, garden, orchard, or any part thereof, will, in such case, have to be taken,

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Jacob P. Slusser this day presented in Court an Account against the County of Rockingham, amounting to the sum of $8.00 for two days' services each, on the Friedens Church and on the Crop Keyo and Ryerly's Mill Road, as Chain-bearer, @ $2.00 per day, which being approved by E. H. Conner, Comm'r. of Roads for Ashby Township, 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 1875.

c'd.

W. S. Sluser this day presented in Court an Account against the County of Rockingham, amounting to the sum of $8.00 for two days services each, on the Friedens Church and on the Corp Keys & Bixby's Mill Road, as chain-carried. bearer, of $3.00 per day, which being approved by E. N. Brenner, Commrs. of Roads for Ashby Township, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

On motion of Harrison Bateman, the Estate of J. T. Holt is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that said J. T. Holt departed this life during the late war, and that no administration has been had upon his Estate.

On motion of Jacob A. Armentrout, one of the heirs of Henry Argabright, dec'd, it is ordered that the Estate of Henry Argabright, be committed to the Sheriff of Rockingham County, D. H. Roleton, for administration, the powers of the former Admr. having been revoked at the Feby. Term last of this Court.

On the application of A. P. Funkhouser, to be relieved from the payment of a License as Book Agent, he proposing to sell only religious books. It is ordered that on the payment of a nominal tax of One Dollar, said A. P. Funkhouser shall be granted a License to sell in this County, the Bible and other religious Books.

On the motion of D. M. Layton & L. L. Layton, heirs of H. M. Layton, It is ordered that John G. Hutton, John Miller, Stephen Murry, Geo. Carpenter and James Miller, any three of whom may act, do assign to Ellen Layton, widow of said H. M. Layton, dec'd, Dower in the lands of her late husband, of which she is dowable.

On his motion, and for reasons appearing to the Court, Layman S. Wise is permitted to renew his bond as Committee of Diana Layman, a person of unsound mind, and thereupon he appeared in Court, and together with Philip F. Layman, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500, conditioned according to law, (with benefit of Homestead exemption waived,) and qualified as the Committee of said Diana Layman.

On the motion of M. F. Weller, the Court doth appoint Christian Eakle guardian for Bertie F. Weller, an infant under 14 years of age, and thereupon said Christian Eakle appeared in Court, and together with B. F. Eakle and M. F. Weller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1.000- conditioned according to law, (with benefit of Homestead exemption waived,) and qualified as such guardian.

On the motion of Hannah Bowman, widow of Shem Bowman, dec'd, who made oath thereto according to law, she appeared in Court, and together with Samuel J. Bowman, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the

penalty of $2.000. conditioned according to law, (with benefit of Homestead exemption waived,) a certificate is granted her for obtaining letters of administration in due form upon the Estate of the said Shem Bowman, dec'd.

James Gardner Williamson infant over 16 years of age, this day appeared in Court and made choice of his mother Martha Emaline Williamson, as his guardian, and thereupon the said Martha Emaline Williamson appeared in Court, and together with Gilbert M. Williamson and Thomas L. Williamson, her sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4.000. conditioned according to law, (with benefit of Homestead exemption waived,) and qualified as such guardian.

On motion of the powers of Roleton, Sheriff of this County, and as such Administrator of the Estate of David Keagy, dec'd, are hereby revoked.

On the motion of Noah Minnick, who made oath according to law, he appeared in Court, and together with A.J. Dougherty, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $160.00, conditioned according to law, (with benefit of Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of David Keagy, dec'd, And the Court doth appoint Joseph Wampler, Daniel Flory and Adam Andes to appraise the Estate of the said David Keagy, dec'd, after first being duly sworn.

Edward M. Carpenter infant over 14 years of age, this day appeared in Court, and made choice of his father, Wm. D. Carpenter, as his guardian, and the Court doth appoint said Wm. D. Carpenter guardian of his infant child, Mary Leora Carpenter under 14 years of age, and thereupon the said Wm. D. Carpenter appeared in Court, and together with John W. Carpenter and John Carpenter, 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 qualified as such guardian.

The writing purporting to be the last will and testament of Daniel Kuffman, dec'd, was this day presented in Court, and being proven by the oaths of A.B. Early and David Suter, the two subscribing witnesses thereto, was admitted to probate, and thereupon Wm. D. Carpenter and Joseph A. Earman, the Executors therein named, appeared in Court, and together with Reuben Kuffman, & John Carpenter, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $40.000. conditioned according to law, (with benefit of Homestead exemption waived,) a certificate is granted them for obtaining a probat of said will in due form; and the Court doth appoint Abm. Early, Danl. Byerly, Abm. B. Early & Danl. Wenger to appraise the Estate of the said Daniel Kuffman, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of George W. Gaither, was this day presented in Court, and being proven by the oaths of James Baker, R. A. Stephens and Michael Sellers, the subscribing witnesses thereto, was admitted to probate, and no Executor being named in the will, the Court doth appoint John W. Gaither and D. H. Roleton, Administrators, with the will annexed of said George W. Gaither, dec'd, and thereupon they appeared in Court, made oath thereto according to law, and together with Elizabeth West, their surety, (who justified as to her sufficiency,) entered into and acknowledged a bond in the penalty of $2,000. conditioned according to law, (with benefit of Homestead exemption waived,) a certificate is granted them for obtaining letters of administration, with the will annexed, in due form, upon the Estate of said George W. Gaither, dec'd; And the Court doth appoint James Baker, Michael Sellers and R. A. Stephens to appraise the Estate of said George W. Gaither, after first being duly sworn.

Rev.

On the motion of Jacob Hedrick, and it appearing to the Court that he is a regularly ordained Minister of the Gospel in the Congregational Church of God, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with Samuel Hedrick, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $150.00, conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified accordingly.

The writing purporting to be the last will and testament of Wm. Hinton, dec'd., was this day presented in Court, and being proven by the oaths of Pendleton Bryan & W. H. Whitaker, the two subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Frederick Wyatt, dec'd, was this day presented in Court, and being proven by the oaths of James W. Dofflemoyer and Joseph W. Conly, the two subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Nancy Hinegardner, dec'd., was this day presented in Court, and being proven by the oaths of Wm. H. Bowman & George Bowman, two of the subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Margaret Evers, dec'd., was this day presented in Court, and being proven by the oaths of George Chrisman & John W. Roleton, jr., the two subscribing witnesses thereto, and admitted to probate.

David H. Roleton, who was, on the 27th day of May 1875, duly elected Sheriff of Rockingham County, to serve as such for the term of four years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with B. F. Roleton, pur. by J. W. Roleton, jr., his Atty. B. F. Roleton, jr., J. W. Roleton, J. P. Roleton, J. W. Roleton, & D. Jesse

Roleton & L. C. Hopkins, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Sixty Thousand Dollars conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived.) 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 H. Roleton took the several oaths prescribed by law.

On the motion of David H. Roleton, Sheriff of this County, and it appearing to the Court that they are men of honesty and good demeanor, John D. Scott, D. Newton Bear, Wm. H. Blakemore, Levi S. Byrd, John A. Switzer, Samuel H. Bowman & John W. C. Royer, qualified as his Deputies, by taking the several oaths prescribed by law.

The following persons who were, on the 27th day of May 1875, duly elected Justices of the Peace, by the qualified voters of their respective Districts in Rockingham County, to serve as such for the term of two years, commencing on the 1st day of July 1875, and afterwards until their successors are qualified to enter upon the discharge of the duties thereof, this day appeared in Court and qualified by taking the oaths prescribed by law, viz:—
B. W. Rice, Joseph Byrd & L. C. Whitesegver, Ashby District,
R. W. Harrison, John Funk & Henry C. Strickel, Linville District,
D. S. Maty, Adam H. Fuck & Jacob May, Plains District,
Jacob Funkhouser, Joseph Funkhouser & Jacob F. Bowers, Central District,
Asher Argabright, — — — — — — — — — — Stonewall District.

J. W. Rob, who was, on the 27th day of May 1875, duly elected Commissioner of the Revenue for Stonewall District, in the County of Rockingham, to serve as such for the term of four years, commencing on the 1st day of July 1875, 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 E. Roller, E. S. Huffman, John Yancey and James M. Sandy, his sureties, (who justified as to their sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of ~~Forty~~ Twenty thousand Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) 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. Rob took the several oaths prescribed by law.

Joseph W. Rhodes, who was, on the 27th day of May 1875, duly elected Commissioner of the Revenue for Ashby District, in the County of Rockingham, to serve as such for the term of four years, commencing on the 1st day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with B. W. Rice, D. B. Showalter, Jas. F. Lowman and David Suter, his sureties, (who justified as to their sufficiency,)

entered into and acknowledged in open Court, a bond in the penalty of Four Thousand Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived, 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 W. Rhodes took the several oaths prescribed by Laws.

George Chrisman, who was, on the 27th day of May 1875, duly elected Supervisor of Central ~~District~~, to serve as such for the term of Two years, commencing on the first day of July 1875, 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. P. Roleton, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Twenty-five Hundred dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said George Chrisman took the several oaths prescribed by law.

J. W. F. Allemong, who was, on the 27th day of May 1875, duly elected Supervisor of Ashby District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, 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. Kyle, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Twenty-five Hundred dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said George Chrisman took the several oaths prescribed by law.

James M. Weaver, who was, on the 27th day of May 1875, duly elected Supervisor of Stonewall District, to serve as such for the term of two years, commencing on the 1st. day of July 1875 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with A. P. Nicholas, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Twenty-five hundred dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said James M. Weaver took the several oaths prescribed by law.

Thomas Moore, who was, on the 27th. day of May 1875, duly elected Supervisor of Plains District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, 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. N. Conner, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the

penalty of Twenty-five Hundred Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court, And thereupon the said Thomas Moore took the several oaths prescribed by law.

Thompson Steele, who was, on the 27th day of May 1875, duly elected Constable of Central District, to serve as such for the term of two years, commencing on the 1st day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day 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 Four Thousand Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said Thompson Steele took the several oaths prescribed by law.

James M. Bungey, who was, on the 27th day of May 1875, duly elected Constable of Ashley District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with E. S. Huffman, George W. Skelton and Simon P. Sheets, his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Four Thousand Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said James M. Bungey took the several oaths prescribed by law.

E. R. Seff, who was, on the 27th day of May 1875, duly elected Constable of Plains District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, 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 Seff, Jacob Kriegsmann & John P. Pence, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Four Thousand Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said E. R. Seff took the several oaths prescribed by law.

George W. Shaver, who was, on the 27th day of May 1875, duly elected Constable of Summerville District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Samuel P. Bowman and Wm. F. Bowers, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Four Thousand Dollars, conditioned for the faithful

execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said George W. Shaver took the several oaths prescribed by law.

John P. Ponce, who was, on the 27th day of May 1875, duly elected Overseer of the Poor of Plains District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with E. R. Neff, 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, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said John P. Ponce took the several oaths prescribed by law.

B. F. Hughes, who was, on the 27th day of May 1875, duly elected Overseer of the Poor of Ashby District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, 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. P. McCall, 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, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said B. F. Hughes took the several oaths prescribed by law.

Cyprus L. Wise, who was, on the 27th day of May 1875, duly elected Overseer of the Poor of Linville District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day 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 Five Hundred Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said Cyprus L. Wise took the several oaths prescribed by law.

On the motion of Dr. Wm. J. Points, the Court certifies, that he is a person of honest demeanor, and is over 21 years of age, and that he has resided in the County of Rockingham, more than one year next preceding this application.

resided.

On the motion of Henry V. Strayer, the Court certifies that he is a person of honest demeanor, and is over 21 years of age, and that he has resided in the County of Rockingham, more than one year next preceding this application.

resided.

It appearing to the Court that the Jailor of this County has under his control, a certified Lunatic, Elizabeth Simmons, a citizen of this County, and it further appearing to the Court that it is proper to contract with a proper & fit person for the maintenance and care of the said Lunatic, It is therefore ordered that Daniel A. Wine be appointed a Committee to have the care, custody and maintenance of the said Elizabeth Simmons until the further order of the Court, that he be allowed therefor $13.50 per month for her maintenance, and $30.00 per annum for clothing. And it is further ordered that the said Daniel A. Wine execute bond before this Court in the penalty of $400.00 with good personal security, conditioned to exercise proper care & make proper & decent provision for said Lunatic,

And thereupon the said Daniel A. Wine appeared in Court, and together with Samuel W. Wine, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Four Hundred Dollars, conditioned as required by law, and the above order, and qualified as the Committee of said Elizabeth Simmons.

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, June 22nd. 1875.

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

On motion of Geo. M. Airey & others, the Court doth direct that William Beard, Abraham Click & James C. Keltzel, freeholders, view the Mill Road running from the Rawley Springs road near the South end of Cooper's Mountain, at or near a large Cucumber tree, to the proposed new road, applied for by Crouse & others, connecting with said proposed new Road, at or near Wm. Robinson's pinr. - and to report to the Court the conveniences & inconveniences that will result as well to individuals as to the public, if said road is opened & established as a public road, and especially whether any yard, garden or orchard or any part thereof, will have to be taken, and the names of the landholders along the route - whether they claim damages, &c,

c a/d.

John C. Walker & Wm. D. Maiden who were, on the 27th. day of May, 1875, duly elected Justices of the Peace of Stonewall District, in Rockingham County, to serve as such for the term of two years, commencing on the 1st. day of July 1875, and afterwards until their successors are duly qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and qualified by taking the oaths prescribed by law.

Rules awarded against John Pence and Wm. Rawley, for their failure to appear at this Term of the Court, as Jurors.

erased.

H. N. Beery, who was on the 27th day of May 1875. duly elected Commissioner of the Revenue for Linville District, in this county of Rockingham, to serve as such for the term of four years, commencing on the 1st. day of July 1875, 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. R. McDaugh, his surety, (who justified as to his sufficiency) entered into and acknowledged in open Court, a bond in the penalty of Four Thousand Dollars, conditioned for the faithful execution of the duties of his office, (With the benefit of the Homestead exemption waived,) 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. And thereupon the said H. N. Beery took the several oaths prescribed by Law.

The Comm
ex Indictment for Tres Indictment for Trespass.
Henry Emy

as well the Attorney as well the Attorney for the Commonwealth as the Defendant, the said Defendant, in open Court, confessed a Judgment to it is therefore considered by the Court that recover against the said recover against the said Henry Emp ex-hiler the sum of ex costs in her behalf ex costs in her behalf expended.

Joseph D. the 27th day of May in the 27th day of May in the year 1875, duly elected Clerk of the Circuit Court of Rockingham County, to serve as such for the term of six years from the 1st. day of July 1875, and afterwards until his successor is duly qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with and S. R. McDaugh (who justified as to his sufficiency) entered into a bond in the penalty of Six Thousand Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) 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 D. Logan took the several oaths prescribed by Law.

Upon an Indictment for Trespass, wherein the Commonwealth, plaintiff, and Henry Emp ex-hiler, defendant, this day came again the parties by their attorneys, and thereupon it is considered by the Court that the Commonwealth recover against the said Henry Emp ex-hiler the sum of One Cent fine, and it is considered by the Court that the said Henry Emp ex-hiler pay the Commonwealth One Cent fine, and it is considered by the Court that the said Henry Emp ex-hiler pay the costs in her behalf expended.

W. G. Partlow, who was on the 27th day of May 1875, duly elected Overseer of the Poor of Central District, to serve as such for the term of two years, commencing on the 1st. day of July 1875, and afterwards until his successor is duly qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with J. J. Logan, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Five Hundred Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) Which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said W. G. Partlow took the several oaths prescribed by Law.

A License is this day granted to Wm. P. McCall, on his application to keep an Ordinary, at his House, at "Bellefonte" in this County for the period beginning on the 22d. day of June 1875, and expiring on the 30th day of April 1876, the Court being fully satisfied that the applicant is a person of sobriety and good character, and that the place where the said Ordinary is to be kept is convenient and suitable, and that he is provided with the necessary accommodations for man or horse, as provided in the 69th Section of the Act imposing Taxes, &c, approved March 31, 1875, and that the tax required by law has been paid to the proper officer.

cafeed. od.

The Court doth appoint the following-named persons, under the provisions of the Act of the General Assembly of Virginia, approved March 31, 1875, in relation to the Assessment of the Lands of the Commonwealth to assess the cash value of all Lands and Lots, together with the improvements thereon, within their respective Districts in the County of Rockingham, viz:-

D. A. Heatwole, Central District,
Peter Paul, Ashby District,
John C. Walker, Stonewall District,
Jacob Moyers, Linville District,
John N. Thomas, Plains District,

The Court doth appoint Robert Cox, as Superintendent of the Poor for the County of Rockingham, to serve as such for the term of four years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office.

The Court doth appoint Adam C. Bear, Surveyor of the County of Rockingham, to serve as such for the term of four years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties of his office.

Commonwealth
vs. } Upon an Indictment for selling ardent spirits
A. J. Sigler, } without a License.

This day came again as well the Attorney for the Commonwealth as the Defendant by counsel, and thereupon came a jury, to wit:- A. B. Armentrout, Jonathan Mason, A. M. Dutrow, Jr. E. Bolton, Julius J. Monty, S. B. Shipplett, Jackson Rhodes, James Payne, Thomas J. Thomas, Solomon Beery, D. H. Dofflemoyer and James P. McLeod, who being elected tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say "we the jury find the Defendant guilty in manner and form as charged in the Indictment, and assess his fine at Seventy-five Dollars"- Jackson Rhodes, foreman. It is therefore considered by the Court that the Commonwealth recover of the Defendant, A. J. Sigler the sum of Seventy-five Dollars, the fine so ascertained by the jury, and her costs by her in this behalf expended.

Commonwealth
vs. } Upon an Indictment for misdemeanor.
Thomas Manspile &c, }

This day came again as well the attorney for the Com-

monwealth, as the Defendants by their counsel, and the Attorney for the Commonwealth entered a Nolle Prosequi, It is therefore considered by the Court that the Defendants go hence without day.

Commonwealth
vs
James Carter, } Upon an Indictment for misdemeanor.

It appearing to the Court that the process has not been executed upon the Defendant, and his residence unknown, the Attorney for the Commonwealth entered a Nolle Prosequi,

Nelson Morton,
vs
Wm. Gaines, } M. E. & D.

For reasons appearing to the Court the trial of this cause is continued until the next term of the Court.

Ordered, That the following named Jurors be each allowed the sum of One Dollar for their services at this Term of the Court upon the trial of A. G. Sigler, for misdemeanor, which is ordered to be certified to the Auditor of Public Accounts, viz:

c/d. certified to the Aud. of Pub. Accts.

N. B. Armentrout, Jonathan Mason, A. M. Dutrow, Jo. E. Bolton,
Julius J. Marty, S. B. Shifflett, Jackson Rhodes, James Payne,
Thos. J. Shomo, Solomon Beery, D. H. Dofflemoyer, James P. McLeod.

J. W. Riddle & others,
vs
Emanuel Wilkins, } Upon a petition contesting an Election.

Upon the motion of the Defendant, Emanuel Wilkins, and for reasons appearing to the Court, It is ordered that the petition in this cause be quashed, and the cause dismissed, and that the Defendant recover of the petitioners his costs in this behalf expended

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 Wednesday, June 23, 1875.

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

Robert Cox, who was, on the 22nd. day of June 1875, appointed by the County Court of Rockingham, Superintendent of the Poor for Rockingham County, for the term of four years, commencing on the 1st. day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and together with Abraham Miller, Robert Koontz, Abraham Armentrout and John Leedy, 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, (with the benefit of the Homestead exemption waived.) 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 Cox took the several oaths prescribed by law.

James P. Roleton, late S.R.C., Plff

vs

Saml. C. Bear, & A. Frank C. Branner, John J. Branner, Charles R. Branner, Jacob Hinegardner & Wm. F. Landes, surviving obligors, &c, Defts. } Upon a motion.

This day came again the plaintiff by his Attorney & the defendants A. Frank C. Branner, John J. Branner, Charles R. Branner, Jacob Hinegardner and Wm. F. Landis, being solemnly called, came not, whereupon the bond of Saml. C. Bear & A. Frank C. Branner, &c, his sureties to James P. Roleton, late S.R.C., as also the receipt of D.S. Roleton, S.R.C. to James P. Rolston, late S.R.C. for the sum of $258.10/100 the amount of a judgment in favor of A.C. Skinner vs said Roleton, late S.R.C. on a commit of an execution in favor of said Skinner vs J.W. West, &c, collected by said S.C. Bear, late Deputy for J.P. Roleton, late S.R.C. & not paid over to the plaintiff.

Whereupon, It is considered by the Court that James P. Roleton late S.R.C. do recover of A.F. Branner, John J. Branner, Charles R. Branner, Jacob Hinegardner & William F. Landes, surviving obligors of themselves & Geo. W. Kopp & John C. Keenan, dec'd, in a bond executed by Saml. C. Bear, &c, conditioned for the faithful performance by said Bear of his duties as Deputy Sheriff as aforesaid, - the sum of Two hundred and fifty-eight 10/100 Dollars, with legal interest thereon from the 10th. day of June 1875 till paid & the costs of this motion.

S.B. Allebaugh, Admr. of Philip Layman, dec'd,

vs

James P. Roleton, late Sheriff of Rockingham Co } Upon a motion.

Ordered, That this cause be placed upon the Court's docket. And it appearing to the Court that the Defendant has acknowledged legal service of the notice, and being solemnly called came not, on the motion of the Plaintiff, by his counsel, It is considered by the Court that the Plaintiff recover of the Defendant the sum of $109.50 with interest thereon at the rate of six

per cent. per annum from the 18th. day of July 1873 till paid and $3.43 costs, and his costs by him in this behalf expended.

For reasons appearing to the Court, the order made at the April Term 1874 of this Court certifying on the motion of Dr. Wm. O. Neil, to the Auditor of Public Accounts, the sum of $10.00 for examination of Albert Twyman, a Lunatic and post-mortem examinations of Thos. O'Connors, is set aside.

Dr. Wm. O. Neil this day presented in Court an account of $5.00 against the Com-
cp'd. monwealth of Virginia, 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. Wm. O. Neil this day presented in Court an account of $5.00 against the
cp'd. Commonwealth of Virginia, for post-mortem examination of Thomas O'-Connors, 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.

L. H. Ott, Coroner of this County, this day presented in Court an Account against the Commonwealth of Virginia, for services & expenses in holding
cp'd. Inquest on body of an unknown infant, found in Conner's pond, amounting to the sum of $13.00 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. J. H. Neff, this day presented in Court, an Account against the Common-
cp'd. wealth of Virginia, amounting to $10.00, for autopsy of body of unknown infant found in a pond near Harrisonburg, Rockingham County, and attendance upon Inquest held over the same, May 28, 1875, near aforesaid town, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. C. Powell, this day presented in Court an Account against the Common-
-cp'd. wealth of Virginia, amounting to the sum of $3.00 for guarding Silas Morriss and Anderson Shifflett charged with the murder of David Lawson, which being sworn to before B. P. Teel, a Justice of the Peace, was ex-
-amined and allowed by the Court, and ordered to be certified to the Au-
-ditor of Public Accounts for payment.

On motion of Wm. N. Gay, a creditor of Samuel Vaupett, dec'd, and it appearing to the Court that said Vaupett has been dead more than three months, and no administration had upon his Estate, It is ordered that the Estate of said Vaupet be committed to D. H. Rolston, S. R. C. for administration.

Patrick Garner, Pltff.
vs
Patrick Canty, Deft. } Upon a Notice.

Ordered That the trial of this cause be continued until the next term of the Court.

Ordered, That the following causes upon the Appeal Docket be continued unto the next term, generally.

Julia Ann Denor vs Geo. G. Dudley's wife,
George W. Shaver, " Jacob E. Rhodes
S. N. Bowman, " Isaac Paul,
P. N. K. Pickering's Admr, " Reuben Bondi & Surety,
Joseph Wright, " Wm. Peterson,
A. N. Peale, " Peter Bonds,
Jacob Klepser, " Moyer Shoffer & Saufley,
A. N. Peale, " Sami. Brown, for &c,
F. M. Kirtley, " Wm. Gaines, jr.,

John D. Pennybacker, Appellant
vs
Town of Harrisonburg, Appellee. } Appeal

Ordered That this cause be continued at costs of Appellant to next term.

Jno. D. Pennybacker,
vs
Geo. K. Moyers, } Appeal.

Upon the calling of this cause, the death of the defendant George K. Moyers was suggested, and it is ordered that the same be revived against Elizabeth Moyers, Admx. of Geo. K. Moyers, dec'd

Nancy McDorman,
vs
R. M. Kyle's Admr. } Appeal

On motion, It is ordered that this cause be revived against J. P. Roberton, late S. R. C., and as such Admr. of R. M. Kyle, dec'd.

Stuart, Buchanan & Co.,
vs
Board of Supervisors. } Appeal.

Ordered That this cause be dismissed.

Solomon Huffman,
vs
James Steele. } Upon a Notice to quash a Fifa.

This day came again the parties by their attorneys, and the Plaintiff moved the Court to quash the Fifa which is the basis of this motion, and the Court having fully heard the evidence and argument of counsel, doth overrule the motion to quash said Execution, and it is considered by the Court that the Defendant recover of the Plaintiff his costs by him in this behalf expended.

c o p d.

G. W. Tabb, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $11.88 for 1/4 ton of Coal, furnished April 19, 1875, 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, out of the Levy for the year 1875.

John Bowman, jr. Appellant
vs
Wm K. Abbott, Appelle } Appeal from a Pet. of a J.P.

This day came again the Appellee by his attorney, and the cause submitted to the Court, on consideration whereof the Court doth affirm the judgment of the Justice of the Peace, It is therefore considered by the Court that the Appellee, Wm. K. Abbott recover of the Appellant, John Bowman, jr., and his surety, Jacob Kinegardner, the sum of $30cc with interest thereon from the 26th day of March 1870 till paid, and $3cc costs before said Justice of the Peace subject to the following credits: - $10cc May 4, 1867 and $6.2cc July 30, 1869, together with 10 per cent. damages on the aggregate amount, from Dec. 3, 1870, when judgment, and his costs by him in this behalf expended.

James Kavanaugh, Appellant,
vs
Amanda C. Dilland, Appelle. } Appeal from a Pet. of a J.P.

This day came again the Parties by their counsel, and the cause submitted to the Court, on consideration whereof, the Court doth affirm the judgment of the Justice of the Peace, It is therefore considered by the Court that the Appellee, Amanda C. Dilland recover of the Appellant James Kavanaugh, the sum of $17.66cc with interest thereon from the 24th day of April 1875, till paid, and $1.cc costs before said Justice of the Peace from said 24th day of April 1875 till paid, together with 10 per cent. damages on the aggregate amount, and his costs by her in this behalf expended,

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On an application of Ed. S. Kemper & others, for a public road from Crop Keys to Pleasant Valley Depot. The Commr. of Roads for Ashby Township, E. H. Cromer, having returned into Court an amended report as required by an order of this Court at its last term, It is ordered that the following land owners along the said proposed road be summoned to appear at the next term of this Court, and show cause why the same should not be established to-wit: Miss Maggie Kemper, Mrs. Linear Woodson, Peter Woodson, Ed. S. Kemper, Lewis Argabright, Peter Earmon, B. M. Rice, Mrs. Jonathan P. Shaver, George Whitsel, Joseph Shaver, Elizabeth Shaver ——— Deuton, John Spader, J. W. Cove lease Sheets & Calvin Argenbright.

10 & 16 cpies.

On an application of Daniel Keuffo & others, for a public road from Friedens Church to the old Furnace Road, near Naked Creek Church, Commr. E. H. Cromer having returned in to Court his amended report on his view of the route for said Road, Jacob Slusser, Abraham Flory, Abner Forbaugh, George Lutz, Samuel Yokely, William Reubush, Samuel Root, David Lutz, Margaret Lutz, L. F. Shank, Simrod Showalter, George Sherman, G. Calhoun, Samuel Whitsel, Joseph Wilhite, Peter Hooker Heirs, D. Vaughns Heirs, James Plecker and P. M. Rice, land owners along the route of said Road, are ordered to 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 said Commissioner,

10 & 19 cpies.

John Paul, who was, on the 27th day of May 1875, duly elected Attorney for the Commonwealth, for the County of Rockingham, to serve as such for the

term of four years, commencing on the 1st day of July 1875, and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in Court, and qualified by taking the oaths prescribed by law.

On the motion of J. D. Logan, Clerk of this Court, Joseph S. Mefferly appeared in Court and qualified as Deputy Clerk of said Court, by taking the oaths prescribed by law.

D. H. Roleton, Sheriff of this County, this day presented in Court an Account against the County of Rockingham for services of guard at Court-yard fence, per order of the Court for 16 days @ 75 cents per day, amounting to $12.00 which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

cap. & d.

B. F. Horn, a feigned,
* C. L. Weaver,

Upon the motion of Joseph A. Hammen, late Sheriff of Rockingham County, leave is given him to amend his return upon the execution issued upon the above entitled judgment. This amendment to be made before the Judge of this Court within thirty days, and to set forth the ground of amendment.

Adam C. Bear, this day presented in Court an account against the County of Rockingham, amounting to the sum of $35.00 for surveying and plotting the following roads: from Taylor's Ford to Massanutten road near Peter's Church, 2 days - from Lawyer Road to Turnpike, near McGaheysville, 5 days - from McGaheysville to Bloomer Springs, 6 days - from the Bridge to Lick Ford road, 1 day - (total 14 days @ $2.50) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for 1875.

cap.

Commonwealth,
* N. G. Sigler,

Upon an Indictment for selling Ardent Spirits without a License.

Memo: Upon the trial of this cause, the Defendant by his counsel, excepted to two opinions of the Court given upon said trial, and tendered his two bills of exceptions, which were signed, sealed and enrolled, and made part of the record in this cause, which are in the words & figures following, to-wit: (Here insert the Bills of Exceptions.)

* Ins. a recognizance with an surety, taken & acknowledged at its late session, & Memo of this Court, he ordered as the Grand Jury Presents.

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

Chas. E. O'Ferrall.

In Vacation.

Before the Judge of the County Court of Rockingham County, this 25th. day of June 1875.

Adam C. Bear, who was appointed Surveyor of Rockingham County, by the Judge of the County Court of said County, at the June Term, 1875. of said Court, for the term of four years, from the 1st. day of July next, this day personally appeared before me in vacation, and took the several oaths prescribed by law, as such Surveyor.

All of which is hereby certified to the Clerk of said Court, who is directed to record the same in the Order Book of his Court.

Teste, J. T. Logan, Clerk. Chas. J. O'Ferrall, Judge Ro. Co. Ct.

In Vacation.—

Before the Judge of the County Court of Rockingham County, this 25th. day of June 1875.—

John R. Jones, who was, on the 27th day of May 1875. duly elected Commissioner of the Revenue for Central District in said County, to serve as such for the term of four years, from the 1st. day of July 1875, this day personally appeared before me, in vacation, and together with George S. Christie, Trustee for Sarah L. Jones and Sarah L. Jones, (who justified as to their sufficiency,) as his sureties, entered into and acknowledged a bond in the penalty of Three thousand dollars, conditioned according to law; and thereupon the said John R. Jones took the several oaths prescribed by law. All of which is hereby certified to the Clerk of the said County Court of Rockingham County.

Teste, J. T. Logan, Clerk. Chas. J. O'Ferrall Judge Co. Ct. of Rockingham County.

In Vacation.—

Before the Judge of the County Court of Rockingham County, this 26th. day of June 1875.—

Emanuel Wilkins, who was, on the 27th day of May 1875. duly elected Commissioner of the Revenue for Plains District, in said County, to serve as such for the term of four years, from the 1st. day of July 1875, this day personally appeared before me in vacation, and together with George M. Hoover and Thompson Steele, (who justified as to their sufficiency,) as his sureties, entered into and acknowledged a bond in the penalty of Three thousand dollars, conditioned according to law; and thereupon the said Emanuel Wilkins took the several oaths prescribed by law.

All of which is hereby certified to the Clerk of the said County Court of Rockingham County.

Teste. J. T. Logan, Clerk. Chas. J. O'Ferrall, Judge Co. Ct. of Rockingham County.

In Vacation.—

Before the Judge of the County Court of Rockingham County, this 26th day of June 1875.—

Joseph K. Shue, who was, on the 27th day of May 1875, duly elected Clerk of the Circuit Court of Rockingham County, to serve as such for the term of six years, from the 1st. day of July 1875, this day personally appeared before me in Vacation and together with J. N. Loewenbach and Philo Bradley, (who justified as to their sufficiency,) as his sureties, entered into and acknowledged a bond in the penalty of Six thousand dollars, conditioned according to law and thereupon the said Joseph K. Shue took the several oaths prescribed by law. All of which is hereby certified and returned to the Clerk of the County Court of said County.

Chas. J. O'Ferrall,
Judge Co. Ct. of Rockingham County.

In Vacation.—

Before the Judge of the County Court of Rockingham County, this 28th day of June 1875.—

Samuel R. Sterling, who was, on the 27th day of May 1875, duly elected Treasurer of the County of Rockingham, to serve as such, for the term of four years from the 1st. day of July 1875, this day personally appeared before me in vacation, and together with Philo Bradley, A. B. Irick, S. B. McDaugh, Wm. G. Harrison and J. N. Loewenbach, (who justified as to their sufficiency,) as his sureties, entered into and acknowledged a bond in the penalty of One Hundred and fifty Thousand Dollars, conditioned according to law; and thereupon the said Samuel R. Sterling took the several oaths prescribed by law. All of which is hereby certified and returned to the Clerk of the County Court of said County.

Chas. J. O'Ferrall Judge of
the County Court of Rockingham County.

In Vacation.—

Before the Judge of the County Court of Rockingham County, this 28th day of June 1875.—

William Life, who was, on the 27th day of May 1875, duly elected Overseer of the Poor for Stonewall District in the said County, to serve as such for two years from the 1st. day of July 1875, this day personally appeared before me in vacation, and together with George W. Pence, (who justified as to his sufficiency) as his surety, entered into and acknowledged a bond in the penalty of Five hundred dollars, conditioned according to law; and thereupon the said William Life took the several oaths prescribed by law.

All of which is hereby certified and returned to the Clerk of the County Court of said County.

Chas. J. O'Ferrall, Judge
Co. Ct. of Rockingham County.

In Vacation:—

By the Judge of the County Court of Rockingham County, this 28th day of June 1875:—

The Board of Supervisors of the County of Rockingham, having, by an order entered on the 11th day of June 1875, established a chain gang for the purpose of working on the roads and public property of the County. I do hereby order, that all male persons above the age of sixteen years, who may be convicted of misdemeanor or any offence deemed infamous in law, and sentenced to confinement in Jail as a punishment, or part punishment for such offence, or who may be imprisoned for failure to pay any fine or penalty which may be imposed upon or assessed against such person upon such condition, who may now or hereafter be confined in the Jail of this County, until the said order of the Board of Supervisors shall be set aside to be delivered by the Jailor of this County to Joseph H. Kelly, the person authorized by said order to take charge of and work the said chain gang in said County. Each person so convicted and confined if confined as a punishment, shall be required to work one half of the time for which he is sentenced, and each person imprisoned for failure to pay any fine or penalty imposed upon or assessed against him, shall be required to work out the full amount of all such fines or assessments including the legal costs at the rate of twenty five cents per day, for each day so held (Sundays excepted) provided that all persons held to labour for such fine or assessment shall be entitled to a credit of twenty-five cents for each day of their confinement, whether they labour or not, as a credit upon any fine assessed against them; and provided, further, that no person shall be held to labour in said Chain gang for the non payment of any fine imposed upon or assessed against him for a greater period than six months.

The said prisoners shall be confined in the Jail of this County when not engaged at work.

The Jailor shall take a receipt for every prisoner delivered by him under this Order.

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

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

In vacation.

Before the Judge of the County Court of Rockingham County, this 28th day of June 1875.

John P. Swank, who was, on the 27th day of May 1875, duly elected a Supervisor for Linville District in said County, to serve as such for a term of two years from the 1st. day of July 1875, this day personally appeared before me in vacation, and together with William H. Bayley, (who justified as to his sufficiency,) as his surety, entered into and acknowledged a bond in the penalty of twenty-five hundred dollars, conditioned as the law directs; and thereupon the said John P. Swank took the several oaths prescribed by law.

All of which is hereby certified and returned to the Clerk of the County Court of said County.

Chas. J. O'Ferrall, Judge Cir. Ct. of Rockingham County.

Teste. J. J. Logan, Clerk

In Vacation.

By the Judge of the County Court of Rockingham County, this 7th day of July 1875.

Thomas Powell, who was, on the 27th day of May 1875, duly elected Constable of Stonewall District in said County, having failed to qualify, and a vacancy thereby existing in said office, I do hereby appoint Thomas H. Weaver, Constable of said district to fill said vacation. 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 J. O'Ferrall, Judge Cir. Ct. of Rock. Co.

Teste J. J. Logan, Clerk

In Vacation.

Before the Judge of the County Court of Rockingham County, this 8th day of July 1875.

Thomas H. Weaver, who was, on the 7th day of July 1875, duly appointed by me, Judge of the County Court of said County, Constable of said County, for Stonewall District, to fill the vacancy occasioned by the failure of Thomas Powell, (who was elected Constable on the 27th day of May 1875,) to qualify, this day personally appeared before me, and together with James M. Weaver, Robert F. Weaver and G. W. Mauzy, as his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Four Thousand dollars conditioned according to law; and, thereupon, the said Thomas H. Weaver took the several oaths prescribed by law.

All of which is hereby returned and certified to the Clerk of said Court.

Chas. J. O'Ferrall, Judge Cir. Ct. of Rs. Co.

Teste J. J. Logan, Clerk

Monday, July 19, 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, July 19, 1875.

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

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

Trust Deed,	John R. Kagey & wife,	to John E. Roller, trustee for E. Kiser,
Bargain & Sale,	David Driver & wife,	" Samuel Wampler, jr,
" "	Benjamin Hoover & wife	" Levis Driver,
" "	J. J. Bowman & wife & others,	" David H. Herman,
" "	John Showalter & wife,	" Henry H. Showalter,
" "	Richard Chandler & wife,	" Solomon Meaner,
" "	Christian Kaufman & wife,	" John Root,
" "	Jacob Driver & wife,	" John H. Frank, trustee for M. M. Frank,
" "	Wm. L. Graham & wife,	" David Graham,
" "	John L. Leichter & wife,	" John Carpenter,
" "	Jacob Thomas & wife, &c.,	" William L. Graham,
" "	Samuel Archaugh & wife,	" Magdalene & Margaret Miller,
Trust Deed,	Noah Archaugh & wife,	" M. F. Garber, trustee for Abm. Garber
" "	Barbara Archaugh & others,	" Joseph Garber " " " "
" "	E. J. Sullivan,	" W. B. Lunty " " W. S. Lunty,
Bargain & Sale,	James A. Messerley & wife,	" Patrick Shay,
Lis Pendens,	Harrison Bateman,	" Rob Ritchie, J. T. Watts adm. &c,
Assgt. in Bankruptcy,	C. D. Gray, Reg in Bankruptcy,	" John E. Roller, Assg. of Geo. Messersmith,
Bargain & Sale,	George Messersmith & wife, &c,	" Benjamin E. Long,
Bill of Sale,	William G. Comerford,	" John L. Lauth,
Bargain & Sale,	Silas Lang & wife,	" J. W. Beery & others, Trustees M. E. Church
Contract,	Dorothy Funk & sons,	" Burdine Blakely & Wm. B. Blakely,
Bargain & Sale,	Solomon Funk & wife	" same,
Authority to Receipt,	Wm. L. Mowry, Adm. of A. R. Givens,	" J. A. Fitch,
Bargain & Sale,	Wm. Swartz & wife,	" Abm. Pirkey, trustee for Mgt. Pirkey,
Trust Deed,	Franklin Liskey & wife,	" B. G. Patterson, Trustee for B. F. Armentrout,
Bargain & Sale,	Alex R. Givens, (old deed)	" Peter Long & Peachy Wine,
Receipt,	J. B. Eastham,	" Jeremiah & Harriet Dovel,
Trust Deed,	Jesse L. Heiskell,	" Wm. J. Partlow, trustee for S. B. Good,
Bargain & Sale,	Wm Bilhimer & wife,	" Thornton Green,
Agreement,	Wm. M. Bilhimer,	" J. M. Pirkey,
Trust Deed,	Geo. W. Russell & wife,	" Jacob F. Boohers, trustee for A. J. Nicholas,
Receipt, &c,	Wm. B. Compton, Comm. &c,	" Edwin R. Shue,
Power of Attorney,	Manuel Dovitt,	" Laurence Crawford,
Bargain & Sale,	J. H. Taylor, trustee for &c, & others,	" William Copeland,
" "	Huldah B. Harrison,	" Elisons Michael & John A. Shipp,
" "	Wm. P. Sites & wife,	" John H. Moore,
" "	Moses Joseph & wife & Mgt. Pirkey,	" Harvey Liskey & others,
" "	Sarah E. Keezee, Comm. &c,	" Calvin Miller,
" "	St. Clair Poindexter & wife,	" John Mason,

Bargain & Sale.	Jolin Mason,	to	Rachel Mason,
" "	J. A. Luenenbach trustee for &c & others	"	Eng. Overton,
" "	C. A. Yancey Comm. &c. U.S. Co. Berlin,	"	Margaret C. Keett,
" "	Wm. B. Compton, Comm. &c,	"	M. D. Harman, A. B. Swick &c,
" "	J. G. Manzy & wife & Jno. E. Kirk & wife &c,	"	G. C. Ammon,
" "	George Bill & wife	"	Jas. H. Carickhoff,
Div. Plat of Lands.	George Keiser's Lands	"	by Jas. D. Blake, Exor. &c,
Bargain & Sale.	John P. Swank & wife,	"	Rev. Solomon Funk,
" "	Timothy Funk & wife,	"	same,
Mortgage,	B. Blake & Wm. B. Blake,	"	Timothy Funk, trustee for Sol. Funk,
Bargain & Sale.	Wm. B. Compton, Comm. &c,	"	Neiona Kelly,
" "	James Roadcap, (old deed)	"	Geo R. B. Roadcap,

The Settlement of the Acts of Wm. G. Thompson, Exor. of Saml. Vena, dec'd, having been filed in the Clerk's Office of this Court the time prescribed by law, and no exceptions being taken thereto, the same is confirmed and ordered to be recorded, same order as to Appraisement Bill of Estate of Samuel Vena, dec'd.

Superintendent of the Poor
vs
Reuben May, & Co. } Notice upon Bastardy Bond.

Ordered, That this motion be placed upon the Court's docket.

Samuel R. Allebaugh, late S. B. Co.
vs
John Huddleson, late Collector of Central Township, and A. N. Brewer, Aug. Armentrout, B. G. Patterson, J. Yasaman, Jos. Funk Jonsen & Wm. A. Hice, his sureties. } upon a Notice.

On motion of Saml R. Allebaugh, late S. B. C., he has leave to docket his notice in this case, which is done, and thereupon the defendants appeared, and collectively and severally, and the said sureties collectively, move the Court to quash the said notice.

G. W. Manzy, G. D. Hopkins, Wm. P. Rondabush, G. B. Nicholas, J. C. Walker and S. P. H. Miller,
vs
David Beard, Trustee, under a Deed executed by Henry Fomer, of date 8th Sept. 1874, Hester S. Fomer, wife of H. Fomer and H. Fomer. } upon a Notice.

This day came the parties, by their Attorneys, and the Defendants moved the Court to quash the Notice, which motion, having been fully considered by the Court upon the evidence adduced, the Court doth sustain, and it is further considered by the Court, that the Defendants recover of the Plaintiffs, their costs, by them in this behalf expended.

certified & hand to Auditor 1 & 2 C.C.

The Court doth impose a Fine upon D. H. Roleton, Sheriff of this County, for the use of the Commonwealth, for his failure to preserve order during the session of this Court, amounting to the sum of Twenty Dollars.

c/d On the motion of Henry V. Strayer, a regularly licensed Attorney at Law, this day appeared and qualified to practice in this Court, by taking the oaths prescribed by Law.

Jo B Webb, Registrar at Circ Keys, in this County, this day tendered his resignation as such, which resignation is accepted by the Court, and thereupon the Court doth appoint W. Stewart Slusser as Registrar to supply the vacancy so occasioned.

On the motion of Edward S. Peale, the Court doth order H. A. Dorrington, one of the Commissioners in Chancery of this Court, to state and settle the Accounts of John T. Bishop & Eugene A. Peale, late Administrators of Jonathan Peale, dec'd, and report to this Court.

On motion of Jacob Lincoln, Exr. of B. F. Lincoln, dec'd, the Estate of James Hopkins, dec'd, is committed to D. H. Roleton, L. R. C. for administration, it appearing to the Court that said Hopkins has been dead more than three months, and no administration upon said Estate.

On the motion of Samuel Coates, a creditor, the Estate of John Hedley, Sr. dec'd, is committed to D. H. Rolston, L. R. C, for administration, it appearing to the Court that said Hedley has been dead more than three months, and no administration upon said Estate.

On the motion of Mrs. Fannie Argabright, widow, the Estate of Henry W. Argabright, dec'd, is committed to D. H. Roleton, L. R. C, for administration, it appearing to the Court that said Argabright has been dead more than three months, and no administration upon said Estate; and the Court doth appoint N. C. Switzer, Adam Piper, jr., C. Miller & Henry O'Neill, to appraise his said Estate, any three of whom may act, after first being duly sworn.

Samuel W. Chandler

&

John Hedrick, guard. for Fanny Sipe. } Upon a notice to be relieved as surety upon official bond, &c,

It appearing to the Court that the Defendant has had due notice of this motion, and that he declines to execute new bond, It is considered by the Court that the said Samuel Chandler be relieved as the surety of John Hedrick, upon his official bond as guardian for said Fanny Sipe, and that the powers of the said John Hedrick as said guardian be and the same are hereby revoked.

The writing (purporting) to be the last will and testament of Gabriel Heatwole, dec'd, was this day presented in Court, and being proven by the oaths of A. Sager, junr, Samuel Sager and Abraham Sager, senr, the subscribing witnesses thereto, was admitted to probate, and upon the motion of Simeon Heatwole and Abraham Heatwole, the Executors therein-named, who made oath thereto according to law, they appeared in Court, and together with James Steele and Joseph Heatwole, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the

penalty of $10,000, conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted them for obtaining a probat of said will in due form,

And upon their further motion the Court doth appoint J. M. Sidlinger, Abraham Paul, John R. Swope & Hugh Swope to appraise said Estate, any three of whom may act, after first being duly sworn.

On the motion of D. F. Rendall, who made oath thereto according to law, he this day appeared in Court, and together with M. J. Manty, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Hundred Dollars, conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of John M. Rendall, dec'd, and the Court doth appoint M. J. Manty, A. B. Lincoln & J. W. Taylor to appraise the Estate of the said John M. Rendall, after first being duly sworn.

On the motion of George M. M. Evers, - John H. May, who made oath thereto according to law, this day appeared in Court, and together with H. C. Beeny and George M. M. Evers, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2400.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration, with the will annexed, in due form, upon the Estate of Margaret Evers, dec'd, George M. M. Evers, the Executor named in the will, appearing in Court and declining to qualify as such; and the Court doth appoint Joseph Showalter, John Showalter, David Armentrout and Jonathan Wampler to appraise the Estate of the said Margaret Evers, any three of whom may act, after first being duly sworn.

On the motion of Milly Showalter & Abm. Saylmaw, J. B. Gangawer, who made oath thereto according to law, this day appeared in Court, and together with Henry H. Shaver & J. W. Finkle, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2400.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Michael Hoover, dec'd, and the Court doth appoint John W. McMullen, Thomas Kirkpatrick & Abm. Hoover to appraise the Estate of said Michael Hoover, after first being duly sworn.

On the motion of J. B. Eastham, the Executor named in the will of Frederick V. Bryant, dec'd, admitted to probate at the last term of this Court, who made oath thereto according to law, he this day appeared in Court, and together with G. M. Reedrick, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining a probat of said will in due form; And the Court doth appoint Chapman Powell, G. M. Reedrick & Emmet Shifflett to appraise the Estate of the said Frederick V. Bryant, after first being duly sworn.

On the motion of Wm. Jackson Dean, the Court doth appoint him as guardian of his child, Asher Calvin Dean, under 14 years of age; and thereupon the said Wm. Jackson Dean appeared this day in Court, and together with G.W. Kedrick, J.B. Eastham & Thomas Dean, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $400.00, conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified as the guardian of his said infant child.

Raphael Myers, the Executor named in the will of Nancy Kinegardner, admitted to probate at the last term of this Court, this day appeared in Court and declined to qualify as such; and thereupon, on the motion of Abraham Kinegardner, who made oath thereto according to law, he this day appeared in Court, and together with Joseph Bowman and Joel Flory, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of One Thousand Dollars, conditioned according to law, a certificate is granted him for obtaining letters of administration, with the will annexed, in due form, upon the Estate of Nancy Kinegardner, dec'd. And the Court doth appoint William H. Bowman, Elija Huffman & Samuel J. Dundore to appraise the Estate of the said Nancy Kinegardner, after first being duly sworn.

+ On the motion of the Rev. John E.J. Reilley, and it appearing to the Court that he is a regularly ordained Minister of the Gospel in the Catholic Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with E.J. Sullivan, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified accordingly.

cap'd.

Peter Paul, who was, at the June Term last of this Court, appointed by the Judge thereof, Assessor of Lands for Ashby District, in this County, under an Act of the General Assembly of Virginia, approved March 31, 1875, this day appeared in Court, and together with Benjamin F. Bonner, Michael Whitmore and Rudolph Myers, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $5.000.00, conditioned ~~as according to law~~ for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) 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 Peter Paul took the several oaths prescribed by law.

David A. Foltrole, who was, at the June Term last of this Court, appointed by the Judge thereof, Assessor of Lands for Central District, in this County, under an Act of the General Assembly of Virginia, approved March 31, 1875, this day appeared in Court, and together with John Bumb and John Keil, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $5.000, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead

exemption waived) 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 A. Heatwole took the several oaths prescribed by law.

John C. Walker, who was, at the June Term last of this Court, appointed by the Judge thereof, Assessor of Lands for Stonewall Township in this County, under an Act of the General Assembly of Virginia, approved March 31, 1875, this day appeared in Court, and together with John S. Harris, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $5,000.00, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) 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 C. Walker took the several oaths prescribed by law.

J. H. Kite, who, on the motion of John C. Walker, Assessor of Lands in Stonewall District, in this County, the Court doth appoint as his Assistant, this day appeared in Court, and together with James M. Weaver, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1,000.00, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) 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. Kite took the several oaths prescribed by law.

Joseph D. Williams, Special Constable, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.90 for arresting, &c., Amanda J. Pollock, charged with infanticide, c/d & d. 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.

J. B. Eastham, Special Constable, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.88 for conveying &c. Ned. Yantz, a prisoner charged with felony, ch'd to the Jail of this County, which having been sworn to before, and certified to this Court, by B. P. Peel, a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Dr. J. N. Neff, presented this day in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $10.00 for at- exd. tendance upon Inquest, and assisting in making an autopsy upon the body of an infant child of Amanda Jane Pollock found in field, near the residence of Geo J. Kisling, in the town of Harrisonburg, 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.

Dr. Gordon, Williams & Tatum, this day presented in Court an Account
against the Commonwealth of Virginia, amounting to the sum of
c a/c d. $10.00 for holding Inquest & autopsy on the body of a child found in
a pond near Harrisonburg, Rockingham Co. on 28th day of May 1875, 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 following Accounts against the County of Rockingham, were
this day presented in Court, and being sworn to in open Court, were ex-
amined 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. viz:-

c a/c d, To Henry Pulse, 2 days viewing & locating road from Henry Frank's on the
Mountain road to the Tinkletown & Dayton road, @ $3.00 per day, $4.00
c a/c d & d. " Jasper Hawse, surveying & making plat of said road 1 day, --- $2.50
c a/c d. " James C. Keltzel, Comm. of Roads for Central Township, for viewing following
roads- 1 day from Keltzel's Mill to Hopkins' Mill road, Aug. 4, 1874- Aug.
5, 1874- 1 day from Reed's farm to Port Republic Road,- 2 days on same
road, on re committed order.- 1 day on route of Blackburn town, 3 days
on Kitley & Hagey road, on re committed order 8 days @ $3.00 per day $16.00
c a/c d, " John N. Miller, 2 days surveying Naked Creek & Friedens Church
Road- 2 days surveying Pleasant Valley Depot Road- 4 days @
$2.50 per day ($10.00) and for draft of same, $2.50 total --- $12.50

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, July 20, 1875.

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

Upon the application of Solomon Frank & others, for the establishment of a
Public road from the Mountain Road, near Henry Frank's Dwelling House
to the Dayton and Tinkletown Road, the Court upon the evidence adduced,
the papers filed, the Report of Henry Pulse, Comm. of Roads for Linville
Township, filed at the July Term 1875, with diagram accompanying the
same, and upon the rule against Henry Frank, Mrs. Elvira Freeze, Dan-
iel Swank, Timothy Funk, Jno. B. Youngner — Sipe, William Rondabush, E. Reubush, Ephraim Reubush, Jonathan Funk and Jacob W.
Zirkle, land owners along said proposed route, doth establish said
road as a public road, according to said Report and diagram, as follows:-
Beginning at the Mountain Valley Road, opposite a point midway between
Henry Frank's dwelling house and barn, thence S. 20 E. 12 poles, thence S. 50 E.
44 poles, thence S. 41½ E. 39 poles, thence S. 5½ E. 23 poles, thence S. 24¾ E. 33 poles,
thence S. 55¾ W. 20 poles, thence S. 39 E. 132½ poles, thence S 43 E. 54 poles, thence S. 27½
E. 22 poles, thence S. 49¼ E. 84 poles to the said Dayton and Tinkletown Road,

The Court doth allow to Henry Frank the sum of Thirty Dollars, to Mrs. Elvira Freeze, the sum of Ten Dollars and to Jacob M. Zirkle the sum of Fifteen Dollars as damages, and compensation along said Road, to be chargeable to the County of Rockingham.

Upon the application of P. M. Kirtley & others, for the establishment of a Public Road from Elizabeth J. Hagey's to the Bridge across the Shenandoah River, near Conrad's Store, at the intersection of the Shenandoah River and the Rockingham Turnpike; the Court, upon the evidence adduced, the papers filed & the Plat of A. & Bear filed, and upon the waiver of J. H. H. Miller, E. J. Hagey & Wm. H. Mauck as to award of process against them to show cause against the establishment of ~~the route~~ route Known as the Compromise route, doth establish a new Road from said Bridge to said Hagey's of the width of one and half poles, on what is Known as the Compromise route. Beginning at a stake, (Point "F" on Plat,) in the old road just west of Mrs. Hagey's House, thence S. 6° E. 90 poles to a point in the division line between Mrs. Hagey & J. H. H. Miller, (K. on Plat,) and thence with their line S. 80 E. 16 8/10 poles to near the River (E. on Plat,) thence up the River S. 11½ W. 13 poles to a stake (figure 1 in Plat,) thence S. 7½ W. 38 poles, (Fig. 2.) S. 14 W. 10 poles, (Fig. 3) S. 5½ E. 21 poles. (Fig. 4.) S. 9½ W. 32 poles (Fig. 5.) S. 5½ E 17½ poles, (Fig. 6.) S. 6½ W. 13 poles (Fig. 7) S. 1° W. 22 poles, (Fig. 8) to the Rockingham Turnpike at said Bridge, the distance from F. to E. is about 106 poles & from E. to the said Pike 166½ poles. Mrs. Elizabeth J. Hagey is allowed $185.00 damages & J. H. H. Miller is allowed $20.00 damages and the right to build three Gattle Bridges at his own cost, on that part of the road which passes through his land. Said damage or compensation to the said land-owners to be chargeable to the County of Rockingham.

ordered to pay J. H. H. Miller $20.00 damages act 8/75. J. S. C.C.

The Court doth award Rules returnable to 1st. day of the next Term of this Court, against Jackson Horn, George D. Anthony, Robert Z. Finny and C. P. Ehrman, for their failure to appear at this Term of the Court, when duly summoned as Petit Jurors.

Ordered, That Josiah Kulow, Jos. W. Mauzy, Robert Cummings, C. B. Linell, Dorman L. Smith, John F. Driver, and St. C. Detamore, be each allowed the sum of One Dollar for their services as Petit Jurors at this Term of the Court, to be certified to the Treasurer of this County for payment.

c/p'd.

On motion of B. F. Michael, the Estate of Mary Britton is committed to D. H. Roleton, S. R. C. for administration, it appearing to the Court that he has been dead more than three months, and no administration upon said Estate.

Dr. Wm. O. Hill this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $10.00 for post-mortem examination of child found near Mrs. Kisling's (with Dr. J. H. Neff,) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd.

C. H. Ott, Coroner of this County, this day presented in Court an Ac-

c/p'd.

count against the Commonwealth of Virginia, amounting to the sum of $13.00 for holding inquest on the body of a colored male infant child, found near G. J. Kisling's residence, Bay of Innon, &c., 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. Weaver,
&
The Wythe Iron & Steel Company, &c. } M. E. & D.

On motion of the Defendants this cause is continued until the next term of the Court. And on their further motion the Court authorizes and directs Adam C. Bear, County Surveyor, to make a survey of the premises in question.

On the motion of L. H. Ott, who made oath thereto according to law, he appeared in Court, and together with Edwin R. Shue, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of George F. Mayhew, dec'd; and the Court doth appoint C. E. Kaas, C. K. Vandeford, G. Earthman, J. S. Hamsberger & Wm. B. Canty to appraise the Estate of said Geo. F. Mayhew, dec'd, any three of whom may act, after first being duly sworn.

R. W. Harrison, a Justice of the Peace of this County, having certified to this Court that Elizabeth Susan, Abram and Isaac Newton Reed, infant children over the age of 14 years, had made choice of their father W. B. Reed, as their guardian, the Court doth appoint the said Reed as their guardian, and thereupon the said Danice B. Reed appeared in Court, and together with Peter P. Reed, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $300.00, conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified as the Guardian of his said three infant children.

Nelson Morton,
&
Wm E. Gaines, } M. E. & D.

On motion of the Plaintiff, this cause is continued until the next term, at his cost. and Rules are awarded against Plaintiff's witnesses.

F. M. Kirtley,
&
Wm. Gaines, jr. } Upon an appeal from a judgment of a J. P.

This day came the Parties by their attorneys and on motion of the Appellant this cause is dismissed. It is therefore considered by the Court that the Appellee, Wm. Gaines jr, recover of the Appellant F. M. Kirtley & J. B. Earthman, his surety, $2.65 costs before the Justice of the Peace, and his costs by him in this behalf expended.

On the motion of the Rev. Robt. White, and it appearing to the Court that he is a regularly ordained Minister of the Gospel in the Protestant Episcopal
c.o.P.o.d. Church, and duly authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with Charles E. Haas, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500. &c conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified accordingly.

W. J. Maxwell &c.

John G. Cootes & L. L. Cootes, (partners doing) business under the name of John G. Cootes & Co. } Upon a warrant.

✓ This day came again the parties by their Attorneys, and 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 Plaintiffs recover against the Defendants, the sum of $140.00 with interest thereon from the 22nd day of Dec. 1874, till paid, and their costs by them in this behalf expended.

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came
&
came. } Upon a warrant.

✓ This day came again the parties by their Attorneys, and 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 Plaintiffs recover against the Defendants the sum of $140.00 with interest thereon from the 21st day of Janry. 1875, till paid, and their costs by them, in this behalf expended.

On the motion of G. W. Kemper, N. Bateman, D. J. Weaver & others, the Court doth direct that J. B. Nicholas, Reuben A. Scott and S. H. Lewis, freeholders, view the ground, along the route of a proposed public road, leading
c.o.d. from Weaver's Mill along the line between A. J. Baughen and Elias Rinn and G. W. Grim, to a point on the road leading from Port Republic to McGaheysville, near A. J. Baughen's house, and to report to the Court the conveniences and inconveniences that will result as well to individuals as to the public, if said road is opened & established as a public road, and especially whether any yard, garden or orchard, or any part thereof will have to be taken, and the names of the land holders along the route, whether they claim damages, &c.

John D. Pennybacker & Geo. K. Moyer's Admr. - Appeal.
Jacob Slusser & Moyer, Shaeffer & Saufley — " "

Ordered That these causes 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 for the County of Rockingham at the Court House thereof on Wednesday July 21. 1875.

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

On motion of Wm R. Berry. the Court being Satisfied that he is a person of good character and a proper person in whom to confide the trust doth direct the Commissioner of the Revenue of Central District in this County to issue a licence to the Said Wm R. Berry as a Book agent for the Sale of religious books. upon the payment of a nominal tax of One Cent.

cop^d

L. H. Brewer Collector of Central Township
vs
Gassman Creiber & Co } upon a Suggestion

It appearing to the Court that the taxes in the hands of Said L. H. Brewer Collector &c against C. A. Jones Constitute a lien on the funds due from Said Gassman Creiber & Co. for rent of the Ware house now occupied by them on East Market Street Harrisonburg Va. and she the Said C. A. Jones. appearing by Counsel and Consenting that the taxes held by Said Brewer Collector against D. C. Jones and Isaac Paul be paid by Said Gassman Creiber & Co, out of the rent due by them, it is ordered that they pay to Said Collector. the amount of Said taxes to wit: $39.67 and the costs of this proceeding.

Corporation of Harrisonburg
vs
John D. Pennybacker } upon an appeal

In this cause the Defendant Suggests the death of John C. Wardon Surety in the appeal which has occasioned since the appeal was docketed in this Court— and thereupon this Cause is Continued until the next Term.

S. R. Allebaugh late Shff &c, Pltff
vs
John Neuddeson &c, Defts } upon a Motion

certified.

It being the opinion of the Judge of this Court that it is improper for him to try this motion, it is ordered that the Same be removed to the Circuit Court of this County.

L. L Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $107.10 for receiving, dieting &c, sundry prisoners from April 30, 1875 to June 30th, 1875, 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.

cfd

B. F. Horn & C. S. Weaver,

The order made in this cause at the last term of this Court

is, upon motion, corrected to read as follows:-

Upon motion of Joseph A. Hammmen, deputy for D.C. Sterling late Sheriff of Rockingham County, leave is given him to amend his return upon the execution issued upon the above entitled judgment. This amendment to be made before the Judge of this Court within thirty days, and to set forth the ground of amendment.

Patrick Carner,

Patrick Canty, James King & John E. Roller } Upon a notice.

This day came again the parties, by their Attorneys, and thereupon came a jury, to-wit:- M. J. Jones, John Huddleson, Jacob Keagy, Ran. D. Cushen, A. S. Byrd, J. A. Keller, Wm. R. Berry, E. Coffman, jr, Wm. Gibbs, Wm. A. McAlister, Geo. Fawcett and Theop. T. Rohr, who being elected tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oath do say, "we, the jury find for the Plaintiff, and assess his damages $24.35". It is therefore considered by the Court that the Plaintiff recover of the defendants the sum of $24.35 with interest thereon from the 21st day of July 1875, till paid, and his costs by him in this behalf expended.

William Gibbs,

J. N. Loeuenbach, gar. of John H. McLeod & Co } Upon a suggestion.

On motion of the Plaintiff this cause is docketed as of this day & the defendant J. N. Loeuenbach appeared in Court and acknowledged his indebtedness to Jno H. McLeod & Co., in the sum of $23.76 with interest thereon from Jany. 1, 1875. And it appearing to the Court that at the suit of Pieri Facciso sued out before M. M. Liket a Justice of the Peace by the Plaintiff vs. John H. McLeod & Co, is a lien thereupon, It is therefore considered by the Court that the Plaintiff William Gibbs recover of the Defendant, J. N. Loeuenbach, the sum of $23.76 with interest thereon from the 1st day of January 1875, till paid.

J. D. Cogswell,

J. G. Cootes } Upon a warrant removed from a Justice.

This day came the parties by their Attorneys, and thereupon the Defendant, by his Attorney, filed a plea of non-assumpsit, to which plea the Plaintiff replied generally, and the same being submitted to the Court, after the Plaintiff had introduced his evidence, the defendant demurred, and thereupon the Plaintiff joined issue, whereupon argument of counsel being had, on consideration whereof, the Court doth sustain the said demurrer, and doth further consider that the defendant go thereof without day, and recover his costs by him in this behalf expended.

Lane,

Lane, } Ow a warrant.

original withdrawn certified copy in papers.

On motion of the Plaintiff in this cause, leave is given him to withdraw the account filed in said cause in favor of J. D. Cogswell & Co., upon his leaving a certified copy of the same.

Ordered, That M. J. Jones, John Huddleson, Jacob Keagy, Rans. D. Cushen, A. S. Byrd, J. A. Keller, Wm. R. Berry, E. Coffman, jr., Wm. Gibbs, Wm. L. McAlister, Geo. Fawcett and Theop. F. Rohr, be each allowed the sum of One Dollar, for their services as Petit Jurors, at this term of the Court, to be paid out of County Levy for 1875.

S. B. Witt, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.75 for guarding Anderson Shifflett and Silas Morris, charged with the murder of David G. Lawson, which being certified by B. P. Peel, a Justice of the Peace, and sworn to before J. C. Walker, a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c.a/d.

A. C. Walker, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.00 for guarding Anderson Shifflett and Silas Morris, charged with the murder of David G. Lawson, which being certified by B. P. Peel, a Justice of the Peace, and sworn to before J. C. Walker, a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c.a/d.

Wm. Smith, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.00 for guarding Anderson Shifflett and Silas Morris, charged with the murder of David G. Lawson, which being certified by B. P. Peel, a Justice of the Peace, and sworn to before J. C. Walker, a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. c.a/d.

This day came Reuben Sellers, who alleges that he is aggrieved by an entry in the Land Book made by N. W. Berry Assessor of the Revenue for Linville Township in said County, in the year 1874, whereby he is charged with taxes ($15.31) for the year 1874, on a tract of Land containing 152 Acres, described as lying in said Township; and thereupon the said Reuben Sellers moved the Court to exonerate him from the payment of $15.31 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 N. W. Berry, 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 1874, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the tract of 152 Acres had been improperly transferred on the Assessor's book, from the name of Nathaniel Hook to that of Reuben Sellers, and that Reuben Sellers owned no such tract, and was not chargeable with the taxes thereon, but that the same was properly chargeable in the name of Nathaniel Hook. 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 Reuben Sellers is erroneously charged on said book with taxes amounting to $15.31; whereupon, it is ordered that the said Reuben Sellers be exonerated from the payment of $7.60 State - $2.53 County, - 16 cents Parish, - $2.28 Railroad, $1.52 County School, - 46 cents District School, and 76 cents Township Taxes ($15.31 total) taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him. c.a/d.s.d.

Ordered, That Court be adjourned until Friday 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 Friday, July 23. 1875.

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

Daniel Huff, &c,
vs
Peter Flecker's Heirs. } Upon a Road Petition.

Upon motion of Peter Flecker's Heirs and James M. Flecker, the Court doth appoint George Carpenter, W. E. Skelton, Isaac Showalter, L. A. Whitescarver and Abram Painter, to view the ground along the route of a proposed public road from Jacob Slusser's near Friedens Church to the old Furnace Road at Naked Creek Church, through the lands of the Defendants; said Commissioners to meet upon the lands of the Defendants, on Tuesday, the 3rd. day of August 1875, and ascertain what will be a just compensation for such of the lands of said parties as may be used for the construction of said Road, and report to this Court, according to law.

cont'd.

Ordered, That J. D. Logan, Clerk of this Court, be allowed the sum of $6.00 for expenses incurred in the removal of furniture, books, &c, from the old to the new Clerk's office of this County, and that the same be paid by the Treasurer of this County.

cont'd.

Robert Steele, (for the use of T. Steele,)
vs
Jason Harrison's Exor: } On a warrant removed from a Justice.

This day came the parties by their Attorneys, and thereupon the defendant filed plea of payment and sett-offs, to which plea the plaintiff replied generally, and neither party requiring a Jury, the cause was submitted to the Court, and after hearing the evidence and the argument of counsel, the Court doth give judgment against the defendant for the sum of Twenty-seven cents, with interest thereon from the 27th. day of December 1858, till paid, the matter in controversy being of greater value than twenty dollars.

✓

It is therefore considered by the Court that the Plaintiff recover against the Defendant the sum of Twenty-seven cents, with interest thereon from the 27th day of Dec. 1858, till paid; but the Court declines, under the circumstances of this case, to give judgment to the Plaintiff for his costs in this behalf expended.

The Commonwealth of Virginia,
vs
J. B. Eastham, Collector of Stonewall Township, and George G. Strayer, George W. Hedrick, Benjamin F. Soker, & Robert H. Weaver his sureties. } On a Notice.

✓

This day came again the

Attorney for the Commonwealth, and the Defendants being solemnly called, came not, and thereupon the Attorney for the Commonwealth moved the Court for a judgment against J B. Eastham, Collector of Stonewall Township, and George G. Strayer, George W. Hedrick, Benyman D. Loker & Robert F. Weaver, his sureties upon his official bond as said Collector, for the amount of State Taxes unaccounted for by him for the year 1873, and the same having been submitted to the Court, and upon evidence introduced, the Court doth ascertain that the amount due from said Collector and unaccounted for by him for said taxes for said year of 1873, is Five Hundred Dollars, It is therefore considered by the Court that the Plaintiff recover of the Defendants, the said Collector and his said sureties, the sum of Fourteen Thousand Dollars, the penalty of the official bond of said Collector, to be discharged by the payment of Five Hundred Dollars, with interest thereon at the rate of six per cent per annum from the 10th. day of June 1874, till paid, and her costs by her in this behalf expended.

Commonwealth of Virginia, for the use of Rockingham County,

J B. Eastham, Collector of Stonewall Township, and George G. Strayer, George W. Hedrick, Benyman D. Loker & Robert F. Weaver, his sureties, } Upon a Notice.

This day came again the Attorney for the Commonwealth, and the Defendants being solemnly called, came not, and thereupon the Attorney for the Commonwealth moved the Court for a judgment against J. B Eastham, Collector of Stonewall Township, and George G. Strayer, George W. Hedrick, Benyman D. Loker & Robert F. Weaver, his sureties upon his official bond as said Collector, for the amount of County Taxes unaccounted for by him for the year 1873, and the same having been submitted to the Court, and upon evidence introduced, the Court doth ascertain that the amount due from said Collector and unaccounted for by him for said taxes for said year of 1873, is Four Hundred and Ninety-eight Dollars, It is therefore considered by the Court that the Plaintiff recover of the Defendants, the said Collector and his said sureties, the sum of Fourteen Thousand Dollars, the penalty of the official bond of said Collector, to be discharged by the payment of Four Hundred and ninety-eight dollars, and her costs by her, in this behalf expended.

The Commissioners heretofore appointed to lay off the Central, Linville and Plains Districts in this County, into Road precincts, and to assign hands to work the Roads in the same, this day returned their Reports into Court, which Reports shall lie open to exceptions at the next term of the Court, and in case no exceptions be then taken, they shall stand confirmed.

2-dlcapias issued

The Court doth award Rules against Edward S Kemper, Emanuel H. Coomes and Peter Paul, of Ashby District and Hy. B Harnsberger, S. P. H. Miller and Wm. B. Yancey, of Stonewall District, for their failure to make their Report as Commissioners to lay their respective Districts into Road precincts, &c, under the appointment of this Court, returnable to the first day of the next term of this Court.

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

Chas. P. O'Neall.

Monday, August 16, 1875.

At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, August 16, 1875.

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 inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:—

Bargain & Sale.	Alice M. Winfield,	to Henry Stroup,
" "	Michael J. Maxey & wife,	" Jacob & Abm. B. Lincoln,
" "	B. G. Patterson, Commr.	" Preston Rhodes,
" "	Peter Wilhoit & wife, &c,	" Jo. Wilhoit & wife,
" "	Elias Sutherland,	" Archibald Taylor,
Trust Deed.	J. L. Heiskell,	" Wm. R. Warren, Trustee &c,
Bargain & Sale.	Wm. N. Frank & wife,	" Daniel P. Macon,
" "	Barbara Sunatt & Wm. Yancey,	" Robert Lucas,
" "	Solomon Kauffman & wife,	" John Kauffman,
" "	George W. Berlin,	" Jonas N. Loewenbach,
" "	Jacob Thomas & wife & others,	" David E. Fanburn,
" "	Thomas B. Furman & wife,	" William N. Blythe,
" "	Isaac W. Airey & wife,	" Reuben F. Keiger,
" "	Levi Pence & wife,	" Mrs. Sarah C. Whitsell,
" "	James M. Offlemoyer & wife,	" Laura M. Dovel,
" "	same,	" same,
" "	Peter W. Whitmore & wife,	" Martin Whitmore,
" "	Benj. F. Showalter & wife & others,	" Mary Kinston,
" "	John Kavanaugher & wife,	" Joseph Geyer,
Transfer.	Samuel B. Coffman,	" Michael Whitmer,
Bargain & Sale.	John E. Roller, Commr.	" Morgan Layton,
" "	G. W. Kemper & wife,	" Jacob Kyger,
Trust Deed.	Chas. D. Acker & wife,	" John A. Kenton trustee for Jno. Beam,
" "	Geo. F. Funkhouser,	" John E. Roller, trustee for Jno. Carpenter,
Mechanic's Lien.	Peter Imer,	@ Jacob P. Effinger,
Bargain & Sale.	John D. Harris & wife,	to Richards & Blacarche,
Mortgage.	St. C. Gray	" The J. M. Brunswick & Balke Company,
Bargain & Sale.	Daniel Landes & wife,	" A. M. Newman, jr.,
Release Deed.	J. J. Minor & D. H. Kyle,	" J. G. Riley & wife,
Bargain & Sale.	Elizabeth Sellers & Anna P. Maggard.	" Ann Mary Somers, &c,
" "	Samuel Menefee & wife,	" O. C. Switzer,
Trust Deed.	Joseph S. Strayer,	" B. G. Patterson, trustee for Saml. Comer
Mechanic's Lien.	George F. & Saml. C. Mauck,	@ Stephen Hughes, &c, trustees Shiloh Bap. Church, &c,
Trust deed.	B. F. Richards & Wm. B. Blacarche	to B. G. Patterson, trustee for John D. Harris,
Bargain & Sale.	H. S. Lusty, Special Commr.,	" John D. Harris,
" "	D. G. Wenger & wife for Jas. M. Miller & wife,	Elizabeth F. Conaway, wife of Wm. H. Conaway,
" "	Jacob Acker & others,	" John Acker,
" "	W. A. Rite & wife,	" Susan E. Lane,
" "	A. D. Miller & wife,	" Saml. Shumaker,

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 G. Mauzy, Admr. of Peter Boyer,
" " " " " Wm. H. Imhait, Admr. of John Imhait,
" " " " " Jo. Heatwole, Admr. of Hy. G. Heatwole,
" " " " " F. M. Erwine & D. C. Hopkins Exors. of Jno. H. Campbell
" " " " " E. H. Conner, Exr. of Joseph Conner,
" " " " " A. P. Eiler, guard. of Geo. R. Nicholas,
" " " " " Adam Andes, guard. of John Bowers,
" " " " " John Keil, guard. of Susannah Brenneman,
" " " " " E. P. Huff, Comm. of Haney Hundley,

The Appraisement Bills of the Personal Property of the Estates of Daniel Huffman and Thornton Thomas, were this day presented in Court, and no exceptions being taken thereto, are ordered to be recorded.

Philo Bradley Foreman M. B. Shuldress, Peter D. Heatwole, A. D. Pennybacker, Milton Pence, Stephen Roadcap, Jacob Funkhouser, Jacob H. Neff Wm. L. Price and F. D. Dilldow, were sworn & impaneled a Grand Jury in & for the body of the County of Rockingham and having received their Charge from the Court, retired to their room to Consider of their presentments and after some time returned into Court, and made the following presentments, Viz:- "An Indictment" against Amanda Jane Pollard, for Murder, a true Bill" Philo Bradley, Foreman, "An Indictment" Against Gabriel Monroe, for breaking and entering a Store house in the night time and larceny, a true bill. Philo Bradley, Foreman, "An Indictment against William Minnick, for resisting an officer. A true bill, Philo Bradley, Foreman. "An Indictment" against F. D. Gilmore, for trespass, a true bill, Philo Bradley, Foreman, "An Indictment" against F. D. Gilmore for trespass, a true bill, Philo Bradley, Foreman; An Indictment against James Smith, for cruelly beating and torturing a horse, A true bill, Philo Bradley, Foreman, "An Indictment" Against Abram Madden for Assault and Battery, A true Bill, Philo Bradley, Foreman, An Indictment against Edward Howard for grand larceny, not a true bill, Philo Bradley, Foreman, An Indictment against John Smith for attempting to break and enter a Store house in the night time, not a true bill, Philo Bradley, 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 against the defendants.

Commonwealth
vs
Amanda Jane Pollard, } Indictment for Murder,

This day, Amanda Jane Pollard, who stands indicted for murder, was led to the bar of this Court, in custody of the Jailor thereof, and by Counsel demurred to the indictment, which demurrer the Court overruled whereupon She was thereof arraigned and pleaded "not guilty" to the same, whereupon the prisoner was com-

anded to Jail.

Commonwealth
vs
Gabriel Monroe } An Indictment for breaking and entering a Storehouse in the night time, & Larceny

This day Gabriel Monroe who Stands indicted for breaking and entering a Storehouse in the nighttime, was led to the bar of this Court in the Custody of the Jailor thereof and being there of arraigned, pleaded "not guilty" to the Same, and thereupon the prisoner was remanded to Jail.

Commonwealth
vs
Edward Howard } An Indictment for Grand Larceny.

Commonwealth
vs
John Smith } An Indictment for attempting to break & enter a Storehouse in the nighttime

The Grand Jury having failed to find true bills in the two foregoing cases It is ordered that the defendants Edward Howard, and John Smith, be discharged from Custody.

It is ordered that Philo C Bradley, M. B. C Childress, Peter O. C Neatherly, A. D. Pennybacker, Milton C Pence, Stephen C Roadcap, Jacob F. C Kinkhouser, Jacob G. Neff, Wm. C. Price and F. D. Kildow, 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,

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The Court doth award a rule against Jno S. Williams returnable to Friday next for his failure to appear as a Witness before the Grand Jury at this Term of the Court, when duly Summoned,

issd.

This day George J. Kisling, Dr. M. O. Neill & J. M. Neff, personally appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the just and full Sum of One Hundred Dollars, to be levied of their respective goods and Chattels Land and tenements, for the use of the Commonwealth, Yet upon this Condition that they each make their personal appearance before this Court, on Friday next at 10 o'clock A. M, as witnesses in behalf of the Commonwealth against Amanda Jane Pollard, Charged with murder.

This day F. M. Archer, Joseph M. Kelly & Geo. M. Gapman personally appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the just and full Sum of One Hundred Dollars, to be levied of their repective goods and chattels land and tenements, for the use of the Commonwealth, Yet upon this Condition that they each make their personal appearance before this Court, on Wednesday next at 10 o'clock A. M, as witnesses in behalf of the Commonwealth against Gabriel Monroe, Charged with breaking and entering a Store house in the night time

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C. G. & Kinner
vs
Geo F. Mauck } M. E. & D.

Richard Robinson for use of Wm. Robinson
vs
S. R. Allebaugh late Sheriff of Rs. Co. } Notice

Ordered that the foregoing Causes be placed upon the Court's docket

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This day John G. Fulton, Stephen Murray and John Miller, who were, at the June term last of this Court, appointed Commissioners to assign Dower to Ellena Layton,

widow of F. M. Layton, in the lands of her husband the said F. M. Layton this day returned their report into Court. which is ordered to be filed.

George Carpenter, Wm. E. Metton Isaac Showalter, P. L. Whites sworn Commissioners appointed at the July term. last of this Court, upon Motion of Peter Pleeker's Heirs and James H. Pleeker, to View the ground along the route of a proposed public road from Jacob Shupers near Friedens Church, to the old Furnace road at the Naked Creek Church this day returned their report into Court, which is ordered to be filed.

On motion of John K. Thomas, Sarah E. Thomas, and John K. Thomas, Committee for Isaac Thomas, It is ordered that J. J. Bowman, D. B. Sites & Jonathan Brenner be appointed Commissioners to go upon the lands of Strother Thomas Dec'd. and assign Dower out of the Same to Elizabeth Thomas, the Widow of said Strother Thomas Dec'd.

cap'd.

The Instrument purporting to be the last will and testament of Polly Britton Dec'd. was this day presented in Court, proven by the oaths of Ferris D. Kidd and Wm. Funk two of the Subscribing witnesses thereto, and ordered to be record

The Instrument purporting to be the last will and testament of Catherine Smal Dec'd. was this day presented in Court, proven by the oaths of St Clair Kyle and J. W. W. Dinkel two of the Subscribing witnesses thereto. and ordered to be recorded; whereupon P. Herring the Ex'or. therein named, who made oath thereto according to law appeared in Court and together with A. L. Lindsey his Surety (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1200.00 Conditioned according to law, (Waiving the benefit of the Homestead Exemption) a certificate of the probate of the will of said Catharine Smals is granted him in due form. And the Court do th appoint St Clair Kyle, John Williamson John H. Jacobs S. H. B. Brown and P. K. Snyder to appraise the estate of said Catharine Smals, any three of whom may act after first being duly sworn,

This day Wm. Walter Morris an Infant over the age of 14 years appeared in Court and made Choice of George Carrico as his Guardian, whereupon the Said George Carrico appeared in Court and together with E. J. Armstrong and G. M. Berlin his Sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $2500.00 Conditioned according to Law, waiving the benefit of the Homestead Exemption, and qualified as the Guardian of the Said Wm. Walter Morris.

This day E. E Leap. presented in Court an account against the Commonwealth of Virginia Amounting to the Sum of $4.75 for guarding George Parker Col'd and Packingham Meekly Charged with felony which being certified by and Sworn to before David Gilmore, a Justice of the Peace for this County, was examined and allowed by the Court, and ordered to be Certified to the Auditor of Public Accounts for payment.

cap'd.

This day Lafayette Morris presented in Court an account against the Commonwealth of Virginia Amounting to the Sum of $4.75 for Guarding George Parker Col'd and Packingham Meekly Charged with felony. which being certified by and Sworn to before David Gilmore a Justice of the Peace for this County. was examined and

cap'd.

allowed by the Court. and ordered to be Certified to the Auditor of Public Accounts for payment,

Jacob Moyers who was appointed at the June Term last of this Court. by the Judge thereof. Assessor of Lands for Linville District in this County, under an act of the General Assembly of Virginia approved March 31st 1875. This day appeared in Court and together with S. R. Allebaugh & John W. Thomas his Sureties (who justified as to their Sufficiency) entered into and acknowledged a bond in the penalty of $5000.00 Conditioned for the faithful execution of the duties of his office with the benefit of their Homestead Exemption waived. 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, Whereupon the said Jacob Moyers took the Several Oaths prescribed by law.

W. N. Beery, who, on the motion of Jacob Moyers, Assessor of Lands for Linville District, the Court doth appoint as his assistant. This day appeared in Court and together with S. R. Sterling his Surety (Who Justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $1000.00 Conditioned for the faithful execution of the duties of his office with the benefit of their Homestead Exemption Waived. 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. Whereupon the Said W. N. Beery took the Several Oaths prescribed by law.

John W. Thomas who was appointed at the June term last of this Court. by the Judge thereof. Assessor of Plains District in this County under an act of the General Assembly of Virginia Approved March 31. 1875. This day appeared in Court and together with Jacob Moyers his Surety (who Justified as to his Sufficiency) entered into and acknowledged a bond in the penalty of $5000.00 Conditioned for the faithful execution of the duties of his office, with the benefit of their Homestead Exemption waived. 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. Whereupon the said John W. Thomas took the Several Oaths prescribed by law.

The Commissioners heretofore appointed to lay off Ashby & Stonewall Districts in this County into Road precincts and to assign hands to work the Roads in the Same, this day returned their reports into Court. which Reports Shall be open to exceptions at the next term of the Court, and in case no exceptions be then taken, they shall Stand Confirmed.

For reasons appearing to the Court the Rules awarded at the last term against W. P. Wamsbergen. S. P. W. Miller. & Wm P. Causey, Commissioners appointed to divide Stonewall District into Road precincts &c, for their failure to report, are discharged.

This day Came T. J. Butler who alleges that he is aggrieved by an entry in the Land Book made by J. R. Jones Assessor of the Revenue for Central Township in Said County in the Year 1874 whereby he is charged with $13.56 taxes

cpd. √

for the Year 1874 on two tracts of land containing respectively 39 a. 3 R. 07 and 30. 1. 14. acres described- first in Chesnut Ridge and the other P. Knie Land.- and thereupon the Sd C. J. Butler moved the Court to exonerate him from the payment $13.56. all of the taxes so erroneously charged against him for Said Year. which motion was defended by Jno Paul the atty for the Commonwealth for Said County. and the Said J. R. Jones the Aper who made the Apesment 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 this County Court of this County on the day of 1874. and that application for redress against the erroneous entry was made on this day for the first time and it appearing that- the error occured as Stated by J. R. Jones Aper. aforesaid- by his having to make a change and transfer of these properties just as he was closing his book- causing him to overlook the fact that he had inserted the change in the first part of letter B- all which Certifies as facts proved upon the application aforesaid. On Consideration whereof and from Such facts S proved- the Court is Satisfied that the Said C. J. Butler is erroneously Charged on Said Book with taxes amounting to Thirteen dollars and fifty Six Cents. ($13.56). Whereupon it is ordered that the Said C. J. Butler be exonerated from the payment of Thirteen and 56/100 dollars taxes So erroneously charged. if not already paid. and if paid that it be refunded to him- Of which amount Seven dollars and fifteen Cents is State Tax.

This day came Miss M. D. Herring who alleges that She is aggrieved by an entry in the Property Book made by J. R. Jones Aper of the Revenue for Central Township in Said County in the Year 1874 whereby She is charged with Twenty One and 26/100 dollars taxes for the year 1874 one Twenty One hundred and one dollars in Bonds and thereupon the Said Miss Margaret D. Herring moved the Court to exonerate her from the payment of $21.26= all of the taxes so erroneously charged against her for the Said Year which motion was defended by Jno Paul the atty for the Commonwealth for Said County. and the Said J. R. Jones the Aper. who made the Apesment 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 Clk of the County Court of this County on the day of 1874. and that application for redress against the erroneous entry was made on this day for the first time and it appearing that the Said Miss Margaret D. Herring was an invalid and not being in a Condition to make a return of her property when Called on by the Said J. R. Jones Aper. He took the list of her property from the blank of the Corporation Apesment who had seen her- who had Committed an error and led to the error as Complained of here- 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 Miss Margaret D Herring is erroneously charged on Said Book with Taxes amounting to Twenty One & 26/100 dollars. Whereupon it is ordered that the Said Miss Margaret D. Herring be exonerated from the payment of $21.26 taxes erroneously charged. if not already paid. and if paid that it be refunded to her. Of which Amt Ten dollars and thirty cents is State Tax.

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, August 17th. 1875.

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

This day came Reuben Kisling, who alleges that he is aggrieved by an entry in the Property Book made by Geo. W. Kedrick, Assessor of Stonewall District in said County, in the year 1874, whereby he is charged with $9.37 taxes for the year 1874 on $1000 of Personal Property; and thereupon the said Reuben Kisling moved the Court to exonerate him from the payment of $3.75 part of the taxes so erroneously charged against him for said year; which motion was defended by John Paul, the attorney for the Commonwealth for said County, and the said Geo. W. Kedrick, 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 1874, and that application for redress against the erroneous entry was made on this day for the first time; and it appearing that the entry on the Assessors Book should have been $600 instead of $1000, being a mistake made in copying the assessment from the return of the said Kisling. 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 Reuben Kisling is erroneously charged on said book with taxes amounting to $3.75; whereupon, It is ordered that the said Reuben Kisling be exonerated from the payment of $3.75 taxes so erroneously charged, if not already paid, and if paid that it be refunded to him. of which amount $2.00 is State tax.

It appearing to the Court from the evidence of Geo. W. Kedrick, Assessor of Stonewall Township, who made the assessment, that Melinda Hall has been assessed for the year 1874 with one male tithable, amounting to $1.50 on the Property Book for the year 1874, erroneously, she having no tithable whatever chargeable to her, the Atty for the Commonwealth appearing and defending this motion, the Court is satisfied that the assessment aforesaid is incorrect, On consideration whereof, and from such facts so proved, it is ordered that said Melinda Hall be exonerated from the payment of the sum of $1.50 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to her. of which amount $1.00 is State tax.

cpd.

Ordered that Isaac Deneen, Solon N. Bowman, S. H. Butler, N. F. Showalter, Wm. A. Neff, R. W. Moore, Wm. M. Shaver, Lewis A. Zirkle, and Wm. H. Monger, be each allowed the sum of $1.00 for their services as Petit Jurors at this term of the Court,

cpd & d,

The Court doth award Rules against A. R. Miller, E. C. Deaning, J. L. Sickel, Jno. W. Palmer & David Zigler, for their failure to appear as Jurors at this term of the Court, returnable to the first day of the next term of the Court.

issued.

James M. Meaner, Pltff
The Wyethe Iron & Steel Co. & Defts } W. E. & D.

Ordered, That this cause be dismissed agreed.

Nelson Minton Pltff.
Wm. E. Gaines, Defts. } W. E. & D.,

Ordered, That this cause be continued until next term, on motion of the Plaintiff, and at his costs.

John Pence, Pltff.
G. C. Ammon's executies, Defts. } Upon a Notice.

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

Jonathan Peale's adm'r, Pltffs.
John M. Easmon, Trustee, Defts. } Upon a sugg'n.

On motion of Pltff's counsel, this cause is revived in the name of D. H. Roleton, Sheriff of Rockingham County, and as such Administrator of Jonathan Peale, dec'd,

Reuben Peterfish, Pltff.
C. B. Luck, Defts. } Upon a warrant.

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

On motion of J. D. Pennybacker, N. L. Maupin, G. M. Shaver, &c, for the establishment of a public road from Edom down Linville Creek to the road leading from Isaac Ackers to Conners Station on the B. & O. R. R., and for reasons appearing to the Court, it is ordered that Jacob Moyers, who was on the 21st day of June 1875, substituted for John Lincoln appointed one of the Commissioners to report upon the proposed route by a former order of this Court made in the premises, be removed, and that Jacob Neff be substituted for the said Jacob Moyers, and that Jacob Neff, Henry Pulse & Emanuel Sipe do proceed to view the ground, and report to the Court the conveniences and inconveniences that will result, as well to individuals as the public, if such road shall be as proposed, and especially whether any yard, garden, orchard, or any part thereof, will, in such case, have to be taken.

Superintendent of the Poor, } Upon a Notice,
Reuben May,

Upon the motion of the Defendant, and for reasons appearing to the Court, the Court refuses to enter a judgment upon said Notice, and orders the same to be quashed, the Plaintiff in the opinion

of the Court, not being entitled to recover upon the bond described in said notice.

Daniel Huff & others,
Pl'ts
Peter Fleckers Heirs, &c, } Deft's

Upon the motion of the defendants, the Inquest of the Commissioners filed in this cause on the 16th. of August 1875 for reasons appearing to the Court, is ordered to be quashed, and thereupon the same Commissioners are ordered to view the ground along the route of a proposed public road from Jacob Slufers near Fredericksburgh, to the old Furnace road, at Naked Creek Gburgh, through the lands of the defendants; said Commissioners to meet upon the lands of the Defendants on Friday, the 3rd. of September 1875, after taking the oath prescribed by law, shall view the land, and hear such proper evi-
cap'd. dence as either party may offer, and ascertain what will be a just compensation to the said defendants for such of the land of the freehold whereof the defendants are tenants, as is proposed to be taken by the route for said proposed road, as reported by the Commissioners of Roads, E. H. Bronner, and for the damages to the residue of said lands beyond the peculiar benefits to be derived in respect to such residue from the proposed road, and make report to Court in accordance with Chapter 181 of the Acts of 1874-5, of Virginia.

Same,
Pl'ts
Same, } Deft's

Be it remembered in this cause, that the defendants moved the Court to appoint other Commissioners than those heretofore appointed, and whose Inquest was returned to this term, and ordered to be quashed, but the Court overruled the motion of the defendants, and directed the same Commissioners to again view and make report upon said proposed route in accordance with Law.

Ludwig Hirsch,
Pl't
The Balt. & Ohio R. R. Co. } Deft upon a warrant.

1st. Capy. Ans. motion of the defendant this cause is continued until next term of the Court, and a Rule awarded against Bolivar Wand, one of the Plaintiff's witnesses for his failure to appear at this term of the Court, when duly summoned.

G. W. Mauzy & others,
Pl'ts
George J. Stephens & others, Deft's } On notice of Petition to appoint viewers on Rockingham Turnpike.

The notice in this cause having been returnable to the 1st. day of this term, and not having been docketed on that day, on motion, it appearing to the Court that no injustice will be done to the defendants, the same is ordered to be docketed nunc pro tunc.

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, August 18, 1875.

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

Geo. W. Mauzy & others,
&
Geo. J. Stephens & others. } Upon a Petition to appoint viewers of Rockingham Turnpike.

This cause came on to be heard this the 18th. day of August 1875, upon the petition in writing this day presented to the Court by the plaintiffs, and it appearing to the Court that the defendants to George J. Stephens, A. D. Almond, David Beard, Trustee, Hester L. Forrer, wife of Henry Forrer, Henry Forrer and Wm. B. Compton, Trustee, have all had ten days notice of the application of the plaintiffs for the appointment of viewers on that part of the Rockingham Turnpike lying between Harrisonburg, Va, and the top of the Blue Ridge Mountain at the Greene County line as required by Sect. 8, Chap. LXI Code of Va. Edition 1873, and it appearing to the Court that it is reasonable and proper that viewers as asked for by the petitioners should be appointed, It is therefore ordered that S. R. Allebaugh, H. L. Shomp and Jas. L. Keltzel, three disinterested free holders of Rockingham County, not living on the line of said road, do meet upon the sections of the Rockingham Turnpike, lying between the above-mentioned points to Harrisonburg and the top of the Blue Ridge Mountain on the 25th. day of August 1875, examine the same, and make report of the condition thereof, and each section thereof, as required by Sects. 9, 10 and 11 of Chapt. LXI of the Code of Va. Edition of 1873.

2 copys.

Nancy McDorman, Appellant,
&
R. W. Kyle's Adm'r, Appellee } Warrant,

1 + 1 copy.

On motion of the appellant this cause is continued until the next term of the Court, and Rule * ** awarded against Richard Robinson, Jr, one of the appellants witness for failure to appear at this term, when duly summoned,

Upon the application of S. A. Firebaugh & others for the establishment of a Public Road from J. L. Keltzel's Mill to the Hopkins' Mill Road, Stephen Sheets, Lincoln Maupin, David A. Heatwole, Wm. Eiler and Simon Harman, are appointed Commissioners to go upon the lands of David R. Hopkins, and ascertain and report to the Court what will be a just compensation to said D. R. Hopkins for such of his land as is proposed to be taken according to the report of

cap'd.

c&d.

James C. Keltzel and E. N. Cromer, Commissioners, and for the damages to the residue of the tract, beyond the peculiar benefits to be derived in respect to such residue if the road is established as proposed Said Commissioners to meet on the land on the 4th. day of September 1875.

Ann Price, Pltff

vs.

G. D. Gilmore, James M. Weaver, Edward S. Yancey, Geo. W. Kedrick, Henry Neff, Wm. M. Carpenter, N. A. Kite, & Charles R. Rush, surviving of themselves and Charles B. Yancey, Thomas L. Yancey, Robert L. Yancey and Joseph N. Conrad, exc'rs, exrs for G. W. Ammon, dec'd, late Sheriff of Rockingham County, Defts.

A motion for judgment against defendants for $167.23 with interest from 24th. of April 1860 & $3.28 costs, and 15 per centum interest, &c, which said $167.23 & int from 24th April 1860 & $3.28 Costs is alleged to have been collected by said G. W. Ammon, late Sheriff of Rockingham, under a writ of Fieri Facias, (on a judgment of Miller's Adm'r. use of Ann Price vs P. W. A. Pickering, Geo. Baird & E. S. Yancey,) issued in 1860 and returnable to 3rd. Monday in Nov. 1860.

This day came the parties by their Attorneys, and the said motion having been maturely considered upon its merits, the Court is of the opinion that the same is not supported by the evidence. Therefore, It is considered that the Plaintiff recover nothing by his said motion, and that the defendants go thereof without day and recover of the Plaintiff their costs by them in their defence expended.

The Commonwealth of Va.
vs.
Gabriel Monroe.

Upon an Indictment for Felony.

The prisoner was this day again led to the bar of this Court in custody of the Jailor of this Court, and by counsel, with leave of the Court, withdrew his plea of "not guilty," entered on the first day of this term of this Court, and by counsel moved to quash the Indictment, which motion, after argument of counsel, on consideration, the Court doth overrule.

The Commonwealth,
vs.
Gabriel Monroe,

Upon an Indictment for Felony.

The prisoner, who stands indicted for a felony by him committed, was this day again led to the bar of the Court in custody of the Jailor of this Court, and being thereof arraigned, pleaded "not guilty," and the Veniremen summoned for his trial being called, eighteen of whom appeared, viz:- Burke Shoemaker, Lewis Powell, John M. Huffman, L. H. Taylor, J. K. Shoemaker, Wm. Carpenter, Geo W. Rehard, Emanuel Rhodes, Harrison Gaither, John F. Long, D. C. Roogler, John Hagedon, F. W. Kittley, Wm. R. Hopkins, John J. Bishop, George Fultz, L. N. Miller and Timothy O'Roark, two of whom, viz:- L. N. Miller and Timothy O'Roark, were excused from serving, with the consent of the prisoner's counsel, leaving a panel of sixteen, and said panel being examined by the Court and found to be duly qualified and free from exceptions, the prisoner

was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Burke Chrisman John M. Huffman, Emanuel Rhodes and John F. Long, the remaining twelve persons of said panel, viz:- Lewis Powell, L.W. Taylor, F.K. Harnsberger, Wm. P. Carpenter, Geo. W. Pehrend, Harrison Gaither, D.C. Kooglen John Hagedon, H.W. Bistley, Wm. R. Hopkins, John F. Bishops and George Fulty 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 some time returned into Court, and upon their oaths do say, "We, the Jury find the defendant guilty in manner & form as charged in the indictment, and ascertain the term of his confinement in the Penitentiary at one year." J.H. Harnsberger, foreman. And thereupon, the prisoner was remanded to Jail.

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c.p.d. o.d. certified to the Aud. of Pub. Accts.

Ordered, That Lewis Powell, L.W. Taylor, F.K. Harnsberger, Wm. P. Carpenter, Geo. W. Pehrend, Harrison Gaither, D.C. Kooglen John Hagedon, H.W. Bistley, Wm. R. Hopkins, John F. Bishops and George Fulty, be each allowed the sum of One Dollar for their services at this term of the Court, upon the Venire of Gabriel Monroe for felony, and that the same be certified to the Auditor of Public Accounts.

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, August 19, 1875.

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

Commonwealth
&
Gabriel Monroe, } Upon an Indictment for Felony

The prisoner was this day again led to the bar of the Court, in custody of the Jailor of this Court, and thereupon the prisoner by his counsel, moved the Court to set aside the verdict of the jury rendered on yesterday, and grant him a new trial, which motion being argued, on consideration, the Court overruled. 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 Gabriel Monroe be imprisoned in the public Jail and Penitentiary House of this Commonwealth, for the term of One year, (the period by the jurors in their verdict ascertained,) to hard Labor. And the Sheriff of this County is

ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said Gabriel Monroe 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.

The Court doth hereby appoint the following named persons as Road Surveyors of the various Road Precincts in Plains District in this County, as laid off and reported by H. L. Shoup, Hezd Homan and J. N. Conner, Commissioners heretofore appointed by the Court to divide, &c, said District into Road Precincts, viz:—

Precinct No 1,—Noah Stroup,
" " 2.—A. F. Brenner,
" " 3.—Hezd Homan,
" " 4.—Geo. M. Rehard,
" " 5.—Samuel Wampler,
" " 6.—Dewitt C. Mantz,
" " 7.—Jacob Garber,
" " 8.—D B. Sites,
" " 9.—Benjamin Inmles
" " 10.—Josiah Hulva,
" " 11.—Christian Rinnow
" " 12—Daniel H. Smith,
" " 13.—John C. Sprinkel,
" " 14—G. N. Fulk,
" " 15—Michael S. Brake,
" " 16—Philip Sowder,
" " 17.—Josiah Sowder,
" " 18.—Harvey Dove,
" " 19.—Samuel Empenhiler,
" " 20.—J. M. Glass,
" " 21.—E. S Pennington,
" " 22.—Joseph Mauck,
" " 23.—W. F. Bowers,
" " 24.—W. Mittig,
" " 25.—M. M Miller,
" " 26. Harvey Rehart,
" " 27. David Bowman,

Precinct No. 28. David C. Driver,
" " 29. John W. Driver,
" " 30. Isaac Lohr,
" " 31. Wm. M. West,
" " 32. David Driver,
" " 33. Lewis Driver,
" " 34. Jesse Moyers,
" " 35. Samuel Minnick,
" " 36. Michael Thomas,
" " 37. John Silent,
" " 38. Harvey Rosenberger,
" " 39. Michael Roller,
" " 40. Thomas Moore,
" " 41. James M. Chapman,
" " 43. Daniel Flory,
" " 43. Michael Lohr,
" " 44. Abm. Rosenberger,
" " 45. Michael Earman,
" " 46. G B Reed,
" " 47. John B. Smith,
" " 48. James White,
" " 49. Reuben Moore
" " 50. George Moyers,
" " 51. H. L. Shoup,
" " 52. David Shirley.

The Court doth hereby appoint the following named persons as Road Surveyors of the various Road Precincts in Central District in this County, as laid off and reported by James C. Keltzer, Stothes Sheets and John A Rolston, of D., Commissioners heretofore appointed by the Court to divide, &c, said District into Road Precincts, viz:—

Precinct No. 1.—John Leedy.
" " 2.—Henry Nickel,
" " 3. Andrew J. Long,
" " 4. Joseph Swank,
" " 5. Alem Anders,
" " 6. Joseph B. Moyers.

Precinct No. 7.—Wm. Eiler,
" " 8. Wm. Fennerbough,
" " 9. D. F. Linaweaver,
" " 10. D. N. Beatiole,
" " 11. Peter Swope,
" " 12. Isaac Devers,

Precinct No. 13.—Thos. J. Atchison,
" " 14. Strawbridge Earman,
" " 15. Wm. Koontz
" " 16. Wm. R. Hopkins,
" " 17. Alm. Bloser,
" " 18. James C. Keltzer,

Precinct No. 19.- E. W. Jones,
" " 20.- T. J. Butler,
" " 21. Saml. Driver,
" " 22. P. W. Armentrout,
Precinct, No. 23.- A. M. Brewer,
" " 24.- Abm. Whitmer,
" " 25.- Geo. B Eastham,
" " 26.- Jacob Meservle,
Precinct No. 27.- Saml. Sheets,
" " 28.- Jesse Kiser,
" " 29.- Jacob Suter
" " 30.- John Keil.

The Court doth hereby appoint the following-named persons as Road Surveyors of the various Road Precincts in Linville District in this County, as laid off and reported by Henry Pulse, Jo^s. A. Mitchell & William Sellers, Commissioners heretofore appointed by the Court to divide, &c, said District into Road precincts, viz:-

Precinct No. 1.- Abm. Beam,
" " 2,- Christian Flook,
" " 3.- Allen Hooker,
" " 4,- Adam Armentrout,
" " 5.- A. Bazzell,
" " 6.- David Moore,
" " 7.- James Stem,
" " 8.- Robt. Ruffner,
" " 9.- Jas. K. P. Harrison,
" " 10.- Robt. Harrison
" " 11.- Samuel Bailey,
" " 12.- Reuben Gamble
" " 13.- Gideon Layman,
" " 14.- A. C. Long,
Precinct, No. 15- Jacob Simmers,
" " 16. Wm. Neff,
" " 17. John Niswander,
" " 18. Jacob Hoover,
" " 19.- Jno. S. Fridley,
" " 20.- J. M. Beery,
" " 21.- Jacob Reel
" " 22.- J. P Swank
" " 23.- Benj. F. Ritchie,
" " 24.- Silas Beard,
" " 25.- Alg. Rinehart,
" " 26.- Joseph Mengen,
" " 27.- Jacob Neff,
" " 28.- Joseph Ritchie,
Precinct No. 29 John May,
" " 30.- J. B. Gaugwer.
" " 31.- Abm. Hoover,
" " 32. Jo^s. Samuels,
" " 33.- Robt. Mason,
" " 34. James Jones,
" " 35.- J. A. Mitchell,
" " 36. Christ. Shank,
" " 37.- F. D. Kildow,
" " 38.- Jacob Shoemaker,
" " 39.- John Swank,
" " 40.- Berry Custer,
" " 41.- Adam Ritchie
" " 42.- Philip Ritchie jr,

And the Court doth order that the foregoing List of Road Surveyors for the Districts of Plains, Central and Linville be published in the Old Commonwealth newspaper, for two weeks.

On the application of E. L. Lambert & others, for the establishment of a public road, from a point on the road leading from River Bank to McGaheysville near River Bank, to the Rockingham Turnpike at some point near Anderson's Blacksmith Shop, the Court doth appoint James W. Weaver, J. P. H. Miller, and Adam C. Bear viewers, to view the ground and report to this Court the conveniences and inconveniences that will result, as well to individuals as the public, if such road should be established as proposed, and especially whether any yard, garden, orchard or any part thereof, will have to be taken

1 & 3 c/p R. insd.

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation, the probable amount in their opinion to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any

one point. A map or diagram of the route they may favor, with courses and distances shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order shall be appended to the report, and sworn to before a Justice of the Peace or other officer, who shall append his certificate to the same.

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

Chas. F. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, August 20, 1875.

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

On motion of James H. Plecker, Peter Whitmer and Elizabeth S. his wife, and others, the heirs of Peter Plecker, dec'd, Edward S. Kemper, P. M. Dice, Samuel Frank and Hugh D. Linn, any three of whom may act, are appointed to assign to Elizabeth Plecker, widow of Peter Plecker, dec'd, her Dower in the lands of which the said Peter Plecker, died seized. cert'd. dep'd.

Adam H Brewer, Collector of Central Township, E. R. Neff, Collector of Plains Township, B. F. Zirkle, Collector of Linville Township, Samuel L Sluser, Collector of Ashley Township and J. B. Eastham, Collector of Stonewall Township this day presented in Court Lists of Delinquents for the non-payment of Capitation and Property Tax, for the year 1874, and the two last-named Lists of Improper Assessment of Lands for same year, with the oaths of the said Collectors at the foot thereof thereto subscribed, and accompanied by the written opinion of the several Assessors of the Townships aforesaid touching the propriety of such Lists, and each case therein contained, verified by his oath thereto annexed, 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. certified.

Samuel R. Allebaugh, Treasurer of this County, this day presented in Court Lists of Real Estate, delinquent for the non-payment of taxes thereon for the year 1874, in Central, Ashby, Stonewall, Linville and Plains Townships, with the oath of the said Treasurer at the foot thereof thereto subscribed, and accompanied by the written opinion of the several Assessors of the Townships aforesaid, touching the propriety of such Lists, and each case therein contained, verified by his oath 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. certified.

On motion of Harvey A. Smith, the Court being satisfied that he is a person of good character, and a proper person in whom to confide the trust, doth direct the Commissioner of the Revenue for Ashley District, in this County, to issue a License to the said Harvey A. Smith, as an Agent, for the sale of Religious Charts, upon the payment of a nominal Tax of One Cent.

cap'd & d. ✓

On motion of Wm. A. Smith, the Court being satisfied that he is a person of good character, and a proper person in whom to confide the trust, doth direct the Commissioner of the Revenue for Ashley District, in this County, to issue a License to the said Wm. A. Smith, as an Agent for the sale of Religious Charts, upon the payment of a nominal Tax of One Cent.

cap'd & d. ✓

It appearing to the Court that R. C. Mauck has been dead more than three months, and no administration having been had upon his Estate. It is ordered that the Estate of said R. C. Mauck be committed to D. W. Roleston, Sheriff of this County, for administration, upon the motion of R. A. Scott, Admr. of the Estate of Wm. Saufley, dec'd.

✓

Commonwealth,

vs.

Amanda Jane Pollard. } Upon an Indictment for murder.

The prisoner, who stands indicted for murder, was this day again led to the bar of the Court in custody of the Jailor thereof, and the Veniremen summoned for her trial being called, thirteen of whom appeared, viz:- Wm P. Byrd, P. S. Keitzel, R. A. Scott, ~~[illegible]~~ David R. Cromer, Wm. Floyd, Henry Hamnsberger, C. H. Somers, Jackson Rhodes, L. E. Whitmer, Wm. C. Kiblinger, G. W. Cahoon, James M. Sinaweaver, Dewitt C. Marty, one of whom, with the consent of the prisoner's counsel, viz: Wm. P. Byrd, was excused from serving; The Court then ordered the Clerk of this Court to issue a Venire Facias, directed to the Sheriff of this County, commanding him to summon twelve additional Veniremen to appear here forthwith, two of whom, viz:- E. H. Cromer and J. D. Rutherford together with Jacob Hinegardner and D. W. Washington of the original panel appeared; the panel of sixteen Veniremen being complete, they were examined by the Court and found to be duly qualified and free from exceptions, viz:- P. S. Keitzel, R. A. Scott, D. W. Washington, Jacob Hinegardner, David R. Cromer, Wm. Floyd, Henry Hamnsberger, C. H. Somers, L. E. Whitmer, Wm. C. Kiblinger, Jackson Rhodes, G. W. Cahoon, James M. Sinaweaver, Dewitt C. Marty, E. H. Cromer & J. D. Rutherford, and thereupon the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz. R. A. Scott, Jackson Rhodes, G. W. Cahoon & James M. Sinaweaver, the remaining twelve persons of said panel, viz:- P. S. Keitzel, D. W. Washington, Jacob Hinegardner, David R. Cromer, Wm. Floyd, Henry Hamnsberger, C. H. Somers, L. E. Whitmer, Wm. C. Kiblinger, Dewitt C. Marty, E. H. Cromer & J. D. Rutherford thereby constituting the Jury, who being so elected tried, and sworn, to well and truly try, and true

deliverance make, between the Commonwealth and the Prisoner Amanda Jane Pollard, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning, and placed in charge of Levi S. Byrd, Deputy for D.H. Rolston, Sheriff of this County, to whom was administered an oath, that "you shall keep this Jury together and not have any communication with them yourself, 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 8 o'clock. So keep you God. And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 8 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 Saturday, Aug. 21, 1875.

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

Ordered, That Rules do issue, returnable to the first day of the next
1+4 capias issd. term of this Court, against John M. Glover, Wm. B. Yancey, G. L. Scott, & A. C. Walker, for their failure to appear at this term of the Court, when duly summoned, as Veniremen in case of the Commonwealth vs. Amanda Jane Pollard.

The Court doth award a Rule against D. H. Rolston, Sheriff of this County for his failure fully to execute the Writ of Venire Facias in the case of
issd. the Commonwealth vs Amanda Jane Pollard, which went into his hands on the 1st. day of this term of the Court, and made returnable to the 5th. day of said term, said Rule returnable to the 1st. day of the next term.

Henry Shacklett, Pltff
vs
Jo. A Hanson, late Sheriff of Rockingham County, Wm B. Yancey, Henry Hanson, Lloyd Kilmer, John J. Woods, George M. Kedrick, Chas A. Yancey, sureties on his official bond Defts. } Notice.

Jackson Knupp, Pltff.
vs
D. H. Rolston, Sheriff of Rockingham Co. Defts } Notice.

On motion of Plaintiffs' counsel, these causes are ordered to be placed upon the Court's Docket.

Commonwealth,
vs
Amanda Jane Polland, } Upon an Indictment for murder.

This day, the prisoner was again led to the bar of the Court in custody of the Jailor thereof, and thereupon came again the Jury sworn and impaneled on yesterday for her trial, and having fully heard the evidence and argu-

ment 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, Amanda Jane Polland, guilty of voluntary manslaughter, and ascertain the term of her confinement in the Penitentiary at four years," D. W. Washington, Foreman. whereupon the counsel for the prisoner moved the Court to set aside the verdict of the Jury and grant her a new trial, which motion, on consideration the Court overruled. And it being demanded 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 Amanda Jane Polland be imprisoned in the public jail and penitentiary House of this Commonwealth for the term of four years, the period by the Jurors in their verdict ascertained, to hard labor. And the Sheriff of this County is ordered, as soon as possible after the adjournment of this Court, to remove and convey the said Amanda Jane Polland 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.

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c.p.d. & d. certified to the Aud. of Pub. Accts.

Ordered That P. S. Heltzel, D. W. Washington, Jacob Kinegardner, David R. Cromer, Wm. Floyd, Henry Ramsberger, C. H. Bowers, L. E. Whitmer, Wm. C. Kibbinger, Dewitt C. Marty, E. H. Cromer and J. D. Rutherford, be each allowed the sum of Two Dollars for their services at this term of the Court, upon the trial of Amanda Jane Polland, for murder, and that the same be certified to the Auditor of Public Accounts for payment.

Commonwealth of Va, } N. N. Brewer, Collr. of Central Township, & constables } Notice
same for Rockingham Co. " same, &c

By consent of parties, these two causes are referred to the Court in vacation, to be tried on Friday next, the 26th. of August, and the ~~decision~~ of the Judge in vacation shall be entered up as the judgment of this Court.

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c.p.d.

L. S. Byrd presented in Court an Account against the Commonwealth of Virginia, for the sum of $13.00 for dieting, &c, the Venire in case of the Commonwealth & Amanda Jane Polland, charged with murder, which being received in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

The Commonwealth of Virginia,

J. B. Eastham, late Collector of Stonewall Township, J. N. Shipp, George J. Thayer & B. F. Loker, his securities } Upon a Notice on his official Bond as Collector of said Township,

read

This day came again the Attorney for the Commonwealth, and the defendants being solemnly called, came not, and thereupon the Attorney for the Commonwealth moved the Court for a judgment against J. B. Eastham, Collector of Stonewall Township and J. N. Shipp,

George G. Strayer and B. F. Loker, his sureties upon his official bond as said Collector, for the amount of State Taxes unaccounted for by him for the year 1874, and the same having been submitted to the Court, and upon evidence introduced, the Court doth ascertain that the amount due from said Collector and unaccounted for by him for said taxes for the said year of 1874, is Thirteen Hundred and ninety-one Dollars and two cents. It is therefore considered by the Court that the Plaintiff recover of the Defendants, the said Collector and his said sureties, the sum of Fourteen Thousand Dollars, the penalty of the official bond of said Collector, to be discharged by the payment of Thirteen Hundred and Ninety one Dollars and two cents, with ~~interest~~ thereon at the rate of six per centum per ~~annum~~ from the 1st. day of June 1875, till paid, and her costs by her in this behalf expended.

Commonwealth of Virginia, for the use of Rockingham County,
J. B. Eastham, Collector of Stonewall Township, and J. A. Shipp, George G. Strayer and B. F. Loker, his sureties on his Official Bond as said Collector. } Upon a Notice.

This day came again the Attorney for the Commonwealth, and the Defendants being solemnly called, came not, and thereupon the Attorney for the Commonwealth moved the Court for a judgment against J. B. Eastham, Collector of Stonewall Township, and J. A. Shipp, George G. Strayer and B. F. Loker, his sureties upon his official bond as said Collector for the amount of County Taxes unaccounted for by him for the year 1874, and the same having been submitted to the Court, and upon evidence introduced, the Court doth ascertain that the amount due from said Collector and unaccounted for by him for said County Taxes for the said year of 1874, is Thirteen Hundred and Ninety-one Dollars and two cents. It is therefore considered by the Court that the Plaintiff recover of the Defendants, the said Collector and his said sureties, the sum of Fourteen Thousand Dollars, the penalty of the official bond of said Collector, to be discharged by the payment of Thirteen Hundred and ninety-one Dollars and two cents, with ~~interest~~ thereon at the rate of six per centum per ~~annum~~ from the 1st. day of June 1875, till paid, and her costs by her in this behalf expended.

Ordered, That J. D. Logan, Clerk of this Court be allowed the sum of Two Hundred & fifty Dollars for public services for the half year ending June 30, 1875, which is ordered to be certified to the ~~Treasurer~~ of this County for payment out of the Levy for the year 1875.

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 County, this 26th. day of August 1875.

Commonwealth of Virginia,

vs.

A H. Brewer, Collector of Central Township, and Granville Eastham, S.H. Moffett, J.N. Cowen, M.M. Dilliet, and Eli Keran, sureties on his official bond as such Collector. } Upon a Notice.

This cause, having by consent of parties, entered of record at the August Term 1875, been submitted to the Court in vacation, the decision of the Judge thereof to be entered up as the judgment of the Court, this day came the parties by their attorneys, and, thereupon, the Judge, after hearing the evidence and the argument of counsel, doth ascertain that the amount due from said Collector and unaccounted for by him for taxes due the Commonwealth for the year 1874, is One Hundred and eighty-eight dollars and forty-five cents.

It is, therefore, considered that the Commonwealth of Virginia, recover of the defendants, the said Collector and his said sureties, the sum of Fourteen thousand dollars, the penalty of the official Bond of said Collector, to be discharged by the payment of the sum of One Hundred and eighty-eight dollars and forty-five cents, with interest thereon at the rate of six per centum per annum, from the 1st. day of June 1875, till paid, and her costs by her, in this behalf expended. All of which is hereby certified to the Clerk of the County Court of Rockingham County, who is directed to record and enter up the same as a judgment of said Court.

Chas. T. O'Ferrall Judge Ro. Co. Ct.

Memo:- Be it remembered, that upon the rendition of the judgment in the above cause, the defendants, by counsel, moved the Judge for a new trial, upon the ground that the judgment was contrary to the evidence, which motion the Judge overruled; to which action in overruling said motion excepted, and tendered their bill of exceptions, in the words & figures following, to-wit:- (Here insert bill of exceptions,) and prayed that it might be signed, sealed and enrolled, which was accordingly done.

Chas. T. O'Ferrall,
Judge Ro. Co. Ct.

In Vacation:- Before Same, this 26th. day of August, 1875.

Commonwealth of Virginia, for the use of Rockingham County, } Upon a Notice.
vs.
Same, &c.,

This cause, having by consent of parties, entered of record at the August Term 1875, been submitted to the Court, in vacation, the decision of the Judge thereof, to be entered up, as the judgment of said Court, this day came the parties by their attorneys, and thereupon, the Judge, after hearing the evidence and the argument of counsel, doth ascertain that the amount due the Commonwealth for the use of the County of Rockingham, for County Taxes, &c, for the year 1874, is One Hundred and eighty-eight dollars and forty-five cents. It, is, therefore considered that the Commonwealth of Virginia, for the use of the County of Rockingham, recover of the said defendants, the said Collector and his said sureties the sum of Fourteen thousand dollars, the penalty of the official bond of said Collector, to be discharged by the payment of the sum of One Hundred and eighty-eight dollars and forty-five cents, with interest thereon at the rate of six per centum per annum, from the 1st. day of June 1875, till paid, and her costs by her in this behalf expended. All of which is hereby certified to the Clerk of the County Court of Rockingham County, who is directed to record and enter up the same, as a judgment of said Court.

Chas. T. O'Ferrall, Judge Ro. Co. Ct.

Memo:-
Be it remembered, that upon the rendition of the judgment in the above cause, the defendants by counsel, moved the Judge for a new trial, upon the ground that the judgment was contrary to the evidence, which motion the Judge overruled; to which action the defendants excepted, and tendered their bill of exceptions, in the words & figures following, to-wit:- (Here insert bill of exceptions,) and prayed that it might be signed, sealed and enrolled, which was accordingly done.

Chas. T. O'Ferrall, Judge Ro. Co. Ct.

Teste, J.T. Logan, Clerk.

Monday, September 20. 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday September 20. 1875.

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 August 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,	Amanda C. Bailey	to	John M. Earman,
Power of Atty.	Willis Powell,	"	W. L. Downs,
Homestead Deed.	Nathaniel Flook,		
same,	Margaret H. Peale, widow of Jonathan,		
Bargain & Sale.	Jacob S. Miller & wife,	"	David Evers,
" "	Franklin Liskey & wife,	"	Samuel S. Reed,
" "	Geo. M. Berlin, Commr,	"	William Fifer,
Trust Deed.	Wm Fifer & wife,	"	Geo. H. Berlin trustee for Isaac Wenger,
Bargain & Sale.	Jesse Rea,	"	Lydia Rea,
" "	Miss Lydia Rea,	"	Rawley Springs Company,
" "	Samuel Miller & wife & others,	"	A. B. Strick & J. A. Loewenbach.
Agreement & Deed.	D. M. Switzer,	"	J. A. Loewenbach & A. B. Strick,
Bargain & Sale,	A. B. Strick & J. A. Loewenbach & wives,	"	Benj. F. Patterson & Geo. G. Grattan,
Chattel Mortgage,	David Wimmick & Henry W. B. Moffett,	"	Nichols. Shepherd & Co,
Bargain & Sale.	S. W. Dold,	"	John T. Harris,
" "	Abraham Miller & wife,	"	John H. Miller,
" "	J. A. Loewenbach & A. B. Strick & wives,	"	D. M. Switzer,
" "	Jacob Reagy,	"	John R Reagy,
" "	A. B. Strick & J. A. Loewenbach & wives,	"	Theophilus Utt,
Lis Pendens.	John E. Roller & Wm B. Compton, Commrs.	"	Cytherea A. Jones,
Bargain & Sale.	Anthony Showalter & wife,	"	Rebecca Shoemaker,
" "	Anthony Showalter's Exrs,	"	Rebecca J. Shoemaker,
" "	Elizabeth A. Long & Geo. W. Niswander	"	John Eutsler,
" "	Rev. Timothy Funk & wife,	"	Rev. Benjamin Funk,
" "	Benjamin Funk & wife,	"	Rev. Solomon Funk
" "	Rev. Timothy Funk & wife,	"	Rev Solomon Funk, John Funk & others trustees, &c
" "	Adam Baker & wife, &c,	"	Henry Layman,
Mechanic's Lien,	Emanuel Royer,	"	Harriet Longley,
Bargain & Sale,	S. M. & R. Bowman & wives (2 deeds)	"	Alfred C. Rohr,
" "	Abraham Garber & wife,	"	Margaret & Magdalene Miller,
" "	Noah Carbaugh & wife,	"	same,
" "	Dayid Good, son of Peter Good, dec'd	"	Peter Wenger,
" "	Jackson Mantz & wife,	"	John B Smith,
" "	Jno W. Strickler, Elizabeth Strickler & others	"	Lewis & Philip Strickler & wives,
" "	John M. Bowman & wife,	"	Abraham Garber,
" "	Peter Wilhoit & wife & others,	"	Abraham Shank & wife,
Power of Atty	Benj. F. McKeehan,	"	D. L. Pool,
Letter,	same,	"	same,
Bargain & Sale.	D. L. Pool, Atty in fact for B. F. McKeehan,	"	Moses Strickler,

Receipt & Release	Abraham Markley	to	George Stull,
Bargain & Sale	George Stull & wife,	"	Alexander Pinkey,
" "	Alexander Pinkey & wife,	"	Mrs. Amanda Stull,
" "	George Stull & wife,	"	John M. Bowman,
" "	George M. Gaseman & wife,	"	M. Pickens & J. Graaman,
" "	Isaac Baker & wife,	"	Edward Sullivan,
" "	M. Haney Effinger & wife,	"	J. Wesley Taliaferro,
Trust Deed,	L. Hirsch,	"	J. M. Kent,
Appointment & Powers,	Jane Sutsiler, widow of Eli Sutsiler, and		By Decree of Min. Ct. A. Roller & Eli Sutsiler, &c,
Bargain & Sale,	John E. Roller, Commr,	"	Peter S. Roller,
" "	Peter S. Roller & wife,	"	John M. Shipplett,
" "	John E. Roller & others,	"	George W. Roller,
" "	Catharine, D.L.G. & Abm. D. Myers	"	Reuben & Daniel Kauffman,
" "	John G. Winfield & wife,	"	Jeff. Myers,
" "	same,	"	Edmund Carter,
" "	Solomon Matty,	"	A. R. & Chas. M. Matty,
" "	Robert Johnston, Commr,	"	Henry B. Le. Gantt,
Division of Land,	Christian Shoemaker's Estate,	"	Between the Heirs,
Trust Deed,	George W. Kemper,	"	Geo. G. Strayer, Trustee for Mrs. M. C. Kemper,
Bargain & Sale,	Andrew Epard & wife,	"	Amanda F. Bloss, wife of Jacob Le. Bloss,
" "	Charles C. Haas, Commr,	"	Sarah L. Jones,
" "	Harriet G. Effinger & others,	"	Wm. Peter,
" "	J. R. Jones & wife, &c,	"	Mary F. Harrison,
Trust Deed,	William Sandy,	"	George W. Fahle,
Bargain & Sale,	Benjamin C. Long & wife,	"	Jno. Jones, trustee for Sarah L. Jones,
Trust Deed,	Ambrose Myers,	"	John F. Hunter, trustee for Lelia A. Myers,

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

Settlement of the Acct of J. R. Allebaugh, Admr of J. H. C. Houston, dec'd,
" " " " " J. J. Hamsbarger " " Jno A. Keice, dec'd,
" " " " " J. R. Allebaugh, " " Adam Layman, dec'd,
" " " " " Jasper Hause, " " John Baldwin, dec'd,
" " " " " Wm. Dotterer, " " Geo. Rader, dec'd,
" " " " " Adm. Bloser, " " Adm. & Anna Bloser, dec'd,
" " " " " John Zigler, " " Anna Bowman, dec'd,
" " " " " C. H. Armentrout, Exor, " Adam Armentrout, dec'd,
" " " " " Geo. Chrisman, " " Geo. K. Chrisman, dec'd,
" " " " " Wm. A. Pence, " " John Knipenburg, dec'd,
" " " " " John Zigler, " " John Klyne, dec'd,
" " " " " same " " same
" " " " " Abraham Shaub guard. " Elizabeth Shoemaker, &c,
" " " " " Henry Ruckbolder, " " Jno. B. Shaub, &c,
" " " " " Geo. Chrisman, trustee " Henrietta Chrisman,
" " " " " same " " Mrs. M. A. Buckley,
" " " " " Samuel Shaub, Commr. " Catharine Bowman,

The following Appraisement Bills & 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 Personal Property of C. Bowers, dec'd.
" " " " " " " " Annie Snell, dec'd,
" " " " " " " " David Keagy, dec'd.
" Bill - - - - - " " " Elizabeth Huffman, dec'd
" " - - - - - " " " J. C. Woodson, dec'd,
" " of Land of " " " Jefe Ralston, dec'd
Inventory & Sale of Land of Est. of Henry Knipenberger, dec'd,

Adolph & Herman Wise, partners in busines under the firm name of A. & H. Wise, vs R. S. Thomas, } W. E & D.

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

This day John W Glover, Wm. B. Yancey & A. C. Walker, against whom Rules were awarded at the last term of the Court for their failure to appear as Veniremen, when duly summoned, in the case of the Commonwealth against Amanda Jane Pollard, appeared in Court in obedience to said Rules, and for reasons appearing to the Court, said Rules are discharged.

The Court doth appoint Wm. L. Williamson as Surveyor of Road Precinct No. 37 in Plains District in place of John Silcott, who has removed to the County of Shenandoah.

The Court doth appoint James R. Eiler as Surveyor of Road Precinct, No. 7, in Central District, in place of Wm. Eiler, whose resignation is tendered and accepted by the Court.

Solomon Huffman & S. Flick, vs James Steele. } Upon a Notice to quash an Execution

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

Wm. O Ryle, & wife vs R. P. Earhart. } Upon an Attachment for Rent.

On motion of the Plaintiff's counsel, this cause is ordered to be placed on the Court's Docket. The Defendant, thereupon appeared in Court by counsel, and moved to quash said attachment, and the trial of the cause is continued until the next term.

On the motion of Manasses Heatwole, It is ordered that Abraham Paul, Hugh Swope & John Brunk be, and the same are hereby appointed Commissioners, whose duty it shall be to appraise the land devised by John G. Heatwole, dec'd. to his son, Manasses Heatwole, after having

first been duly sworn, to appraise the same, and report to this Court.

Malinda J. Fisher, the widow of Jacob M. Fisher, dec'd, this day appeared in open Court, and renounced the provisions of her husband's will.

On the Petition of J. B. Eastham & others, for the establishment of a Public Road leading from Furnace No. 2 to Elk Run Church,

It is ordered that James M. Weaver, Robert A. Liebhous and S. P. H. Miller, be appointed viewers, to view the ground, and report to this Court the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken.

1 & 3 cpys. issd.

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation, the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate thereto.

A & H. Wilson, Pltff.;
R. T. Thomas, Deft. } W. E. & D.,

It is agreed by counsel for Pltffs. and defendant, that this case be submitted to the Judge of this Court at his office this evening, Sept. 20, 1875, at 7 o'clock; the decision of said Judge to be entered of record, and have the same effect as if entered in Court.

Upon the application of G. J. Brock & others, to establish a public road, commencing on the Keyletown Road, and terminating at the Yellow Massanutten Springs,

This day came again the parties by their attorneys, and upon consideration, the Court doth refuse to confirm the report of J. N. Leonard, Henry L. Shoup & Thomas Moore, viewers, returned to a former term of this Court, and thereupon the Court doth dismiss said application, neither party recovering costs.

For reasons appearing to the Court, It is ordered that the Rule awarded at the last term of the Court against D. A. Rolston, Sheriff of this County, for failing fully to execute the writ of Venire Facias in case of the Commonwealth against Amanda Jane Pollard, be discharged.

On motion of Samuel R. Sterling, Treasurer of this County, M. J. Tinkle for Linville District and C. R. Neff, for Plains District, this day appeared in Court, and qualified as his Deputies, by taking the oaths prescribed by Law.

C. G. Minner, Pltff
@
George F. Mauck, Deft. } W. D. & D.

Ordered That this cause be dismissed agreed.

P. H. V. Pickens' Adm.
@
Reuben Bonds' Assignee in Bankruptcy } Upon appeal from a pitch of a Justice of the Peace,

Papers lost - can't issue Exn. until they are found. Fi fa issd.

This day came again the parties by their Attorneys, and on consideration thereof, the Court doth affirm the judgment of the Justice below, and it is considered by the Court that the Appellee recover of the Appellant, his costs, by him, in this behalf expended.

On motion of E. C. Bruffy, It appearing to the Court that he is over 21 years of age, and has resided & practiced in the Law in this County, and is a person of honest demeanor, a certificate is granted him to obtain a License to practice Law in the Courts of this Commonwealth.

c'd'd.

On the motion of Daniel Swank, It is ordered that Henry L. Shoup, who is appointed for the purpose, shall go on the land of Daniel Swank, and view the route of the road established through said land, at the July Term of this Court, and after making such view he will report to the next term of this Court the propriety of a change of said road, on the lands of said Swank, and in what particular.

c'd'd.

Ordered, That J. D. Logan, Clerk of this Court be allowed the sum of Sixty-two Dollars & 50 cents for 25 days services of P. Hennig in copying the Land Books of this County for the year 1874, under an Act of the General Assembly for re-assessment of Lands of the Commonwealth, @ $2.50 per day, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

c'd'd to P. H.

Ordered, That J. D. Logan, Clerk of this Court be allowed the sum of Twelve dollars & 50 cents for 5 days' services in furnishing Lists of Lands, divisions, &c, for re-assessment of Lands, under Act of General Assembly, from Jany. 1, 1875 to Aug. 1, 1875, @ $2.50 per day and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

c'd'd.

Ordered, That Martin Reedy be appointed Surveyor of Road Precinct, No. 30, in Central District, in the place of John Geil, whose

issd.

designation is accepted by the Court, he being a regularly ordained Minister of the Gospel.

It is ordered, that it be certified to the Auditor of Public Accounts that John Paul, Atty. for the Commonwealth for Rockingham County, is entitled to the sum of Twenty Dollars, for prosecuting in two cases of felony at the August term 1875, of this Court, to-wit:- Commonwealth vs Gabriel Monroe, and Commonwealth vs. Amanda Jane Pollard.

c/d'd.

L.S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $142.95, for diet &c, sundry prisoners, to Sept. 14, 1875, 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/d'd.

G.W. Mauzy & others, Pltffs.
Geo. J. Stephens & others, Deffts. } Upon a Petition.

At appearing to the Court that the Commissioners appointed to view the Rockingham Turnpike from Harrisonburg to the Top of the Blue Ridge mountain, have made their report, and returned the same to the Clerk's office of this Court as required by law, in which all the sections of said road are reported to Court of repair, It is ordered that the Plaintiffs in this motion do recover of the defendants, their costs by them in this behalf expended.

On motion of John N.P. Faught, It is ordered that the Estate of John L. Faught lie committed to the Sheriff of Rockingham County, D.S. Roleton, for administration, said Jno. L. Faught having been dead more than three months; and the Court doth appoint Jacob Hosler, Philip Miller, Stephen Chapman and Adam Armentrout to appraise the estate of said John L. Faught, any three of whom may act, after first being duly sworn.

The following Accounts against the County of Rockingham having been certified, and sworn to as correct by D. S.P.H. Miller, late Comm. of Roads for Stonewall Township, and being examined by the Court, the same are allowed and ordered to be certified to the Treasurer of this County for payment, out of the Levy for the year 1875, viz:-

To Geo. W. Grim, for 3 days' services as Chain Carrier on the McGaheysville & Bloomer Spring Road @ $1.00 — $3.00

c/d'd to Addison Royer — " John Leap for 3 days services as Chain Carrier on McGaheysville & Bloomer Spring Road, and 2 days on the McGaheysville & Lawyer Road, @ $1.00 — 5.00

c/d'd to Addison Royer — " Addison Royer, for 1 days' services as Chain Carrier, on the McGaheysville & Lawyer Road, @ $1.00 — 1.00

It appearing to the Court that more than thirty days have elapsed since the death of Andrew Epand, and no administration upon his Estate, having been applied for by any distributee, on the motion of J. H. Leap, one of the distributees of said Estate, E. G. Sanford, who made oath thereto according to law, appeared in Court, and together with W. M. Leave and D. M. Powell, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, (with the benefit of the Homestead exemption waived as to this obligation,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of the said Andrew Epand,

And the Court doth appoint Thomas Epand, Sebastian Propes, Franklin Rucker, Wm. Merica and G. S. Merica to appraise the Estate of said Andrew Epand, any three of whom may act, after first being duly sworn.

For reasons appearing to the Court, the order heretofore made committing the Estate of Peter Rhodes, dec'd, to D. B. Roleton, Sheriff of this County, for administration is revoked and set aside,

And on the motion of Solomon Rhodes, who made oath thereto according to law, he appeared in Court, and together with Joseph P. Heatwole and Geo. W. Showalter, 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, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of said Peter Rhodes, dec'd, And the Court doth appoint Samuel Brunk, John Brunk, Abraham Bloser and Jacob Shank to appraise the said Estate, any three of whom may act, after first being duly sworn.

On his motion, the Court doth appoint Daniel A. Wine as committee for Elizabeth Simmons, a person of unsound mind, and thereupon he appeared in Court, and together with Thomas Nair, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $250.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified accordingly.

On the motion of Mary C. Garber, the widow of John J. Garber, dec'd, who made oath thereto according to law, she appeared in Court, and together with John Swartz, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted her for obtaining letters of administration in due form, upon the Estate of said John J. Garber, dec'd.

And the Court doth appoint S. G. Glick, B. M. Rice, Abram Miller & Daniel Rhodes, to appraise said Estate, any three of whom may act, after first being duly sworn.

On the motion of Samuel F. Routt, who made oath thereto according to law, he 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 $800 Co conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Harvey Routt, dec'd.

And the Court doth appoint Jonathan Miller, Jas. A. Negroue and Silas Routt, to appraise said Estate, after first being duly sworn.

The writing purporting to be the last will and testament of Mathias Ruelyush, dec'd, was this day presented in Court and being proven by the oaths of Henry Carpenter & George D. Whitmer, the two subscribing witnesses thereto, was admitted to probate, and thereupon, on the motion of Samuel Ruelyush and William Ruelyush, the Executors therein-named, who made oath thereto according to law, they appeared in Court, and together with Henry Carpenter & Joseph McCaffee, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $5.000 Co conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted them for obtaining a probat of said will, in due form.

The writing purporting to be the last will and testament of David P. Ford, dec'd, was this day presented in Court, and being proven by the oaths of Emanuel Suter and D. S. Keatorly, two of the subscribing witnesses thereto, was admitted to probate, and thereupon, on the motion of Jacob Geil, the Executor therein-named, who made oath thereto according to law, he appeared in Court, and together with Peter Keagy and John Geil, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $12000 Co conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining a probat of said will, in due form.

And the Court doth appoint Emanuel Suter, John P. Good, Jacob Suter and John Linaweaver to appraise said Estate, any three of whom may act, after first being duly sworn.

Patrick County, Plff

vs

Patrick Learney, Deft. } Upon a Rule.

This day came again the parties by their attorneys, and the Plaintiff moved to offset a judgment in his name against a judgment held by the defendant against the Plaintiff and John E. Roller; which motion, on consideration the Court doth overrule; and it is therefore considered by the Court that the Rule of the Plaintiff be discharged, and that the defendant recover of the Plaintiff his costs, by him in this behalf expended.

Amanda C. Dillard, Pltff,
vs
James Kavanaugh & Patrick Canty, Defts. } Upon a forthcoming Bond,

This day came the Plaintiff by her Attorney, and the Defendants being solemnly called, came not, whereupon the Notice was proved, and it is considered by the Court that the Plaintiff have execution against the Defendants according to bond, and for costs.

Henry Shacklett, Pltff,
vs
F. A. Harnsberger, late Sheriff of Rockingham County, and Wm. P. Yancey, Henry Harnsberger, David Gilmore, John J. Woods, Geo. W. Hedrick & Charles A. Yancey, sureties in his official bond, } Upon a motion for the recovery of money collected by A. A. Sheff, Deputy Sheriff from S. A. Long under a writ of Fieri Facias issued from County Ct. of Rockingham County on 1st day Sept. 1870, & not paid over.

This day came again the Plaintiff by his counsel, and the Defendants being solemnly called, came not, whereupon, on the motion of the Plaintiff, It is considered by the Court that said Plaintiff recover of the said Defendants the sum of $144.80 with damages thereon at the rate of 15 per centum per annum from the 15th day of May 1871, till paid, (subject to a credit of $50.00 as of date May 15, 1871,) and his costs by him in this behalf expended.

A. W. Newman, Commissioner of Accounts for this Court, this day presented in Court two settlements of A. B. Irick, General Receiver of this Court - one closed June 15, 1874 - the other closed August 10, 1875, which are confirmed by the Court, and ordered to be recorded.

On the motion of the Rev. S. T. Wells, and 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 Henry Frazier and Noah Robinson, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) and qualified accordingly.

The Court doth hereby appoint the following-named persons as Road Surveyors of the various Road Precincts in Ashby District in this County, as laid off and reported by Peter Paul, C. H. Conner & Edwd. S. Kemper, Commissioners heretofore appointed by the Court to divide, &c., said District into Road Precincts, viz:-

Precinct No. 1 - John Price,
" " 2. - Samuel Wine
" " 3, - Wm. L. Anderson
" " 4. - A. P. Dice,
" " 5. - Harvey Harnsberger
" " 6. - Emanuel Spitzer,
Precinct No. 7. - George Airey
" " 8. - Daniel Miller,
" " 9. - Wm. P. Sites,
" " 10. - Abram Belick,
" " 11. - John Crousehorn,
" " 12. - Rudolph Myers,

Precinct No. 13.– John A. Miller,
" " 14.– John Simmons jr,
" " 15.– James F. Bowman,
" " 16.– Fredk A. Rhodes,
" " 17.– John Early
" " 18.– George Canacofe,
" " 19.– Wm D. Canacofe
" " 20.– James D. Whitsell
" " 21.– Joseph Kennedy
" " 22– Abm Flory,
" " 23.– Wm A. Bowman,
" " 24.– Peter Showalter,
" " 25.– Robinson Showalter,
" " 26.– Robert Sutwiler,
" " 27.– Emanuel Roller jr,
" " 28.– David Garber,

Precinct No. 29.– Wm. Carpenter,
" " 30.– James Huffman,
" " 31.– Thomas Bell,
" " 32.– Reuben Risling,
" " 33.– Chas A. VanLear,
" " 34.– John R. Bowman,
" " 35.– Noah Flory,
" " 36.– Simon Landy,
" " 37.– Samuel Chandler,
" " 38.– John Showalter,
" " 39.– Wm. Monger,
" " 40.– Wm. Carpenter,
" " 41.– Samuel Baker,
" " 42.– George Neal,
" " 43.– Benj. Ritchie
" " 44.– Andrew Lagg.– P.A Rives.
" " 45.– Elijah S. Huffman,

The Court doth appoint the following–named persons as Road Surveyors of the various Road Precincts in Stonewall District in this County, as laid off and reported by Henry R. Harnsberger, Wm. B. Yancey & D. P. A. Miller, Commissioners heretofore appointed by the Court to divide, &c, said District into Road Precincts, &c, viz:–

Precinct No. 1.– Wm. C. Patterson,
" " 2.– John Wisner,
" " 3.– R. A. Scott,
" " 4.– Edward Bateman,
" " 5.– John Long & Isaac
" " 6.– Lyons Pence,
" " 7.– Saml A. Lewis,
" " 8.– Geo. Argenbright,
" " 9.– H. E. Sipe,
" " 10.– Jeremiah Armentrout,
" " 11.– C. B. Stephens,
" " 12.– E. L. Lambert
" " 13.– Jo. B. Burner,
" " 14.– Jacob Fry,
" " 15.– Cornelius Armentrout,
" " 16.– Jake Bowcock,
" " 17.– George Life,
" " 18.– Wm. Loker,

Precinct No. 19.– Philip Shifflett,
" " 20.– R. M. Bear,
" " 21.– Wm A. Marshall
" " 22.– C. W. Harnsberger,
" " 23.– Thos R. Miller,
" " 24.– A. C. Walker,
" " 25.– John Bear,
" " 26.– Sebastian Rhoades,
" " 27.– Wm E. Kite,
" " 28.– James Beasley, of John
" " 29.– Solomon Dean,
" " 30.– R. H. Bryant,
" " 31.– S. C. Naylor,
" " 32.– Bernard Gentry,
" " 33.– John Maiden,
" " 34.– Thomas Eaton,
" " 35.– Jake Bryant,

Reuben Petrofish, Pltff
C. B. Luck, Deft. } Detinue removed from a Justice of the Peace,

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 doth determine that the defendant detains from the possession of the Plaintiff a bond executed Sept. 10, 1870, by D. M. Bowman & H. Spitzler

payable 60 days after the date thereof, not exceeding the value of $57.50. It is therefore considered by the Court that the Plaintiff recover of the Defendant the specific property, if it may be had, but if not, that the Plaintiff recover of the defendant the sum of $31.50, with interest thereon from the 10th day of September 1870, till paid, the alternate value of said property, and also his costs by him in this behalf expended.

A & A. Wise,
R. S. Thomas } Unlawful Detainer.

This cause, by consent of parties entered of record, being submitted to the Judge of this Court on the evening of September 20, 1875, at his office, the Judge after hearing the evidence and argument of counsel, is of opinion that the defendant R S Thomas unlawfully detains from the plaintiffs A. & A. Wise, the possession of the premises in the summons in this cause mentioned to-wit:- a certain room immediately over the one now occupied by Geo. C. Conrad, on East Market street in the town of Harrisonburg, Va.

It is therefore considered by this Court, and entered up as the judgment of this Court, that the plaintiffs recover of the said defendant possession of the said premises, to-wit:- a certain room immediately over the one now occupied by Geo. C. Conrad, on East Market street, in the town of Harrisonburg, Va; and their costs by them in this behalf expended. And the Clerk of this Court is hereby directed to issue a writ to the Sheriff of this County directed, commanding him to place the said plaintiffs in possession of the said premises.

Memo:- Be it remembered that to the Judgment of the Court in this cause rendered, the Defendant filed his Bill of exceptions, in the words and figures following, to-wit:- "A. & A. Wise & R. S. Thomas." &c, and prayed that the same might be signed, sealed & enrolled by the Court, which was accordingly done.

same Pltffs
&
same. Deft } Unlawful Detainer.

On motion of the defendant, execution of the judgment rendered in this cause, is hereby suspended for ten days from this day, in order that he may apply for an appeal to the Circuit Court of this County.

Ordered, That this Court be adjourned until to-morrow morning at 8 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, September 21, 1875.

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

c.c/d.o.d. D.S. Rolston, Sheriff of this County, this day presented in Court ~~his~~ accounts against the Commonwealth of Virginia, amounting to the sum of $4.25 for advertising & posting for arrest of Ed. Minnick, John Keenan & Rockingham Weakley, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D.S. Rolston, Sheriff of this County, this day presented in Court, an account against the County of Rockingham, amounting to the

c.c/d.o.d. sum of $2.25. for posting on Ct. Yard fence, 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 out of the Levy for the year 1875.

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

Chas. T. O'Ferrall.

Monday, October 18, 1875.

At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, October 18, 1875.

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 September Term, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Release Deed.	M. J. Meyerhoeffer, Trustee, &c,	to George Null,
Mechanic's Lien.	W. H. Peterson,	@ Dayton School Building Committee,
Bargain & Sale.	John G. Winfield & wife,	to Dennis McGuire,
" "	same,	" Marion Keulva & Wm. A. Flick,
" "	Francis C. Devier,	" Sarah E. Smallwood,
" "	Abraham Burkholder & wife,	" Edwin Taylor,
" "	Mary Ann Dovel, &c,	" Malinda Garber,
" "	Thomas J. Dovel & wife,	" same,
Trust Deed.	J. L. Heiskell	" C. A. Yancey, trustee,
Bargain & Sale.	Catharine Simmers, &c,	" Henry Moffett,
" "	F. F. Rohr & others	" A. M. Newman,
" "	J. G. Winfield & wife & J. N. Liggett,	" Benjamin Lushbaugh,
" "	Martin Wampler & wife,	" Samuel D. Wampler,
" "	John A. Dunnivan & wife,	" Joseph B. Dunnivan,
" "	Joseph Slattenback & wife,	" A. A. Pates,
" "	Elvira C. Freeze,	" John P. Swank,
" "	M. Harvey Effinger & wife & M. G. Harman & wife,	" J. S. Harnsberger,
" "	J. D. Price & wife,	" same,
Article of Agreement.	Wm. Wimmick & John D. Mills,	& Noah Spitzer & Samuel Kolsinger,
Trust Deed.	Charles Fields,	to J. R. Logan, trustee for F. P. Hyde,
Bargain & Sale.	Jacob A. Gaither & wife,	" R. A. Gaither,
" "	Robert Johnston, Commr,	" James A. Dwyer,
Release Deed.	J. R. Logan, Trustee & L. S. Reed,	" Thos. J. Butler,
Bargain & Sale.	David H. Landes & wife,	" same,
Trust Deed.	Thos. J. Butler & wife,	" J. R. Logan, Trustee for L. S. Reed,
Bargain & Sale.	same,	" A. M. Newman, Jr,
Trust Deed.	John A. O'Neille, &c,	" Aaron Shutters, trustee for Geo. Kiser,
" "	Abner Smith,	" same " same,
Bargain & Sale.	Lewis Pence & wife,	" George Simmers,
" "	Solomon Garber,	" Susannah Snell,
" "	same,	" George W. Snell,
" "	Joel Garber & wife,	" same,
Mechanic's Lien	J. H. Benton & W. A. Whitmore,	@ Jacob W. Long,
Bargain & Sale.	Edwin R. Shue & wife,	to George S. Christie,
Article of Agreement.	Mahala A. Warren,	& John T. Wakenight,
Bargain & Sale.	Mahala A. Warren,	to Wyoming C. Wakenight, wife of J. T. W.
" "	John Zigler & wife,	" A. J. Daugherty,
" "	John C. Winfield & wife,	" Joseph Flick,
" "	Leonard A. Long & wife,	" Rev. Timothy Funk,

Bargain & Sale.	Wm. B. Compton, Commr,	to	Bettie L. Covington,
" "	Bettie L. Covington,	"	David M. Powell,
" "	J. A. Loewenbach & wife,	"	Mrs. Mary J. Houck,
" "	J. W. Finkle & wife,	"	Mary B. Ritchie, wife of Jo. Ritchie,
Trust Deed.	John Bunket,	"	Wm. M. Darough, Trustee,
" "	J. L. Heiskell,	"	Chas. A. Yancey, Trustee,
Bargain & Sale.	Adam Lieey,	"	John P. Pence & others, Trustees, &c,

The settlements of C. C. Strayer guardian of Jo. S. Strayer, and of Samuel K. Evey, Committee for Susan E. Evey, 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.

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

S. M. Bowman, surv'g, &c

vs

Neal Rogers, W. F. Wartmann & others, heirs & creditors of John R. Koogler, late of R. C. } Upon a Notice.

certified to Cir. Ct.

On motion of the Plaintiff, by counsel, this cause is placed upon the Court's Docket, and by consent of parties, the same is ordered to be removed to the Circuit Court of this County.

Coffman & Bumgardner for W. W. Fleming,

vs

Henry Shacklett, Jas. & Abram K. Devier } On a Suggestion.

✓

L. W. Taylor,

vs

Mary Shaver, &c. } W. E. & D.

✓

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

On motion, the Court doth grant The I. O. O. Fellows and the Red Men the use of the Court House on Thursday and Friday next for public speaking.

Gideon Miller,

vs

Nathaniel Flook, } Upon an Indemnifying & Suspending Bond returned to the Clerk's Office of this Court.

1 & 2 cnts.

Ordered That this cause be placed upon the Court's Docket and that summons do issue against the Pltff. & Deft. to try the same at the next term of this Court.

cnts. & d.

On the motion of John Akins, he is relieved from the payment of County and Parish Levies for the year 1875, on account of indigent circumstances.

It appearing to the Court that John C. Woodson, Administrator of Thomas Logan, Sr, dec'd, has departed this life more than three months, on the motion of Geo. W. Logan, a distributee of the Estate, A. J. Nicholas, who made oath thereto according to law, he 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 $1.000 conditioned according to law, (with the benefit of the Homestead exemption waived) a certificate is granted him for obtaining letters of administration, de bonis non, in due form, upon the Estate of Thomas Logan, Sr, dec'd.

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cert. &c. & fwd. On the motion of J. R. Myers, surety for Magdalene L. Owens, who is guardian of Sarah Frances, Margaret E. & Victoria Octavia Owens, infant children of Wm. Owens, dec'd, in her bond as guardian, and it appearing to the Court that notice has been served on the said Magdalene L. Owens, requiring her to appear and execute new bond as such guardian, and she still failing to appear, It is ordered that the powers of the said Magdalene L Owens as guardian aforesaid, be revoked.

Mary Catharine Detamore, widow of J. H. Detamore, dec'd this day appeared in Court and renounced the provisions of the last will and testament of her said husband,

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On motion of John D. Pennybacker, N. S. Mayphew & others, petitioners for the establishment of road from Edom down Linville's Creek to the road leading from Isaac Acker's to Conrad's Station on the Balt. & Ohio Railroad, a Rule is awarded against Henry Pulse, Emanuel Lipes, Jacob Roff, Commissioners to view the proposed route, to appear here on the first day of the next (Nov. Term, 1875), of this Court, to shew cause, if any they can, why they should not be fined & attached for their failure to view said proposed route & make report according to law, as required by order of this Court at its August Term, 1875.

1 & 3 copies issued

The following Accounts against the County of Rockingham, were this day presented in Court, and being sworn to, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment, out of the Levy for the year 1875, viz:

To Henry Shacklett, for Curtains & fixtures & putting up same for Ct. House, &c, (1875 or 1876)		$ 111.50
" Wm. C. McAlister, for work done at County Jail,		4.00
" Att & Shue, for Lamps & Oil for Ct. House,		2.90
" J. J. Bowman, for 3 days surveying Road from Keezletown Road to Yellow Massanutten Springs, & making diagram & report of said route,		7.50
" Jasper Dawse, for surveying Road, 1 day, from Swift's Glen to Ct. House,		2.50

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1 Rule & copy issued On the application of George W. Airey, It is ordered that William F. Andrew do appear before this Court on the first day of the next term, and show cause, if any he can, why the Corn & Coal, levied on by Wm. E. Roller, Constable, to satisfy an execution in favor of David Beard, assignee, &c, vs John D. Andrew, should not be sold by said Constable to satisfy said Execution as the property of said John D. Andrew; said Wm. F. Andrew having given a suspending bond to suspend the sale of

said Property, until the rights of said Wm. F. Andrews to the said Property shall have been determined.

Jacob E. Hannsberger, for the use of Geo. W. McCutcheon, late Sheriff of Augusta County & as such Admr. of W. Davis, dec'd, vs. William C. Harrison. } Upon a Notice on a 12 months bond, executed for purchase of Property of J. C. Woodson at Sheriff's sale, under Dec't of May 28, 1870.

This day came the Plaintiff by his Attorney, (the Defendant being solemnly called, came not), and the Notice was proved, and on his motion It is considered by the Court that the Plaintiff recover of the Defendant, Wm. C. Harrison, the sum of $1.008.33/100 with legal interest thereon from the 16th. day of December 1872, till paid, subject to the following credits, viz:- by $500cc as of date Feby. 12, 1875, paid by J. C. Woodson, (per D. S. H.) - by $350cc as of date April 9, 1875 - paid by J. C. Woodson, (per Showalter,) and by $98.72 as of date July 15, 1875, paid by Wm. B. Compton, and also his costs, by him in this behalf expended.

Geo. C. Patterson & Wm. Beard, Admrs. of Hugh Devier, dec'd, vs. Francis C. Devier. } In Debt.

It appearing to the Court that in this cause, at the May Term of this Court 1872, the Defendant waived his plea, and permitted judgment to go against him, as shown by the Docket of said term, but from the fact that the papers in the cause were lost, the said judgment was not then entered up, the Court ordered that the judgment in said cause be entered now for them, satisfactory evidence of the debt being now produced to the Court, It is therefore considered by the Court that the Plaintiffs recover of the Defendant, the sum of $13.55-1/2/100 with legal interest thereon from the 14th. day of April 1864, till paid, and their costs, by them in this behalf expended.

Samuel H. Eavey, Committee for Susannah C. Eavey, this day presented in Court an account against The Commonwealth of Virginia, amounting to the sum of $131.30/100 for the custody and maintenance of said Susannah C. Eavey, a person of unsound mind, which being sworn to, was examined and allowed by the Court; and it appearing from Commissioner Newman's Report, filed in the Clerk's Office of this Court, that the Estate of Susannah C. Eavey, a person of unsound mind, has been exhausted in the support of said Lunatic, It is ordered that the Account of Samuel H. Eavey, heretofore appointed Committee of said Susannah C. Eavey, a person of unsound mind, and allowed the sum of forty cents a day for her support and $30cc per annum for her clothing, amounting to $131.30 be allowed, and that the same be certified to the Auditor of Public Accounts for payment.

c. p'd, o. d. dec'd.

Hugh D. Linn, P. W. Dice and Samuel Franks, Commissioners appointed at the August Term last of this Court, to lay off and assign to Elizabeth Plecker, her dower interest in the lands of her late husband, Peter Plecker, dec'd, this day presented their report in Court, which is ordered to be filed and lay over one month for exceptions.

r. p'd.

The last will & testament of Archibald Brock, dec'd, was offered for probate by Charles J. Brock, the Executor therein-named, upon which motion, Wm. W. Carpenter & Madison Moore, subscribing witnesses thereto, were duly sworn and examined as such, - by whom it was proved according to law & admitted to record.

Upon motion of said Executor he is permitted to qualify as such (without giving security, as requested by the testator in said will,) upon the Execution of bond in the penalty of $30.000 cc conditioned according to law

Upon the further motion of said Charles J. Brock, legatee and Executor under said will, it is ordered to be certified that the following facts were proved by the said subscribing witnesses to said Will, viz:- That the said will was wholly written by said Wm. W. Carpenter, at the request & under the dictation of said Archibald Brock, the testator, - that the name of said testator was written by said Carpenter, at the request of said testator, - was acknowledged by him after it was so written as his signature - that said will was read over in full to said testator, in the presence of the subscribing witnesses thereto - afterwards acknowledged by said testator in their presence, they being present together, as & for his last will and testament - that they, then, in the presence of each other & of the testator & at the request of the latter, subscribed the same as witnesses thereto - that, in the opinion of both said subscribing witnesses, said Testator was at the time of the making & execution of said Will fully competent to make said will & transact other business, and that all said facts were proved by both said witnesses, except those in relation to the writing of said will by said Carpenter, which was proved by him alone.

And thereupon the said Charles J. Brock, the Executor therein named, appeared in Court, and entered into and acknowledged a bond in the penalty of $30.000 cc conditioned according to law, (with the benefit of the Homestead exemption waived,) without giving security, as provided in said will, and qualified as the Executor of the last will and testament of the said Archibald Brock, dec'd.

The writing purporting to be the last will and testament of Peter Swank, dec'd, was this day presented in Court and proven by the oaths of John Funk and Solomon Funk, two of the subscribing witnesses thereto, and admitted to probate; and on the motion of John David Swank, the Executor therein-named, who made oath thereto according to law, he appeared in Court, and together with Barbara Ann Swank, his surety, (who justified as to her sufficiency,) entered into and acknowledged a bond in the penalty of $700.cc, conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining a probat of said will in due form;
And the Court doth appoint Solomon Funk, John Funk, Benjamin Driver and John H. May to appraise the Estate of said Peter Swank, dec'd, any three of whom may act, after first being duly sworn,

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It appearing to the Court that Mary Margaret McKay and Joseph McKay infant children of John McKay, dec'd over the age of 14 years, hath made choice of John B. Kline, as their guardian, before Jo. A. Mitchell, a Notary Public in and for this County, on the motion of said John B. Kline, the Court cap'd. od. & ap'd. doth appoint him also as guardian for John Lewis McKay, an infant child of said John McKay, under the age of 14 years, and thereupon the said John B. Kline appeared in Court, and together with David B. Kline, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1.000 00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as the guardian of said Mary Margaret, Joseph and John Lewis McKay,

James M. Weaver, N. E. Bear & D. H. Miller, Commrs. appointed at the August Term last of this Court to view and locate a public road from some point on the McGaheysville & River Bank road to the Rockingham Turnpike, near Anderson's shop, on the petition of E. L. Lambert & others, this day returned their report into Court,

Upon the application of G. T. Hopkins and others for a change in the location of the public road from McGaheysville to Bloomer Springs,

For reasons appearing to the Court, the Report of D. & D. H. Miller 10 cts. pd. late Road Comm'rs. filed in this cause, is quashed,

And the Court doth appoint D. & D. H. Miller, a viewer, to view the proposed and report to this Court the conveniences and inconveniences that will result, as well to individuals as to the public, if such changes in said road be made as proposed, and especially whether any yard, garden, orchard, or any part thereof, will have to be taken,

He shall further report the facts and circumstances in his opinion, useful in enabling the Court to determine the expediency of making said change in said road. He shall report the names of the land-owners effected by said proposed change in said road, and state which of them require compensation the probable amount, in his opinion, to which such party may be entitled, and any other matter he may deem pertinent. He shall report no change in route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a change of route which shall not exceed five degrees at any one point. A map or diagram of the changes in the route he may favor, with courses and distances, shall be returned with his report. A statement of the number of days ~~out~~ necessary in the execution of this order either by himself or a Surveyor, or both, shall be appended to the report and sworn to before a Justice of the Peace, or other officer who shall append his certificate to the same,

H. L. Shoup, who, at the Sept. term last of this Court, on the motion of Daniel Swank, was appointed to go upon the lands of said Swank and view the route of the road established through said land at the July term last of this Court, and report the propriety of a change of said road, and in what particulars, through the lands of said Swank, this day returned his report into Court, which, by consent of parties in open

Court the Court doth confirm. It is therefore considered that the
route of said road, known as the Mountain Valley Road to the Turleytown
Road, be changed in conformity to the said Report of H & L. Shoup, viz.:-
Said change of location begins at Henry Franks corner, fig. 3 of the Plat
and runs S. 11 E 11 poles to fig. 4, thence S. 31 E. 16 on Solomon Funks land,
thence continuing same direction one pole across Daniel Swanks land,
and 28 poles through Timothy Funks land to fig. 5, of said plat, where
it intersects the original route, and to be twenty-five feet wide.
And the Court doth appoint Timothy Funk, as Surveyor of said
road, with the following hands assigned thereto, viz:- on the lands
of Elvira Freeze, Daniel Swank, Timothy Funk, Aldine Kieffer, Row-
land Kieffer, Benjamin Funk, Hannah Bear, Archd. Sipe, Peter Sipe,
Luke McWilliams, Ephraim Reubush & Conrad Long, which hands
are withdrawn from Road Precinct No. 30, except Elvira Freeze's from
No. 32 and Daniel Swank from No. 31, to be known as Road Precinct No.

This day came Saml R. Allebaugh, Executor of Jacob Allebaugh, dec'd,
who alleges that he is aggrieved by an entry in the Property Book, made by
H. W. Beery, Assessor of Linville District in said County, in the year 1875,
whereby he is charged with taxes for the year 1875, on $10.000 cts of personal
property instead of $5000 cts, and thereupon the said Saml R. Allebaugh,
Executor as aforesaid, moved the Court to exonerate him from the payment
of $54. 50/100 part of the taxes so erroneously charged against him for said
year, which motion was defended by John Paul, Attorney for the Com-
monwealth for said County, and the said H. W. Beery, the Assessor who
made the assessment, was examined as a witness touching the appli-
cation. 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 1875, and that applica-
tion for redress against the erroneous entry was made this day for
the first time, and it appearing that the entry on the Assessor's Books
should have been for the sum of $5.000 cts instead of $10.000 cts - that $5.000-
of the amount so assessed was the amount of a deed of Trust for the benefit of S. R. Allebaugh,
Exr. aforesaid, which had been paid and the deed of Trust released prior to said assessment.
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 Saml R. Allebaugh, Executor
of Jacob Allebaugh, dec'd, is erroneously charged on said book with
taxes amounting to $54. 50/100 whereupon, It is ordered that the said
Saml R. Allebaugh, Executor as aforesaid, be exonerated from the
payment of $54. 50 taxes so erroneously charged if not already
paid, and if paid, that it be refunded to him, of which amount
$25. 00/100 is State Tax and $29. 50/100 is County Tax.

Ordered, That this Court be adjourned until to-morrow morning
at 8 o'clock.

Chas. S. O'Ferrall.
" " "

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, October 19, 1875.

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

Stonewall District School Trustees
vs.
B. D. Gilmore,
} Upon a Notice.

Ordered, That this cause be placed upon the Courts Docket.

Ordered, That Dr. S. P. N. Miller, late Road Commissioner for Stonewall Township be allowed the sum of $42.50 for surveying various roads under orders of the Court, from July 1, 1874 to June 30, 1875, and that the same be certified to the Treasurer of this County, for payment out of the Levy for the year 1874.

cp'd. to J. M. Cathan

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

Chas. D. O'Ferrall.

Monday, November 15, 1875.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, November 15, 1875.

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:-

Bargain & Sale,	Geo W. Roller & wife,	to	Peter Pence & John Spader,
"	"	Harvey Armentrout & wife & Wm F. Jefferson,	Jacob W. Depoy,
"	"	J. N. Loewenbach & wife,	" James A Hutcheson,
"	"	John H. Kline & wife,	" Peter D. Zimmerman,
"	"	Elias Rollen & wife,	" Simeon Long,
"	"	David Whitmore & wife,	" Henry Tate,
"	"	Harrison Empsewhiler & wife,	" Erasmus Fletcher,
"	"	A. M. Newman, Commr.	" Samuel Allen,
Homestead Deed.		Lewis Argabright,	
Bargain & Sale,		John G. Winfield & wife,	" John Deada,
"	"	Morgan Layton,	" Solomon Huffman,
"	"	J. N. Loewenbach & wife,	" James M. Wellman,
Article of Agreement.		Kockman & Bucher	& A. M. Pinkey,
Mechanic's Lien.		same,	& same,
Bargain & Sale,		G. H. Berlin, Commr.	to Harvey Simmons,
"	"	J. P. Effinger & wife	" Phoebe Shepp,
"	"	John G. Winfield & wife,	" S. T. Wells,
"	"	D. Whitmore & wife (old deed)	" John Whitmore, &c, Trustees for Attaleens Ch.
"	"	Mary Bryan & Elizabeth Bryan,	" John C. Bryan,
Article of Agreement.		J. N. Loewenbach	& J. M. Gordon,
Bargain & Sale,		Garnett King,	to William Kane & wife,
"	"	John G. Winfield & wife,	" William Minnick,
Trust Deed.		Wm. Minnick & wife,	" Geo. M. Greenman, Trustee,
"	"	Henry C. Hedrick,	" Jacob Greenman,
Bargain & Sale,		J. N. Loewenbach & wife,	" Joseph Clatterbuck,
"	"	Wm. F. Bowers & wife, &c,	" Michael See,
"	"	Thomas E. Carson & wife,	" Samuel Dinkel,
"	"	Samuel Sneing & wife,	" Levi Sager,
"	"	Jacob S Sellers, Commr,	" Daniel Sellers,
"	"	Joseph T. Williams & wife,	" Margaret Bonds,
"	"	Adam Rader & others Trustees M. E. Church,	" Charles E. Keas,
"	"	Geo A. Conrad & wife,	" J. N. Loewenbach,
Article of Agreement.		S. R. Allebaugh & Phebe Andes,	& Wm. C. Whitmer,
Bargain & Sale,		John B Kline,	to Lyne Rodes,
"	"	J. S. Harnsberger, Commr,	" Gideon Layman,
"	"	J. N. Loewenbach & wife,	" William A. Slater,
"	"	Martin Garber & wife & others,	" William Sandy,
"	"	John G. Winfield & wife,	" J. N. Liggett,
Article of Agreement.		Sally Brock, widow & Heirs of Archibald Brock.	

Bargain & Sale,	William J. Chrisman & wife,	to	John P. Swank,
" "	John M. Huffman & wife,	"	John Leedy,
" "	Robert Starks & wife,	"	John Rife,
Trust Deed.	Eli Keran & wife,	"	G. H. Berlin, trustee for Abm. Early,
" "	P. M. Strayer & wife,	"	James Ott, trustee for Saml Coiner,
" "	Joel S. Wright & wife,	"	G. H. Berlin, trustee for Abm. Early.
Bargain & Sale,	J. A. Loewenbach & wife & Jo. T. Williams,	"	Mary J. Williams, wife of Jo. T. Williams.

The Settlement of the Account of Joseph Reery, Admr. of L. F. Mozenhoffer, dec'd, was this day presented in Court, and having been filed in the Clerk's Office the time prescribed by law, and no exceptions being taken thereto, the same is confirmed and ordered to be recorded.

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 John Detamore, dec'd,
" " " " " A. M. Argabright, dec'd,
Appraisement Bill of Daniel P. Good, dec'd,

cap'd. & d. The Court doth order, ~~for occasion~~ appearing to the Court, on the motion of D. A. Heatwole, Assessor of Lands for Central District, that his time for returning his Books of the Re-assessment of the Lands in said District be extended until Dec. 15, 1875.

George A. Roszell, a regularly-licensed Attorney, this day appeared in Court, and qualified to practice Law in this Court, by taking the oaths prescribed by Law.

cap'd & d. to C. S. Haas. Ordered, That John Paul, Attorney for the Commonwealth for this County, be allowed the sum of $416.66⅔ for his services in this Court for the months of February, March, April, May, June, July, August, September, October and November 1875, and that the same be certified to the Treasurer of this County, for payment, out of the Levy for the year 1875.

cert'd. J. C. Walker, Assessor of Lands for Stonewall District, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $108.00 for 36 days' services in re-assessment of the Lands in said District, which was sworn to in open Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cert'd. J. A. Kite, Assistant Assessor of Lands for Stonewall District this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $183.00 for 61 days' services in re-assessment of the Lands in said District, which being sworn to, is ordered to be certified to the Auditor of Public Accounts for payment.

cap'd & d. Jacob Moyers, Assessor of Lands for Linville District, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $120.00 for 40 days' services in re-assessment of the Lands in said District, which was sworn to, in open Court and ordered to be certified to the Auditor of Public Accounts for payment.

A. W. Beery, Assistant Assessor of Lands for Linville District, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $120.00 for 40 days' services in re-assessment of the Lands in said District, which was sworn to in open Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cert'd. & d.

Jonas A. Keller, Pltff.,
vs
Nathaniel Broomfield, Deft. } M. E. & D.

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

It appearing to the Court that John A. Miller is a minister of the Gospel, his resignation as Overseer of Roads for Precinct No. 13, in Ashby District, is accepted and Wm. Carpenter is appointed to fill the vacancy in said Precinct No. 13,

issued

George W. Airey, Pltff.
vs
William F. Andrew, Deft } Upon a Rule.

Upon motion of George W. Airey, this cause is dismissed, and it is considered by the Court that the Defendant recover his costs by him in this behalf expended, except attorney's fee.

John Bowman, jr, Agt. Appellant,
vs
John L. Cootes Exs Appellees } Upon an Appeal.

The Appellant this day appeared in Court and made oath that Jacob May a Justice of the Peace, has in his possession or under his control the bond, executed by the Appellant to the Appellees for the sum of $43.42 dated July 30, 1875, upon which he rendered a judgment in this cause; It is considered by the Court that a Subpoena duces tecum be awarded against said Jacob May, Justice aforesaid, requiring him to produce in Court, on the 4th. day of this term of the Court, the bond or note aforesaid.

issued. — 15th Oct'r/75.

Stonewall District School Trustees
vs
J. D. Gilmore, } Upon a motion to value and condemn Land for School purposes.

The Defendant, this day appeared in Court, and by counsel moved the Court to quash the Notice on the ground of insufficiency, which motion the Court overruled, and the Court doth appoint J. H. Kite, G. W. Mauzy, F. Armentrout, Jas H. Larkins and C. N. Chester as Commissioners to go upon the lands of the Defendant, on Saturday the 27th day of November, 1875, in the town of McGaheysville, in this County, and value said land, not exceeding One Acre, and make report of their proceedings to the next term of this Court, any three of whom may act after first ~~being~~ duly sworn.

cert'd.

Henry Empsewhiler vs Jane Empsewhiler = Upon an Appeal.

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

Adam Showalter,

Henry C. Bright, Admr. d.b.n. of Elizabeth Bright, dec'd. } Upon a notice requiring the Defts to execute a new bond as said Admr. and in default, to have his powers revoked.

The notice in this cause having been returned duly executed, the Defendant being solemnly called came not, on the motion of the Pltff. Adam Showalter, by counsel, it is considered by the Court that he be relieved as the surety of said Henry C. Bright, upon his official bond as the Administrator of Elizabeth Bright, dec'd, and that the powers of said Henry C. Bright, as said Administrator be and they are hereby revoked and that said Admr. be required forthwith to settle his account before A. M. Newman Commr. of Accounts

John Brunk, Hugh Roope and Abraham Paul, Commrs. appointed at the September Term last of this Court, to appraise the value of the "Home" farm of John G. Heatwole, dec'd, this day presented in Court their report, which is, confirmed, there being no exceptions thereto, and on the motion of Manakes Heatwole, said report is ordered to be recorded.

Upon motion of Peter Paul, Ephraim Wenger & others, and it appearing that due notice of said motion has been given to all the parties interested, it is ordered that John Paul be, and he is hereby appointed and substituted as Trustee in the place of W. D. Trout, trustee, in a certain Trust Deed executed by David Stinespring to said Trout, on --- day of ------ and of record in the Clerk's Office of the County Court of Rockingham, the said W. D. Trout, former Trustee, having departed this life, and the said Trust still remaining unexecuted.

On the motion of Michael Ward, who made oath thereto according to law, he appeared in Court, and together with James Ravanaugh and Joseph Ravanaugh, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Bridget Ward, dec'd, and the Court doth appoint Samuel A. Roohour, Niel O'Brien, Michael Dennison, Thomas Mahoney & John A. Dennison to appraise the Estate of said Bridget Ward, dec'd, any three of whom may act, after first being duly sworn.

On motion of Sidney M. Campbell, who made oath thereto according to law, she appeared in Court, and together with George Forn, her sureties, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted her for obtaining letters of administration in due form, upon the Estate of Abram Campbell, dec'd, and the Court doth appoint Philip Shifflett, John Burkett, V. H. Lam & Thomas Shifflett to appraise the Estate of said Abram Campbell, dec'd, any three of whom may act, after first being duly sworn.

On the motion of Jamieson H. Dovel, the Court doth appoint him guardian for his five infant children, under the age of 14 years, viz:- Rebecca J., Philip S., Jenetta, Ellen S., and Susan A. Dovel, and thereupon he appeared in Court, and together with George M. Kedrick and J. B. Eastham

his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1800.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

On the motion of Abraham R. Boone, who made oath thereto according to law, he appeared in Court and together with George A. Kuhn, his surety, by Chas. E. Haas, his Attorney in fact, entered into and acknowledged a bond in the penalty of $2.000 Cts, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Philip Boone, dec'd.

On the motion of Abraham R. Boone, who made oath thereto according to law, he appeared in Court, and together with George A. Kuhn, his surety, by Chas. E. Haas, his Attorney in fact, entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of John Boone, dec'd.

It appearing to the Court, that Elizabeth Garber, widow of Martin Garber, dec'd., has renounced her right to administer upon the Estate of her said husband, on the motion of Abm. Garber and Jno. M. Garber, who made oath thereto according to law, they appeared in Court, and together with John M. Garber, Senr, their sureties, (who justified as to ~~their~~ sufficiency,) entered into and acknowledged a bond in the penalty of $20.000 Cts, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted them for obtaining letters of administration in due form, upon the Estate of the said Martin Garber, dec'd, and the Court doth appoint Daniel Zigler, David Zigler ~~and~~ Henry Rife and Lewis Will to appraise the Estate of said Garber, any three of whom may act, after first being duly sworn.

George S. Christie, foreman, J.B. Staples, Emanuel Suter, M. A. Scott, Jackson Garrison, Wm. A. Carpenter, R. A. Gibbons, P. F. Eannon, J. McD. Adair, A. D. Kieffer, John T. Rimel, J. H. Mauck, Silum Sellers, Wm. McDaniel, B. R. Speck, P. H. Pugh and Reuben K. Horn, were sworn and impaneled a Grand Jury in and for the body of the County of Rockingham, and having received their charge from the Court, retired to their room to consider of their presentments, and after some time returned into Court, and made the following presentments, viz:- "An Indictment against Andrew Loch & Wm. Loh, for Keeping ferocious dogs - a true bill, G.S. Christie, foreman." - "An Indictment against Wm. Minnick, for selling Liquor on the day of an Election - a true bill, G.S. Christie foreman," - An Indictment against Wm. Minnick, for selling intoxicating Liquors on the Sabbath, a true bill, G.S. Christie foreman," - An Indictment against Wm. Minnick, for Assault & battery, a true bill, G.S. Christie, foreman," - An Indictment against Charles Minnick, for disturbing public worship, a true bill, G.S. Christie, foreman, - An Indictment against Peter Rader, for giving away ardent spirits on the day of an election, - a true bill, G.S. Christie, foreman," and having completed the busines before them, they were discharged from further attendance

issued

upon this Court. And it is ordered by the Court that proper process do issue against each of the said defendants.

Ordered that the following-named Grand Jurors, be each allowed the sum of One Dollar, for their services at this term of the Court, viz:— George S. Christie, J. C. Staples, Emanuel Suter, M. A. Scott, Jackson Garrison, Allen A. Carpenter, R. A. Gibbons, P. F. Carmon Jr. M. D. Adair, A. L. Rieffer, John T. Rinnel, J. H. Mauck, Silvanus Sellers, Wm. McCutcheon, B. R. Speck, P. H. Pugh and Reuben R. Keon, and the same is ordered to be certified to the Treasurer of this County, for payment. cert'd.

Ordered, That Rules be awarded against Edward S. Kempton and Wm. H. Grove, to appear at the next term of this Court, to shew cause, if any they can, why they should not be fined and attached for their failure to appear at this term of the Court as Grand Jurors when duly summoned. issd

On the motion of Samuel R. Sterling, Treasurer of this County, Samuel L. Slusser and Jacob Wright this day appeared in Court, and qualified as his Deputies in Ashley District, by taking the oaths prescribed by law.

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

Chas. F. O'Donald.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, November 16, 1875

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

On motion of David Bloser, It is ordered that the Estate of Jacob H. Bloser, dec'd, be committed to D. H. Ralston, Sheriff of Rockingham County, for administration; said Jacob H. Bloser having been dead more than three months.

W. C. Reaves, Appellant
vs
Edward Solomon, Appellee. } Upon an Appeal from a judgt. of a Justice of the Peace.

This day came again the parties by their Attorneys, and the cause was submitted to the decision of the Court, and the Court having fully heard the evidence introduced, on consideration whereof, the Court doth affirm the judgment of the Justice of the Peace; It is therefore considered by the Court that the Appellee, Edward Solomon, recover of the Appellant, W. C. Reaves, and his surety, C. A. Sprinkel, the sum of $23.56 with interest thereon from the 24th day of Sept. 1873, till paid, and $1.00 costs before said Justice of the Peace, together with 10 per cent. damages on the aggregate amount from the 28th day of August 1875, till paid, and his costs by him in this behalf expended.

On the motion of Henry Shacklett, one of the creditors thereof the Estate of Evan Keuton, dec'd is committed to D. H. Ralston, Sheriff of this County, for administration, it appearing to the Court that he has been dead for more than three months.

Com'th
vs
J. D. Gilmore, } An Indictment for trespass. No. 1.

This day came as well the Attorney for the Commonwealth as the Defendant by his attorney, and the Defendant files his plea of "not guilty" and by counsel demurred to the Indictment, which demurrer the Court overruled; and thereupon came a Jury, to wit:- Jno. M. Bowman, Wilson Carrier, Andrew Lewis, Wm. Snider, Geo. R. Engenbright, Simon Whitsel, Saml. Oreburgh, H. F. Ryger, Geo. N. Yancey, L. C. Switzer, Philip Kollen and L. N. Kayler, who being elected, tried and sworn, the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the Bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say "We the Jury find the Defendant guilty, and fix the amount of Fine at Two Dollars." It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant, J. D. Gilmore, the sum of Two Dollars and fifty cents, the amount of Fine ascertained by the Jury, and her costs by her in this behalf expended.

C. H. Vandeford, Publisher of the "Old Commonwealth" this day presented in Court, an Account against the County of Rockingham for publishing among his lists of Road Viewers appointed for this County, and for 200 copies of said paper containing the "Road Law," 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 1875, if any surplus remains out of said Levy.

filed.

On the application of E. L. Lambert & others, for the establishment of a public road from a point on the road leading from River Bank to McGaheysville, near River Bank, to the Rockingham Turnpike, at some point near Anderson's Blacksmith Shop, a report and survey of which has been returned to the Court by James M. Weaver, S. P. K. Miller and Adam Bear, who were, by a former order of this Court, appointed viewers to report the same to this Court.

10 Sept 1855 On the petition of J. S. Fry and others this day filed, the said James M. Weaver, S. P. K. Miller and Adam Bear are appointed viewers, to view the route hereinafter mentioned, & report to this Court the conveniences and inconveniences that will result as well to individuals as the public, if such road should be established as proposed, and especially, whether any yard, garden, orchard, or any part thereof will have to be taken. And also to report which is the preferable route, the one proposed by E. L. Lambert & others, or the route proposed by J. S. Fry and others:- beginning at Anderson's Shop on the Rockingham Turnpike and following the route indicated on the plat herewith filed, marked "A."- from Anderson's Shop 94 poles to B.- from B. 28 poles to "C" the distance which the road would have to be made; thence with the road now in use 133 poles to B 32, thence 138 poles to a spring, thence 91½ poles to a gate on a road running from River Bank to Lester's Lane.

They shall further report the facts & circumstances, in their opinion useful in enabling the Court to determine which is the better route. They shall report in favor of the one they prefer, with their reasons for the preference, that is the one already reported on by them or the one recommended by J. S. Fry & others. They shall report the names of the land owners & also the grade on this route proposed by said Fry and others, and state which of them require compensation, the probable amount in their opinion, to which each party may be entitled.

They shall return a map or diagram of the route proposed by J. S. Fry & others, with courses & distances, with their report, a statement of the number of days each viewer & surveyor was employed in executing this order, shall be appended to the report & sworn to before a Justice of the Peace or other officer, who shall append his certificate to the same.

The Rules awarded at last term of this Court against Henry Pulse and Jacob F. Neff, for their failure to make report upon their view of the road upon the petition of H. D. Pennybacker & others, were, for reasons appearing to the Court, discharged.

Rules are awarded by the Court, made returnable to the 1st day of the next term of this Court, against Abram Paul jr, B. F. Coker, H. L. Hopkins and Geo. H. Fuck, for their failure to appear at this term as Petit Jurors, when duly summoned.

issd.

Commonwealth,
vs.
J. D. Gilmore,
} An Indictment for trespass No. 2.

1

This day came again as well the Attorney for the Commonwealth as the Defendant by his attorney, and the Defendant filed

his plea of "not guilty," and by counsel demurred to the Indictment, which demurrer the Court overruled; and thereupon came a Jury, to-wit:- A.S. Byrd, Mansfield Marshall, Jno. M. Huffman, A.K. Dutrow, Wm. E. Gaines, Dr. N. Dofflemoyer, A.A. Gainlee, Jno. W. Baldwin, John C. Switzer, Thomas Long, J.L. Wise, & Jacob Meserole, 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.

The Commonwealth
vs
William Minnick. } Upon an Indictment for a misdemeanor.

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, and the Defendant filed his plea of "not guilty", and thereupon came a Jury, to-wit:- Jo. M Bowman, Wilson Carrier, Andrew Lewis, Wm Snider, Geo R Eggenbright, Simon Whitesel, Saml Crebaugh, H. F. Kyger, Geo W. Yancey, C C. Switzer, Philip Holler and L.H. Taylor, who being elected, tried and sworn, the truth in and upon the premises to speak, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 10 o'clock.

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

Chas. S. O'Ferrall,

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, Nov. 17, 1875.

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

On the motion of Samuel R. Sterling, Treasurer of this County, James Steele this day personally appeared in Court, and qualified as his Deputy for Central District in this County, by taking the oaths prescribed by law.

The Commonwealth,
J. D. Gilmore. } Upon An Indictment for Trespass.- No. 3.

This day came again the Jury sworn and impanelled 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 the Defendant guilty, and ascess his Fine at Five Dollars." It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant J. D. Gilmore, the sum of Five Dollars, the amount of the fine by the Jury in their verdict ascertained, and her costs, by her, in this behalf expended.

Wm. P. McCall,
R. H. Haines, &c. } In Chancery.

On motion of Wm P. McCall, and by consent, leave is given to the said McCall to withdraw from the above-named cause, in which a final decree was entered at the May term 1873, an article of Agreement entered into between C. H. Haines, R. H. Haines and Wm P. McCall, dated March 29th. 1869, marked Exhibit "A," also another article of Agreement between James H. Haines, R. H. Haines and Wm. P. McCall, dated 13th. January 1870 marked "D," said McCall leaving certified copies of the same in the papers of the said cause. The said papers to be used by said McCall in a Chancery cause now pending in the Circuit Court of Roanoke County.

original withdrawn March 17, 1876, by Wm. Shands atty. for McCall, & R. & C.

E. N. Conner, Road Commissioner of Ashby Township, this day presented in Court, an Account against the County of Rockingham for 13 days services, as such Commissioner, under orders of the Court, for the year ending June 30, 1875, amounting to $26.00 at $2.00 per day, which was sworn to in open Court, 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 1875.

cap'd. & d.

The following Accounts against the County of Rockingham, were this day presented and sworn to in open Court, 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 1875, if any surplus, if not out of Levy for 1876

cap'd. & d. Wm. B. McAlister, for platform on Judge's Stand, enlarging Jury Box, seats in Jury Room, 2 new tables, fixing windows and doors in Ct. House, &c, ... $46.00

cap'd. & d. L. A. & A. Wise, for 12 yds Cotton & 2 Spools thread for Ct. room, 1.66

On the motion of D. H. Roleton, S.R.C. & as such Adum. of the Estate of Jonathan Peale, dec'd, R. N. Harrison, D. M. Rondabush, G. V. Bantner and A. P. Eiler are appointed to appraise the Estate of said Peale, any three of whom may act, after first being duly sworn.

Commonwealth
vs
William Minnick. } Upon an Indictment for a misdemeanor

This day came again the Jury sworn and impaneled 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 guilty & fix the amount of his Fine at Thirty-five Dollars." It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant, William Minnick, the sum of Thirty five Dollars, the amount of the Fine in their verdict ascertained, and her costs, by her in this behalf expended.

George W Shaver, Appellant,
vs
Jacob C Rhodes, Appellee } Upon an Appeal.

On motion, and for reasons appearing to the Court, this cause is continued until next term at the Appellee's costs.

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, November 18, 1875.

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

a/c B & L. forfd.

This day came John A. Beckone, who alleges that he is aggrieved by an entry in the land books made by Geo. W. Bedrick, Assessor of the Revenue for Stonewall Township in this County, in the years 1874 and 1875, whereby he is charged with $11.43 Taxes for the year 1874, and also $11.43 taxes for the year 1875, on a tract of land containing 61 Acres, described as lying in the Piney Woods in said Township; and thereupon the said John A. Beckone moved the Court to exonerate him from the payment of $22.86 the taxes so erroneously charged against him for said years (1874 & 1875,) which motion was defended by R. H. Compton, acting as the Attorney for the Commonwealth for said County, and the said Geo W. Bedrick, the assessor, who made the assessment, was examined as a witness touching the application. And it appearing that said books, in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County on the — day of — 1874 & 1875, and that application for redress against the erroneous entries was made on this day for the first time; and it appearing that

there is no such tract of Land as said .61 Acres, and that it is improperly charged to said John A. Beckone. 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 there is no such tract of land, and that the said Beckone is erroneously charged on said books with taxes amounting to $22.86; whereupon it is ordered that the said tract of 61 Acres be stricken from the Assessor's Books for said township, and that the said John A. Beckone be exonerated from the payment of $22.86 Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him, = $12.20 - being State Tax and $10.66 County Tax.

This day came Columbia Royer, who alleges that she is aggrieved by an entry in the land books made by Geo. W. Hedrick, Assessor of the Revenue for Stonewall Township in this County, in the years 1874 & 1875, wherby she is charged with $1.41 Taxes for the year 1874, and also $1.41 Taxes for the year 1875, on a tract of Land containing 9 Acres & 3 Roods, described as lying in said township; and thereupon the said Columbia Royer moved the Court to exonerate her from the payment of $2.82, the taxes so erroneously charged against her for said years (1874 & 1875,) which motion was defended by J. F. Compton acting as the Attorney for the Commonwealth for said County, and the said Geo. W. Hedrick, 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, was certified by the Clerk of the County Court of this County on the — days of — 1874 & 1875, and that application for relief against the erroneous entries was made on this day for the first time; and it appearing that said Columbia Royer is assessed with 6 Acres of Land more than she owns - that it should be for 3 Acres & 3 roods instead of 9 Acres and 3 Roods of Land, and that she is improperly charged with 6 Acres. All which the Court certifies as facts proved upon the application aforesaid. On consideration whereof, and from such facts so proved, the Court is satisfied that said Columbia Royer is erroneously charged on said books with 6 Acres of Land, and with taxes amounting to the sum of $2.82/100; whereupon It is ordered that the said assessment be corrected from 9 Acres & 3 Roods to 3 Acres & 3 Roods, on the Assessor's books of said township, and that said Columbia Royer be exonerated from the payment of $2.82 Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him = $1.32 being State tax & $1.50 County tax.

Commonwealth
vs.
James Smith. } Upon an Indictment for a misdemeanor.

This day came again as well the Attorney for the Commonwealth as the Defendant by counsel, and thereupon the Defendant (by consent of the Atty for the Commonwealth, and with the leave of the Court) appeared personally in Court, and confessed a judgment for one cent Fine and costs; It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant the sum of One Cent, and her costs by her in this behalf expended.

J. B. Nicholas, R. A. Scott & D. W. Lewis, Comm'rs appointed at July term last of this Court, this day returned into Court their report of the view of the Road from Meanis Mill to Port Republic & McGaheysville, on the petition of S. A. Cowper &c.

On the motion of Saml. K. Sterling, Treasurer of this County, Eugene. Bear appeared in Court this day and qualified as his Deputy in and for Central District, by taking the oaths prescribed by law.

Upon the Petition of John D. Pennybacker, A. L. Maupin & others, for the establishment of a Public Road, leading from Edom to the Ceres-road, leading by Isaac Acker's to Cowen's Station,

Henry Pulse, Jacob F. Neff and E. Sipe viewers appointed by a former order of this Court in this proceeding, commanding them to view and report upon said proposed route according to law, this day made and returned their report into Court, which upon inspection the Court finds to be defective in this: that it fails to report which of the land-owners along said routes as reported by them (Nos. 1 & 2) require compensation, and the probable amount in the opinion of the said viewers, to which such parties may be entitled, as required by Sec 4, of an Act entitled "an Act to provide for working and Keeping in order the Roads of the Commonwealth," approved March 20, 1875.

It is, therefore, ordered that the said report be re-committed to the said viewers, who are directed forthwith to go upon the lands along said routes, and ascertain which of the owners thereof require compensation, and the probable amount in their opinion, to which such parties are entitled, and make their report so amended to this Court, at its next term. They are further directed to report the probable cost in their opinion, of making said road, on both of said routes, first from Edom to the Ceres-Road leading by Acker's to Cowen's station, and second from the Linville and Brock's Gap Road to the said Ceres-road.

They are further directed to re-examine said routes and ascertain whether a location can be secured for said road, with a grade not exceeding 6 degrees at any one point

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The Survey and Report of W. D. Linn, Samuel Frank and P. M. Dice, Comm's to lay off and assign Dower to Elizabeth Plecker, in the lands of her deceased husband, Peter Plecker, having been filed one month, and no Exceptions being taken thereto, the same is confirmed, and ordered to be recorded in the Deed Book of this Court.

Coffman & Ruffy for use of W. H. Fleming,
vs.
Henry Shacklett, gar. of S. K. Devier. } Upon a Suggestion

For reasons appearing to the Court, this cause which was placed upon the Court's Docket at the October Term last of this Court, is stricken from the Docket

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Coffman & Ruffy for use of W. H. Fleming
vs.
Henry Shacklett, gar of S. K. Devier. } Upon a motion to docket a Sug[n].

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

L. W. Kaylor Pltff,

vs. } Unlawful Entry & Detainer.

Mary Shaver & Levi Shaver, Defts.

This day came again the parties by their counsel, and the decision of the cause was submitted to the Court, and the Court after having fully heard the evidence introduced and the argument of counsel, is of opinion that the Defendants to Mary Shaver and Levi Shaver unlawfully withholds from the Plaintiff the possession of the premises as described in the summons in this cause; It is therefore considered by the Court that the Plaintiff recover of the said defendants possession of the said premises, to-wit:- "one half of the Housed Lot and one third of the garden part of the "Levi Shaver farm," and eight Acres "Oats ground" of said farm, lying on the East side of the Valley Turnpike, and also 8 Acres lying west of the House, and known as the "Middle field,"- the said several parcels being parts of the "Levi Shaver farm" lying about 3 miles South of Harrisonburg, on the Valley Turnpike in said County of Rockingham, and owned by Lewis W. Kaylor, and purchased by him under a Decree of Court, and his costs by him in this behalf expended. And the Clerk of this Court is hereby directed to issue a writ to the Sheriff of this County directed, commanding him to Issued place the said plaintiff in possession of the said premises.

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

Settlement of the Account of John H. Moore, Adm'r. of George Ewers, dec'd;

" " " " " " B. M. Rice, Adm'r of Anna Snell, dec'd,

" " " " " " Michael Zigler, Adm'r of Henry Suter, dec'd,

" " " " " " J. B. Runner & C. A. Bell, Ex'rs of Isaac Bell, dec'd

" " " " " " Abm. Garber, Ex'r of Jacob Miller, dec'd,

" " " " " " John Wampler, Ex'r of John Wampler, dec'd

" " " " " " Saml. Whitmore, guard. of Julia A. Wise, dec'd,

" " " " " " John Zigler, guard. of Samuel Koover, dec'd,

" " " " " " J. A. Whitmore, guard. of Lucy Kahn, dec'd,

" " " " " " J. K. Hammsbergen, Adm'r of R. L. Yancey, dec'd

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Friday, November 19, 1875.

Present:- Hon. Charles T. C. Yerall, Presiding.

On motion of Saml. R Sterling, Treasurer of this County, W. A. Bateman appeared in Court this day and qualified as his Deputy, in and for Stonewall District, by taking the oaths prescribed by law.

W. H. Bowman, Surveyor of Road Precinct, No. 23 in Ashby District, having removed from said District, the Court doth appoint John B. Fisher, to fill said vacancy in Road Precinct No. 23, in said District.

issued

Nelson Morton,
vs
William Gaines } Unlawful Entry & Detainer.

This day came again the parties by their attorneys and the decision of the cause was submitted to the Court, and the Court after having fully heard the evidence and argument of counsel, is of the opinion that Wm. Gaines, the Defendant, unlawfully withholds from the Plaintiff the possession of the premises as described in the summons in this cause; It is therefore considered by the Court that the Plaintiff recover of the said Defendant possession of said premises, to-wit:- "one Acre of Land situated in Rockingham County, on the S.E. corner of a tract of land known as the woodland Pasture Land, formerly owned by St. Clair Kirtley, and bounded on the East by the Massanutten Road, West by the woodland Pasture tract, on the North by the Perry tract of Land & on the South by the woodland tract, now in the possession of said Gaines, and his costs by him in this behalf expended. And the Clerk of this Court is hereby directed to issue a writ to the Sheriff of this County, directed, commanding him to place the said Plaintiff in possession of the said premises.

Jonas A. Keller,
vs
Nathaniel Broomfield. } Unlawful Entry & Detainer.

This day came again the parties by their Attorneys, and the decision of the cause was submitted to the Court, and the Court after having fully heard the evidence and argument of counsel, is of the opinion that the Defendant, Nathaniel Broomfield does not unlawfully withhold from the Plaintiff, the possession of the premises as described in the summons in this cause; It is therefore considered by the Court that the said Defendant go hence without day, and that he recover against the Plaintiff, his costs by him in this behalf expended.

Ann Price,
vs
Daniel Bowman & Henry Petry, executors of J. R. Koogler, late Sheff. of Rockingham County. } Upon a Notice.

Ann Price,
vs
Ephraim Wenger & Frederick Rhodes, executors of J. R. Koogler, late Sheriff of Rockingham County. } Upon a Notice.

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

Levi S. Byrd, Jailor of this County, this day presented in Court an Account against the County of Rockingham, amounting to $64.75 for wood & coal, &c. for Court-House and for receiving & boarding Wm. Spitzer, a vagrant for 69 days, 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 out of the Levy for the year 1875.

c. & d. & d.

Ordered, That the Treasurer of this County do pay out of the Levy for the year 1875, to the following-named parties, the sums opposite their names, being for costs in viewing and reporting upon a proposed public road from the Keezletown Road to the Massanutten Springs, viz:

c. & d. & d.	H. L. Shoup,	as viewer, 3 days @ $3 per day,	$9.00
c. & d. & d.	Thomas Moore,	" " 3 days @ $3 per day,	6.00
c. & d. & d.	J. W. Bowen,	" " 3 days @ $3 per day,	6.00
c. & d. & d. to W. M.	George Smallwood,	as chain carrier 2 days @ $1.00 per day,	2.00
c. & d. & d. to W. M.	Nich. Woodfork,	" " " 2 days @ $1.00 per day,	2.00

The Commonwealth,
&
Abraham Madden. } Upon an Indictment for assault & battery.

This day came again as well the Attorney for the Commonwealth, as the Defendant, by his Attorney, and filed his plea of "not guilty," and thereupon came a Jury, to-wit:—Jo. M. Bowman, Wilson Garner, Andrew Lewis, Wm. Snider, George R. Ergenbright, Simon Whitsel, Samuel Cuebaugh, W. F. Kyger, Geo. W. Yancey, C. C. Switzer, Jacob Meerole and A. H. Dutrow, who being elected, tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant "not guilty." It is therefore considered by the Court, that the Defendant go hence without day.

Jonathan Peale's Admr.
&
John H. Earmon, trustee for Peter F. Earmon. } Upon a Suggestion.

It is ordered that the Trustee do pay out of any funds in his hands or hereafter coming into his hands, belonging to Wm. Peters, to D. H. Roleton, Sheriff of Rockingham County, & as such Administrator of Jonathan Peale, dec'd, $34.13, with interest on $25.38 part thereof from 26th day of March 1861, and on $8.75 the residue thereof from Octo. 13, 1861, till paid and $2.73 costs of judgment in name of Jonathan Peale @ Wm. Peters. And that the Plaintiff recover his costs of this proceeding, and he, the Trustee, is directed to pay the same out of any funds in his hands, or hereafter coming into his hands belonging to Wm. Peters.

1 Jud. docketed.

On the motion of Henry Payne, who made oath thereto according to law, he appeared in Court, and together with J. R. Myers, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00 conditioned according to law, (with the benefit of the Homestead exemption waived,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of John Payne, dec'd; And the Court doth appoint Geo. W. Avey, James C. Kettel, John Joseph and Saml. F. Finchaugh Duncan to appraise the Estate of said John Payne, any three of whom may act, after first taking duly sworn.

J. A Keller, Agent Pltff.
J. N Liggett, Deft } Ass Case, - Upon a Warrant removed.

This day came again the parties by their attorneys, and the Plaintiff, by counsel saith he will not further prosecute his suit; 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, And the Plaintiff has leave to withdraw his Account filed in the papers of this cause, by leaving an attested copy thereof in the said papers.

Gideon Miller,
&
Nathaniel Flook. } Upon a notice to try the liability of certain property to levy.

The Court is of opinion that one of the Cows belonging to the defendant & levied on by Thompson Steele, Constable, to satisfy the Plaintiffs execution is exempt from levy, orders said Cow to be released. The Court is further of opinion that one of said Cows and the Colt levied on by said Constable, are liable to be levied on to satisfy the Plaintiffs execution. The Court further orders that said Gideon Miller recover of said Nathaniel Flook his costs, by him in this proceeding expended.

M. Harvey Effinger & Bro, for the use of A. M. Effinger,
&
Abraham Koontz, jr., } Upon an Attachment.

This day came the parties by their Attorneys, and thereupon the Plaintiffs moved the Court for a judgment for the debt described in their said Attachment against John Flory, who was supposed to be indebted to the Defendant Koontz, and upon whom the Plaintiffs claimed that their said Attachment had been executed as garnishee. And the evidence and argument of counsel having been heard, and it appearing to the Court that said Attachment was not served or executed upon the said Flory, nor upon any other person as garnishee, nor levied upon any property belonging to said Koontz, It is ordered that said Attachment be dismissed, and that the said Flory recover against the Plaintiff, A. M. Effinger, his costs by him in this behalf expended.

The Court doth order that the Treasurer of this County, do pay unto the following-named Commissioners, heretofore appointed by this Court to lay off the several Districts in this County, into Road Precincts, the sums opposite their names, for their respective services, out of the Levy for the year 1875, should there be any surplus, if not, out of the Levy for the year 1876, viz:-

c/p/d.	Henry Pulse,	Linville Dist =	4 days @ $1 =	$4.00	c/p/d.	J. C. Kaltzel	Central Dist. =	3 days @ $1 =	$3.00
c/p/d.	Jo. A Mitchell,	" "	2 " @ $1 =	2.00	c/p/d.	A. Rolston, of D.	" "	3 " @ $1. =	3.00
c/p/d.	Wm. Sellers,	" "	1 " @ $1 =	1.00	c/p/d.	Thothu Sheets,	" "	3 " @ $1. =	3.00
c/p/d.	E. W. Cromer,	Ashley Dist. =	6 " @ $1 =	6.00	c/p/d.	W L Shoup,	Plains Dist	4 " @ $1.	4.00
c/p/d.	E. S Kemper,	" "	6 " @ $1 =	6.00	c/p/d.	Reed Homan,	" "	6 " @ $1.	6.00
c/p/d.	Peter Paul,	" "	6 " @ $1 =	6.00	c/p/d.	J. W. Cromer,	" "	6 " @ $1.	6.00
c/p/d.	W B. Hamdiergen,	Stonewall Dist =	5 days @ $1.	$5.00					
c/p/d.	Wm. B. Yancey,	" "	5 " @ $1 =	$5.00					
c/p/d.	S. P W. Miller,	" "	5 " @ $1 =	$5.00					

Jno. L. Morrison
vs
D. D. Burke
} Upon an award.

Ordered, That this cause be dismissed agreed.

Samuel Barley
vs
Levi Shaver, &c
} Upon a Sug.

D. A. Carson & Lucy N. Carson,
vs
E. Roadcap, Exor. &c. of G. Devrien
} Upon a Sug.

Ordered, That these causes be dismissed.

Margaret Perkins,
vs
John Kelly,
} Upon a warrant.

This day came again the parties by their attorneys and the defendant by counsel, filed his plea of statute of limitations, and the trial of the cause is continued until next term at the Plaintiffs costs

John Kelly,
vs
John Allen, gar. of John Enright.
} Upon an attachment.

Ordered that the trial of this cause be continued until next term at the defendants costs.

N. M. Delay, on a motion to correct an Erroneous Settlement.

Ordered That this cause be dismissed for want of security for Costs, a Rule having been entered at a former term of this Court, on motion of the Clerk thereof.

Ordered that this Court be adjourned until to-morrow at 10 o'clock.

Chas. D. O'Farrell.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday, November 20, 1875.

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

Ordered, That the following-named Jurors be allowed the sum of One dollar each for their services upon the trial of J. D Gilmore upon Indictment No. 1 for misdemeanor (one day,) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:- Joseph M Bowman, Wilson Carrier, Andrew Lewis, Wm. Snider, George W. Engenbright, Simeon Whitsel, Samuel Orebaugh, H. F. Kyger, Geo W. Yancey, C. C. Switzer & Philip Keller, & L. W. Naylor.

c of P'd & delivered. / certified to Aud. of Pub. Accts.

Same order to same Jurors in case of Wm Winnick, upon an Indictment for misdemeanor (one day.) One Dollar each

c of P'd & delivered, certified to Aud. of Pub. Accts.

Ordered, That the following-named Jurors be allowed the sum of Two Dollars each, for their services upon the trial of J. D Gilmore, upon Indictment No. 2, for misdemeanor (two days) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:- A. S. Byrd, Mansfield Marshall, John M Ruffician, A. W. Dutrow, Wm. D. Grimes, D. H. Dofflemoyer, A. A. Gaulden, Jno. W. Baldwin John C. Switzer, Thomas Long, J. L. Wise and Jacob Meserole,

c of P'd & delivered. / certified to Aud. of Pub. Accts.

Ordered, That the following-named Jurors be allowed the sum of One Dollar each, for their services upon the trial of Abm. Maddew, upon Indictment for misdemeanor (one day,) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:- Jos M. Bowman, Wilson Carrier, Andrew Lewis Wm Snider, George W. Engenbright, Simeon Whitsel, Samuel Orebaugh, H. F. Kyger, Geo. W. Yancey, C. C. Switzer, Jacob Meserole & A. W. Dutrow.

c of P'd & delivered. certified to Aud. of Pub. Accts.

Ex parte- Carolyn Bettee:-

Upon the petition of Carolyn Bettee, stating that he is detained under a warrant of arrest and commitment, in the custody of Levi S. Byrd, deputy Sheriff and Jailor of Rockingham County, and that under the circumstances of his case and the charge against him, he is entitled to be admitted to bail, a writ of habeas corpus is awarded him, to the said Jailor directed, commanding him to have the body of the petitioner before Charles T. O'Ferrall, this Judge of the County Court of Rockingham County, this day, at 5 o'clock, P. M, together with the day and cause of his caption and detention.

Samuel Shacklett, John A. Neff & A. Heckman, Committee appointed at the February Term 1875, of this Court, to inspect the Jail of this County, this day returned their report into Court and it appearing from said report that the Jailor of this County has failed to discharge his duties according to the requirements of the 50th Chapter Code of Va. 1873. It is considered by the Court that a Rule be awarded against Levi S. Byrd, Jailor of this County, returnable to the 1st day of the next term of this Court, to shew cause, if any he can, why he should be fined for his failure aforesaid.

issued 1 & c of p'd.

L. W. Naylor
vs
Mary Shaver &c. } Unlawful Entry & Detainer.

Memo:— Upon the trial of this cause, the defendants by counsel, excepted to the opinions of the Court, and filed their two bills of exceptions, which they pray may be signed sealed and enrolled by the Court, which is accordingly done, and are in the words & figures following to-wit; "Lewis W. Naylor, vs. Mary Shaver, &c" - "&c"

Same
vs
Same. } W. S. & D.

On motion of the Defendants, by counsel, execution of the judgment rendered in this cause, is hereby suspended for ten days from this day, in order that they may apply for an Appeal to the Circuit Court of this County.

Jacob Lincoln & A. B. Lincoln, surv'g &c Pltffs.
vs
Fayette Poole, Deft. } Upon an attachment.
&
James W. Taylor, Pltff.
vs
Same, Deft. } Upon an attachment.

These Attachments are dismissed agreed, by consent of parties.

L. S. Byrd, Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $16.00 for receiving Enos Sprinkel, committed by Jacob May, a Justice of the Peace, for the non-payment of a Fine, boarding same 39 days and releasing same, 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. & d.

It appearing to the Court from the report of A. M. Newman, Comm'r. of Accounts bearing date October 8, 1875, & filed on the 11th Oct. 1875, and from the Special report of said Newman, Comm'r. of date Jany. 11, 1875, & filed in the Clerk's Office January 14, 1875, to which reports no exceptions are filed that there is in the hands of Thomas K. Hannaberger, Adm'r. of Robert L. Yancey, dec'd, the sum of Three Hundred and ninety-four $\frac{32}{100}$ dollars, ($394.\frac{32}{100}$) two-thirds of which said sum, to-wit: $263.\frac{04}{100}$ is the interest thereon of the infant children of said R. L. Yancey, dec'd, as named in said special report of date Jany. 11, 1875, thereupon the Court doth order that Thomas K. Hannaberger, Adm'r. of R. L. Yancey, dec'd, do pay over to Andrew B. Irick, the General Receiver of this Court, the said two-thirds of said sum of $394.\frac{56}{100}$, to-wit: $263.\frac{04}{100}$ aforesaid; And the said Irick as General Receiver is ordered to loan the same out upon good & sufficient real estate security compounding the interest thereon annually, and thus hold the said fund subject to the future order of this Court.

c/d.

Martin Brenneman, for use of G. W. Showalter,
vs
Stephen Roadcap, as gar. of A. Brenneman &c. } Upon a Suggestion.

By consent of parties, It is ordered that this cause be removed to the Circuit Court of this County.

Jonathan Peale
vs
O. F. & Pirkey, &c. } Upon a Notice.

Ordered, That the trial of this cause be continued until the next term of the Court at the Defendants' costs.

Ordered, That the following-named Petit Jurors, be allowed the sum of Two Dollars each, for their services at this term of the Court in the trial of civil causes, and that the same be certified to the Treasurer of this County, for payment, viz:- Jno. M. Bowman, Wilson Garrier, Andrew Lewis, Wm. Leider, Geo R Ergenbright, Simon Whitsel, Samuel Orebaugh, M. F. Kyger, Geo W. Yancey, C. C. Switzer, Jacob Messerle & N. N. Dutrow.
c of d delivered

Ludwig Hirsch, Plaintiff,
vs
The Baltimore & Ohio Railroad Company, Deft. } Upon a warrant removed from a Justice of the Peace.

This day came again the parties by their attorneys, and thereupon came a Jury, to-wit:- Jno M. Bowman, Wilson Garrier, Andrew Lewis, Wm. Leider, George R. Ergenbright, Simon Whitsel, Samuel Orebaugh, M. F. Kyger, Geo. W. Yancey, C. C. Switzer, Jacob Messerle and N. N. Dutrow, who being elected, tried and sworn well and truly to try and a true verdict render according to the evidence, after 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 Thirty Dollars." It is therefore considered by the Court that the Plaintiff recover of the Defendant, the sum of $30.00 damages, with interest thereon from the 20th day of November 1875, till paid, and his costs, by him in this behalf expended.

Edward C. Ruffy, Esqr. a regularly licensed Attorney, this day appeared in Court, and qualified to practice law in this Court, by taking the several oaths prescribed by law.
c of d.

John Flory
Wm. Harvey Effinger & Bro, for use of A. M. Effinger,
vs
A. B. Arick & G. W. Berlin, gar.s of Abm. Koontz, jr. } Upon a Suggestion.

Ordered, That this cause be placed upon the Court's Docket, as to A. B. Arick & G. W. Berlin, upon whom the process is returned executed.

Cop.d & delivered
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 Fifteen Dollars, ($15.00) for prosecuting at this term of this Court to conviction, three cases of misdemeanor, to-wit:- Commonwealth vs J. D. Gilmore, same vs same & same vs Wm. Minnick.

W. Harvey Effinger & A. M. Effinger late partners trading under the firm of W. Harvey Effinger & Bro., for use of A. M. Effinger,

John Flory, A. B. Irick, Genl. Receiver of Rockingham County & Geo. W. Berlin, gar. of Abm. Koontz, pi; } Upon a Suggn.

In this case, it appearing to the Court that A. B. Irick, General Receiver of Rockingham County Court is indebted to the defendant Abram Koontz, pi, in the sum of $57.62, after first satisfying the decrees in favor of Rolech Koontz and in favor of Peter Koontz's Admr, It is ordered that the Plaintiffs recover of said A. B. Irick, General Receiver, &c, the said sum of $57.62, without costs, and it further appearing to the Court that the defendant Geo. W. Berlin is indebted to the defendant in the sum of $70.25 of the money received by him from John Flory, It is ordered that the plaintiffs recover of said George W. Berlin the said sum of $70.25, but without costs against said Berlin, and this case is continued as to the defendant, John Flory, for further process.

Ex parte - Camlypes Betty,

Levi S. Byrd, Jailor of Rockingham County this day, in obedience to the writ of Habeas Corpus awarded, brought into Court, Camlypes Betty in said writ named, and certified that the cause of the detention of said Betty, is a writtimus from the United States Court for the Western District of Virginia, and that he holds the said Betty in default of payment of $100 Fine and Costs, imposed upon him by the said Court at its late Fall Term, under an Indictment for violation of the Internal Revenue Laws of the United States, exhibiting the said Writtimus, and the Court not having time to hear the said writ, doth continue the hearing thereof, until Monday morning next at 10 o'clock, and thereupon the said Betty is remanded to the custody of the said Jailor.

Ordered, That Court be adjourned until Monday morning next, 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 Monday, November 22, 1875.-

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

On the motion of Erasmus Fletcher, he is relieved from working on the Roads on account of physical inability.

On an application for a public road from Spaders Church to the Valley Turnpike,

In this case in which the verdict of the ad quod damnum Jury appointed at the June term 1874, was returned at the July Term 1874, it appearing to the Court that said Jury assessed the damages of F. S. Hay, one of the land-holders on said proposed road at $500 Cs, and the Court being unwilling to allow said sum, and it being suggested that a less expensive route can be selected, It is ordered that George W. Effinger, E. H. Cromer and Hiram Coffman be appointed viewers, to view the ground, and report to this Court the conveni-
1+3 copies. -ences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken.

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation, the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and surveyor was employed in executing this order, shall be appended to the report, and sworn to before a justice of the Peace, or other officer, who shall append his certificate to the same.

Ordered, That Mrs M. C. Lupton, Proprietress of the "Revere House", be allowed
c. & D. & d. the sum of Six Dollars for the board of the Jurors in case of the Commonwealth against Gabriel Monroe, (one meal,) tried and convicted at the August Term 1875. of this Court for Felony, which is ordered to be certified to the Auditor of Public Accounts for payment.

Jonas A. Keller,

Nathaniel Broomfield. } Unlawful Entry & Detainer.

Mess:- After the trial of this cause, the Plaintiff by counsel, excepted to the judgment of the Court, and filed his bill of Exceptions, which he prays may be signed, sealed and enrolled, which is accordingly done, and is in the words & figures, following to-wit- Jonas A. Keller & Nathaniel Broomfield, &c."

On the motion of Sam'l R. Sterling, Treasurer of this County, J. D. Scott appeared in Court, and qualified as his Deputy for Stonewall District, by taking the several oaths prescribed by law.

Ex-parte,
Landyses Zetty, = Upon a writ of Habeas Corpus

The petitioner, Landyses Zetty, was again brought into Court, this day, in custody of the Jailor of this County, and the Court having fully heard and considered the cause, is of opinion that the said Landyses Zetty is illegally detained in the custody of the said Jailor. It is therefore ordered that he be discharged therefrom.

Samuel R. Allebaugh, late Sheriff of Rockingham County,
vs. } Upon a suggestion,
John E. Massey, garnishee of
Joseph N. Manzy, S. H. Manzy, H. B. Yancey, J. W. Sellers, T. G.
Manzy & Charles A. Yancey,

This day came again the Plaintiff by his attorney and it appearing to the Court from evidence introduced, that the Defendant John E. Massey is indebted to Joseph N. Manzy and Thomas G. Manzy, two of the Defendants in the Plaintiff's writ of Fieri Facias in the sum of $1188.$\frac{15}{100}$ each, at this date, and that the Plaintiff's said writ of Fieri Facias is a lien upon the said fund in the hands of the said John E. Massey, It is therefore considered by the Court that the Plaintiff recover of the Defendant John E. Massey the sum of $2376.$\frac{30}{100}$ with interest thereon from the 22nd. day of Nov. 1875, title paid.

Ludwig Hirsch, Pltff,
vs. } Upon a warrant removed from a Justice of
The Balto. & Ohio Railroad, Deft. } the Peace.

Memo:- Upon the trial of this cause, the Defendant by counsel, excepted to the opinion of the Court, and filed its bill of exceptions, which he prays may be signed, sealed and enrolled, which is accordingly done, and is in the words & figures following, to-wit:- "Ludwig Hirsch, vs Balto. & Ohio Railroad,"

Nelson Morton Pltff,
vs. } Unlawful Entry & Detainer.
William Gaines, Deft.

Memo:- Upon the trial of this cause, the Defendant by counsel, excepted to the opinion of the Court, and filed his bill of exceptions, which he prays may be signed, sealed and enrolled, which is accordingly done, and is in the words & figures following, to-wit:- "Nelson Morton vs William Gaines,"

Daniel Huff & others,
vs. } On Road Petition.
Peter Pleaker's Heirs, &c.

On an application for a public road.

The Commissioners appointed at a previous term of the Court, to assess the damages of the land-owners along said proposed road, acting in pursuance of an order made at the August Term, 1875,—

of this Court, at the Sept. Term, 1875, returned their Inquest to the Court, ascertaining the damages done to the lands of Peter Plecker's Heirs, and thereupon the said defendants moved the Court to set aside said report and appoint new Commissioners, which motion the Court overruled, and it appearing to the Court that said Commissioners did not assess the dam- cap. -age that will be done to the lands of James H. Plecker, by establishing said road, It is ordered that said Commissioners go upon the lands of the defendant James H. Plecker on the 3d. day of December 1875, and execute the order made in this case at the August Term, 1875.

Mem:- In overruling the motion to set aside the report, and appoint new Commrs. the Defendants, by Counsel, excepted to the opinion of the Court, and filed their Bill of Exceptions, which they pray may be signed, sealed and enrolled, which is accordingly done, and is in the words & figures following, to-wit:- Dl. Neuffs others & Peter Plecker's Heirs &c.

Upon the petition of G.W. Kemper, A. Catenan &c. for the establishment of a public road from Weaver's Mill to the Port Republic & McGaheysville Road, J. B. Nicholas Reuben A. Scott & S. H. Lewis, Comm's. appointed at the July term last of this Court to view and report upon said proposed cap. public road, having returned their report into Court, It is ordered that the following-named land-owners along said proposed route be summoned to appear on the first day of the next term of this Court, to shew cause if any they can, why said road should not be established in accordance with the report of the said Commissioners, viz:- A. J. Baugher, Elias Grim, G. W. Grim & C. S. Weaver.

Ann E. Dillard,

James Ravanaugh } On an appeal,

Ordered, That this cause be continued until next term of the Court, at the Appellant's costs.

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham County, at the Court-House thereof, on Tuesday, November 23, 1875.—

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

Ordered, That John Paul, Geo. G. Grattan and Charles E. Haas be and they are hereby appointed a committee to contract with Maj. Lee, Architect, to superintend and direct such alteration or change, repair or improvement as he and the said committee may think necessary to remedy and relieve the acoustic defects of the Court-Hall of this County; the price to be paid to the said Architect to be the sum of $50.00/100 for his services, to be ~~paid to the said Architect~~ allowed and ordered to be paid by this Court out of the Levy for the year 1875, if any surplus, if not, out of the Levy for the year 1876, upon the certificate of the said committee that the work has been completed and the acoustic defect remedied. The work to be completed within 90 days from this date, and if the said Architect should fail to remedy the defect, he is to receive nothing for his services.

The said committee are further directed to contract with a mechanic for such work, as may be necessary to be done under the direction of said Architect and committee, to be allowed at the end of 90 days from this date, payable out of the Levy for the year 1875, if any surplus, if not out of the Levy for 1876.

The said committee are further directed to return said contracts to this Court at its next term for approval.

It appearing to the Court that Ann E. Gibson, an infant over the age of 14 years has made choice before A. A. Argabright, a Justice of the Peace, of Charles A. Yancey as her guardian, on the motion of said Yancey he appeared in Court, and together with James Lampmack, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $110.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

Ordered That J. S. Hepsley be allowed the sum of Seventy-five dollars for making two General Index Books in the name of Grantor and Grantee, of the deeds contained in Deed Books in the Clerk's office of this Court, from No. 1. to No. 12, under the superintendence of the Clerk and by order of the Court- 50 days @ $1.50 per day, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

cap'd. & d.

This day came Noah Bowman, Exor. who alleges that he is aggrieved by an entry in the Land Book, made by Jno. H. Rhodes, Assessor of the Revenue for Ashby Township in said County, in the year 1875, whereby he is charged with $7.63 Taxes for the year 1875, on a tract of land containing 151 A. 1 R. 26 P. described as lying on Keezletown road, and thereupon the said Noah Bowman's Exor.

c/d.

moved the Court to exonerate him from the payment of $1.76 3 part of the taxes so erroneously charged against him for said year, which motion was defended by Jno. Paul, Attorney for the Commonwealth for said County, and John R. Jones, Assessor, who made the transfer of part of said land was examined as a witness touching the application. And it appearing that said book in which said erroneous entry has been made was certified by the Clerk of the County Court of this County, on the 27th. day of Sept. 1875, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that 35 Acres of the 151 Acre tract was transfered to J. R. Ender on Central Township, and on which he paid the tax, and was not taken off from the tract. 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 Noah Bowman's Exor. is erroneously charged on said book with taxes amounting to $1.76 3 whereupon, It is ordered that the said Noah Bowman's Exor. or Admr. be exonerated from the payment of $1.76 3 taxes so erroneously charged, if not already paid, and if paid that it be refunded to him.

Nelson Morton, }
Wm. Gaines } Unlawful Entry & Detainer.

On motion of the Defendant by counsel, It is ordered that the execution of the judgment in this cause be suspended for fifteen days from this day, in order that he may apply to the Circuit Court of this County for an Appeal.

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

Chas. F. O'Ferrall.

Monday December 20, 1875.

At a County Court held in and for the County of Rockingham at the Court House thereof, on Monday, December 20, 1875.-

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 at and since the last November Term of this Court, in the Clerk's office of said Court, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale.	Wm. Chapman & wife,	to J. Frank. Fitzsimons,
Bargain & Sale.	Christian Funk & wife,	" James F. Lowman,
	Josiah Funk & wife,	" Michael Ritchie,
Trust Deed.	Wm. Life & wife,	" P. G. Patterson, Trustee for A. L. Yancey (same as above)
Bargain & Sale,	Wm. B. Compton, Commr.	" A. L. & Jacob H. Lindsay,
Bargain & Sale.	Peter Heil & wife,	" David McNett,
" "	Saml. Shacklett & wife & Wm. B. Compton, Comm.	" William Fernyhough,
" "	Andrew L. Hart & wife	" Henry Buell,
" "	W. L. Lusty, Spl. Commr,	" J. F. Voorhees,
Release Deed.	A. M. Newman & Ky. Shacklett, Trustees	" Rawley Springs Company,
Trust Deed.	A. B. Strick, Pres't. of Rawley Springs Comp'y,	" A. M. Newman & Ky. Shacklett, Trustees,
Bargain & Sale	Abraham Blosser & others,	" M. Strickler, G. L. Roff & Wm. B. Merritt,
Bargain & Sale.	A. F. Brenner & wife & c, Heirs of Geo. Brenner,	" John G. Lesotes & Saml. L. Lesotes,
" "	Lewis F. Gaither & wife,	" Reuben H. Gaither & others,
" "	Adam Good & wife,	" Jacob A. Rondabush,
" "	A. M. Newman, Commr,	" Ira J. Miller,
" "	Wm. Hopkins & wife,	" John H. Hopkins (old dead.)
" "	Charles A. Yancey, Commr.	" Geo. W. Mauzy,
" "	Christian Good & wife & others,	" Daniel K. Good,
" "	Peter Roller & wife	" John A. Sintzer,
Lis Pendens.	John W. A. Moore,	vs Samuel Allen & Leonidas Triplett, Surv.
Bargain & Sale,	J. A. Loewenbach & wife,	to Mrs. Diannah S. Conrad,
" "	Michael Showalter & wife	" John Zigler,
Trust Deed.	S. B. Good & wife,	" A. M. Newman, trustee,
Bargain & Sale,	Joseph Sieber & wife,	" William Wetzel
Trust Deed	J. F. Fitzsimmons & wife,	" J. M. Miller, trustee for J. W. R. Moore,
Assignment in Bankruptcy	C. D. Gray, Reg. in Bankruptcy,	" John Paul, Assignee of Ky. Harnsberger,
Bargain & Sale.	Henry Pulse & wife,	" Noah H. Beery,
" "	John Mongold,	" Jonas Dove,
" "	James Dove & wife,	" Ahab Dove,
" "	same,	" Reuben Dove,
" "	C. L. Harris & wife,	" John W. C. Houston,
Trust Deed.	Wm. C. Harrison & wife,	" S. B. Mellaugh, trustee for B. F. Armentrout,
Deed of Gift,	Peachy R. Coakley,	" Caroline V. Pirtle
Bargain & Sale,	W. A. Whitecarver & wife,	" John A. Jones, trustee for Sarah L. Jones,
" "	Joseph Wilhite & wife,	" Catharine Showalter,
" "	Joseph Sieber & wife,	" Harvey Dove,
" "	same,	" Israel Caplinger,
" "	Israel Caplinger & Harvey Dove,	" Silas Sieber,
" "	John G. Winfield & wife,	" Edmond Carter, Lee Allen, &c, trustees, &c,
Trust Deed.	Wm. Sandy	" J. J. Logan, trustee for John E. Roller,
Bargain & Sale,	L. H. Taylor & wife,	" A. H. Gaither & wife,

Bargain & Sale,	Charles D. O'Fenall, Commr.,	to	Pierson Wetzel,
" "	James G. Maiden & wife,	"	Allen P. Lamb,
" "	Josephus Lamy,	"	Sarah E. Rhodes & her children,
" "	Samuel M. Yost & wife,	"	J. M. & S. C. Rohr,
" "	Wm. H. Effinger & wife & others,	"	J. M. & S. C. Rohr & Ky. A. Sprinkel,
Division, Plat, &c.	Peter P. Koontz,		widow & Heirs,

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

Settlement of the Account of Wm. H. Kiger, Admr. of Alexander Kiger, dec'd;
" " " " J. D. Roleton, Shff. " " John Fulk, dec'd;
" " " " John H. Anders, Exr. of Eli Anders, dec'd;
" " " " Reuben Huffman, guard. of Fanny S. Garber,
" " " " same, " " Mary Alice Garber,
" " " " D. H. Roleton, " " Lillie A. Reed,

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 Estate of G. W. Gaither, dec'd;
" " " " " " " " Nancy Vinegardner, dec'd;
Inventory of Sales of Real Estate of David Garber,

For reasons appearing to the Court the Rules awarded against George W. Fulk a Petit Juror & Wm. H. Grove, E. S. Kuiper a Grand Juror for their failure to appear at the November Term last, when duly summoned, are discharged.

Commonwealth, }
vs. } Upon an Indictment for misdemeanor.
Peter Rader. }

This day came as well the Attorney for the Commonwealth as the Defendant by counsel, and the Defendant demurred to the Indictment, whereupon argument of counsel being heard, the Court doth sustain the said demurrer, It is therefore considered by the Court that the Indictment be dismissed and the Defendant go hence without day.

Same, }
vs. } Upon same.
Andrew & Wm. Losh. }

This day came the Attorney for the Commonwealth, and entered a Nolle prosequi, It is therefore considered by the Court that the Indictment be dismissed and the Defendants go hence without day.

Commonwealth, }
vs. } Upon an Indictment for misdemeanor. No. 1
Wm. Minnick. }

Commonwealth, }
vs. } Upon an Indictment for misdemeanor. No. 2,
Wm. Minnick. }

This day came as well the Attorney for the Commonwealth, as the Defendant by his attorney, and filed his pleas of not guilty. And on the motion of

the Defendant, these two causes are continued until next term, and Rules are awarded against Henry Stroop, Gideon Westcott & I. F. Brenner & Reed Homan witnesses for the Defendant for their failure to appear at this term of the Court when duly summoned, returnable to the 1st day of the next term of this Court.

Commonwealth,
vs
Wm. Minnick, } Indictment for Assault & Battery.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the Defendant filed his plea of "not guilty," and it appearing to the Court that Saml. C. Williams and R. P. Wilson, two of the Defendants witnesses, were not present in obedience to the summons to this day returned executed, It is ordered that Rules be awarded against said Saml. C. Williams and R. P. Wilson, returnable to the 3rd day of this term for their failure aforesaid.

Commonwealth,
vs
Charles Minnick, } Upon an Indictment for misdemeanor.

This day came the Attorney for the Commonwealth, the Defendant not appearing, and thereupon came the following Jurys to wit: Michael Thomas, D. J. Beline, Michael H. Earmon, Lemuel Pence, David H. Mulvey, John Sites Earmon, Giles Moyerhoeffer, A. W. Wilson, S. P. H. Miller, Samuel Showalter, J. B. Eastham and John C. Good, who being elected, tried and sworn the truth in and upon the premises to speak, and it appearing to the Court, after the Jury was sworn & impaneled that the return of the process was defective, It is ordered that Dr. S. P. H. Miller, one of the Jurors be withdrawn and the remainder of the Jury discharged, and the Court doth award new process against said Charles Minnick, returnable to the 3rd day of this term, Wednesday next, and Benj. Eutsler, E. Yancey and ~~ogmized~~ in the sum of $100 each to appear on Wednesday next. witnesses for the Commonwealth were duly rec-

The Court doth award Rules against S. H. Gibson and John H. Rowhof, returnable to the first day of the next term of this Court, for their failure to appear at this term as Petit Jurors when duly summoned.

Wm. P. Kyle & Martha A. Kyle,
vs
R. P. Eubank & H. A. Reed } Upon a notice now a bond executed for the delivery of Property on day of sale.

This day came the parties by their Attorneys, and it is ordered that this cause be placed upon the Court's Docket, and thereupon the Defendants by counsel suggested the death of Wm. P. Kyle, one of the Plaintiffs and moved to quash the notice upon said bond.

On motion of John W. Leedy, It is ordered that the Estate of D. P. Ragan, dec'd be committed to the Sheriff of Rockingham D. H. Ralston, for administration, It appearing to the Court that Wm. McK. Hartmann, the former Administrator, has been dead more than three months.

Commonwealth, } Upon a Rule. G. Eastham, Adm.r of J.C. Woodward, dec.d; } W. & D.
L.S. Byrd & Jailor of Rs.Co } R. P. Embank,

W.H. Effinger By &c. for A.M. Effinger,
John Flory, gar. of Abm. Koontz, pl } Upon a sug.n John Wine, Wm. A. Newman & others, } Road Petition.

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

The writing purporting to be the last will and testament of Thomas Payne dec.d was this day presented in Court, and being proven by the oaths of James C. Keltzel and James S. Curry, the two subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Catharine Harrison, dec.d, was this day presented in Court and being proven by the oaths of M. Henry Bowman and James B Eiler, the two subscribing witnesses thereto, was admitted to probate, and thereupon the Executor therein-named, Charles D. Harrison, appeared in Court, and together with Daniel S. Harrison and Jacob W. Bowman, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $6.000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining a probate in due form of said will, and qualified accordingly; and on the further motion of said Executor, the Court doth appoint David Eiler, James B Eiler, John R. Bowman & G.P. Bentzel to appraise the Estate of said Catharine Harrison, any three of whom may act, after first being duly sworn.

It appearing to the Court from the certificate of A. Argabright, Justice of the Peace of this County, that J.M. Hodge & C.L. Hodge, infants over the age of 14 years, of John & Frances Hodge, hath made choice of B.F. Hodge as their guardian, thereupon the said B.F. Hodge appeared in Court, and together with John Hodge his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified accordingly.

cafd.

This day, Benjamin F. Bromer, who made oath thereto according to law, appeared in Court, and together with Wm. P. McCall, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $600.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of James Richards, dec.d; it appearing to the Court that the widow of said James Richards had renounced her right to qualify; and on the further motion of said Administrator, the Court doth appoint Peachy Wine, John Wash, Emanuel Spitzer and John Robinson to appraise the Estate of said James Richards, any three of whom may act, after first being duly sworn.

On the motion of Marion Denor, & it appearing to the Court that Layton Denor nominated a co-executor with said Marion Denor of the last will & testament of Wm. Reuton, dec'd, declines to qualify. It is ordered that Marion Denor be appointed Executor of said Wm. Reuton, dec'd and it further appearing that the will of said Wm. Reuton, mortgage at the last June Term of this Court, authorized said Executors to qualify without giving surety, thereupon the said Marion Denor appeared in Court and entered into and acknowledged a bond in the penalty of $500.00, conditioned according to law, without security, as provided in said will, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining a probat of said will in due form, and qualified accordingly.

It appearing to the Court from the certificate of A. Argabright, Justice of the Peace that Robert D. Dovel and Sarah E. Dovel, infant children over the age of 14 years, hath made choice of Jameson H. Dovel their father as their guardian, thereupon the said Jameson H. Dovel appeared in Court, and together with J. B. Eastham and George W. Hedrick, his sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified accordingly.

It appearing to the Court that Sarah F. Weakley, (from the certificate of A. Argabright, Justice of the Peace) hath made choice of Wm. D. Haga, as her guardian, she being an infant over the age of 14 years, thereupon the said Wm. D. Haga appeared in Court, and together with Jesse Hook, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $300.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified accordingly.

On the motion of Rev. Frederick Wampler, and 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, and together with Benjamin Miller & Jacob Miller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified accordingly.

Dr. J. P. H. Miller appointed a Commissioner at a former term of this Court, to view and report upon a proposed change in the route of a proposed road from McGaheysville to Bloomer Springs, upon the application of G. F. Hopkins & others, this day returned his report into Court which is ordered to be filed, and the Court doth award a summons against the following named land-owners, returnable to the next term of this Court, to shew cause, if any they can, why said changes in said proposed route shall not be made according to the Report of Comm'rs. Miller &c. - C. A. Land & Brothers, Jacob Miller, Peter Haynes, Jacob Johnson, Harvey Lilly's Heirs, Harvey Lilley has a life estate George Life, Jacob Yeast, Joseph Michael & James H. McGahey.

Samuel L Slusser, a Special Constable, this day presented in Court an Account against The Commonwealth of Virginia, amounting to
cap'd. the sum of $16.50 for arresting, conveying to Jail & mileage, &c, D.L. Saunders, charged with felony, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

D. A Heatwole, Assessor of Lands for Central District, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $336.00 for 112 days services in re assessment of the Lands in said District, which was sworn to in open Court, and ordered to be certified to the Auditor of Public
cap'd & d. Accounts for payment, the Court having at a former term for reasons appearing, extended the time of said Assessor for returning his Assessment of said Lands until Dec 15th, and it appearing from evidence that a copy of said Land re assessment Book was deposited in the Clerks Office of this Court on the 14th day of December, and also a copy thereof forwarded to the Auditor of Public Accounts on the same day.

John A. Thomas, Assessor of Lands for Plains District, this day presented in Court an Account against the Commonwealth of
cap'd & d & 4 mar. Virginia, amounting to the sum of $225.00 for 75 days services in re assessment of the Lands in said District, which was sworn to in open Court, and ordered to be certified to the Auditor of Public Accounts for payment.

J. D. Logan, late Dep. Sh'ff.
vs.
S. St. C. Sprinkel's Admr. d. b. n. Saml. Shacklett. } In the matter of an award,

This day came the parties by their Attorneys, and they having, by an article of Agreement, bearing date Nov. 24, 1875, submitted all matters in dispute to the final arbitrament & award of Foxhall A. Daingerfield, whose award
in writing, shall be entered up as the judgment of the Court without a rule, cap'd & docketed. which award is in the words & figures following, to wit:-

"We the undersigned, to whom the matters of difference between Samuel Shacklett, Admr. d. b. n. of S. St. C. Sprinkel dec'd & J. D. Logan, late Dep. S. St. C. have been submitted for arbitrament and award, by the terms of the Agreement & articles of submission, to which this, his award is annexed, having examined the receipts, vouchers & other evidence adduced by the parties & the calculations thereon hereto annexed, finds that on the 19th of Sept. 1874 J. D. Logan had paid and advanced $111.76 in excess of the amts. collected by him upon the fees receipted for & those fees for which he had become legally liable to account to said Sprinkel or to his Admr, and doth award that Samuel Shacklett, Admr. d. b. n. of S. St. C. Sprinkel, dec'd, do pay out of the assets of S. St. C. Sprinkel, dec'd, in his hands to be administered, to Joseph D Logan, late Dep S St C, the sum of One hundred and eleven dollars and seventy-six cents, ($111.76) with interest thereon from the 31st day of Dec. 1875, till paid.

Given under my hand and seal this 20th day

of Dec. 1875.

Foxhall A. Daingerfield, ⊗

It is therefore considered by the Court that J. D. Logan, late Dep. S. R. C. do recover of Saml. Shacklett, Admr. d. b. n. out of the assets of A. St. C. Sprinkel, dec'd, in his hands to be administered, the sum of $111.76 with interest thereon from Dec. 31, 1875, till paid.

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, December 21, 1875.

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

Wm. P. Kyle & Martha A. Kyle his wife
⊗
Robert P. Eubank, &c. } Upon a notice on a bond executed for the delivery of property on day of sale.

On motion of the defendant, the order made on yesterday in this cause having been erroneously entered, is corrected so as to read as follows, viz:- "This day came the parties by their attorneys, and it is ordered that this cause be placed upon the Court's Docket, and thereupon the defendants by counsel, suggested the death of Wm. P. Kyle, one of the Plaintiffs, and moved to quash the notice upon said bond, and the bond.

Commonwealth,
⊗
Wm. Minnick, } Upon an Indictment for selling Liquor on the day of an Election - No 2.

For reasons appearing to the Court, the order made on yesterday in this cause, continuing the trial of the same until next term is set aside; and thereupon again came the Attorney for the Commonwealth and entered a Nolle prosequi; It is therefore considered by the Court that the Indictment be dismissed and the defendant go hence without day.

James Steele,
⊗
John A. Long's Admr. } Upon a Notice.

This day came the parties by their attorneys, and it is ordered that this cause be placed upon the Court's Docket, and the trial of the cause continued until the next term of the Court.

Commonwealth
⊗
Wm. Minnick, } Indictment for Assault & Battery.

This day came again as well the Attorney for the Commonwealth as the Defendant, by counsel, and thereupon came the following Jury, to-wit:- Michael Thomas, D. J. Kline, Michael H. Eamon, Lewis Pence, David

A. Kulsey, John Sites, Eggman, Giles Moyerhoffer, N. P. Wilson, S. C. Miller, Samuel Showalter, J. B. Eastham and A. L. Byrd, who being elected, tried and sworn the truth to say 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 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" and thereupon it is considered by the Court that the Defendant go hence without day, and recover his costs by him in this behalf expended against M. A. Kelpheusteine endorsed as prosecutor.

Henry Empsworthiley, Appellant,
v.
Samuel Empsworthiley, Appellee. } Upon an Appeal.

This day came again the parties by their Attorneys, and for reasons appearing to the Court this cause is continued until the next term at the Appellants costs, and the Sheriff of Warren County having failed to return a summons against Jacob Tobin, one of the Appellants witnesses, a Rule is awarded against the said Sheriff, for his failure aforesaid, returnable to the first day of next term.

Rule issued on mailed Dec. 29/75.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, Dec. 22 1875.

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

It For reasons appearing to the Court, the Rules awarded on the first day of this term against C. P. Wilson and Saml. C. Williams as witnesses in behalf of Wm. Minnick ads The Commonwealth are dismissed.

On the motion of Ann Price, the Estate of Elizabeth Miller is committed to D. S. Roleton, Sheriff of Rockingham County for administration, it appearing to the Court that more than three months has elapsed without administration on said Estate.

✓ On motion of same, the same order as to Estate of Polly Argabright.

✓ On motion of same, the same order as to Estate of Fannie Argabright.

Certificate to Auditor Dec. 27/75.

✓ On the application of Madison West and upon the introduction of evidence, ✓ John Paul, Attorney for the Commonwealth defending the application, it appears that Madison West is entered with a tract of land lying in Plains District of 377 Acres, which should be 316 Acres. It is ordered

that the said Assessment to Madison West of one tract of land of 377 Acres be corected and fixed at 316 Acres, the valuation remaining the same, it appearing to the Court from the evidence of John A. Thomas the Assessor who made the Assessment that 61 Acres of the said 377 Acres stands charged and improperly charged on the Books of said Plains District to Dewitt West, and that said comection be certified.

Commonwealth,
vs
Charles Minnick } Upon an Indictment for disturbing Public Worship.

This day came again the Attorney for the Commonwealth, and the Defendant not appearing, the process having been returned duly executed to this day of the term, the Court assigned him counsel, who filed a plea of "not guilty," and thereupon came the following Jury, to-wit:- Michael Thomas, P. J. Cline, Michael K. Eamon, Lynn Pence, David A. Hulvey, Giles Moyerhoeffer, A. H. Wilson, S. P. D. Miller, Samuel Showalter, A. S. Byrd, John Huddleson and Augustine Armentrout, 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, and assess his fine at Sixty-five Dollars." And thereupon the Court fixed the term of his imprisonment in the County Jail at thirty days. Whereupon, on the motion of the Attorney for the Commonwealth, a writ of Capias ad Audiendum Judicium is awarded against the Defendant, to be directed to the Sheriff of this County, commanding him to take the said Defendant, Charles Minnick, if he be found within his bailiwick, and him safely keep, so as to have him here on Friday next, Dec. 24th. 1875, to shew, if anything he hath to say, why the Court then should not proceed to pronounce judgment against him, according to law.

Granville Eastham, Admr. of J. C. Woodson, Trustee for &c
vs
Robert P. Eubank. } M E & D.

This day came again the parties by their Attorneys, and the Defendant filed his plea of "not guilty, and thereupon the trial of the cause was continued generally.

Wm. A. Paul, Pltff
vs
Robinson Davis, Defts. } Attachment.

Ordered, That this cause be dismissed agreed.

George W. Shaver, Appellant,
vs
Jacob C. Rhodes, Appellee } Jno. D. Pennybacker, Appellant,
vs
Geo. K. Moyers' Admx. Appellee.

On motion of the Appellees, and for reasons appearing to the Court, these causes are continued until next term at their costs.

Ann E Dillard, Appellant
vs.
James Kavanaugh Appellee

On motion of the Appellant, and for reasons appearing to the Court the trial of this cause is continued until the next term of the Court, at her costs.

The Court doth award a Rule against J. B. Eastham, one of the Petit Jurors at this term, for absenting himself from the Court without leave thereof, returnable to the first day of the next term of this Court.

rsd.

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 December 1875, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1875, being in full of his allowance for public services for the year ending Dec. 31. 1875.

cert'd.

This day came Wm. H. West, representing the Estate of Harvey West, dec'd, who alleges that the said estate is aggrieved by an entry in the Land Book, made by John A. Thomas, Assessor of the Revenue for Plains Township in said County in the years 1873 and 1874 whereby the Estate is charged with $5.50 State Tax & $4.95 County Taxes for the year 1874 and $5.50 State Tax and $5.06 County taxes for the year 1873 on a tract of land containing 40 Acres described as lying on the Valley Pike and thereupon the said Wm. H. West moved the Court to exonerate the said Estate from the payment of $21.01 the taxes so charged against said Estate, for said years; which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said John A. Thomas, the Assessor who made the assessment was examined as a witness touching the application.

cert'd.

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 ___ 1873, and on ___ day of ___ 1874, and that application for redress against the erroneous entries was made on this day for the first time; and it appearing that the said 40 Acres of land had been transferred to J. D. Williamson some years before said erroneous assessments, and that said Williamson has also paid the same amount of tax on said land, during the said years. 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 Harvey West's Estate is erroneously charged on said books with taxes amounting to $21.01, whereupon it is ordered that the said Harvey West's Estate be exonerated from the payment of $21.01 taxes so erroneously charged, if not already paid, and if paid that it be refunded to said Estate, $11.00 of which is State Tax and $10.01 County Tax.

This day came Jacob Fink, who alleges that he is aggrieved by an entry in the Land Book, made by John A. Thomas, Assessor of the Revenue for

Plains Township in said County in the year 1875, whereby he is charged with $1.35 State Tax & $1.59 County Taxes for the year 1875, on 39 Acres of Land lying on Capon Run in said County, and thereupon the said Jacob Fink, moved the Court to exonerate him from the payment of $2.89 the taxes so charged against him for said year; which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said John M. Thomas, 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 had been made, was certified by the Clerk of the County Court on the day of 1875, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that the said Tax on said 39 Acres of land, was erroneously extended by the Assessor upon the Land Book of said Township, and that the correct amount of Tax for which said Fink ought to be charged, is $0.02/100 State Tax and $0.03/100 County Tax. 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 Fink is erroneously charged on said book with Taxes amounting to $2.89 whereupon it is ordered that the said Jacob Fink be exonerated from the payment of $2.89 Taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him, $1.33 of which is State and $1.56 is County Tax.

Upon the Petition of R. A. Gibbons and others for a Road from River Bank on the Shenandoah River to some point on the Swift Run Gap Road, near W. S. Miller's.

It appearing to the Court that in the report of Jacob A. Armentrout, late Commissioner of Roads for Stonewall Township, Julia A. Winsborough was allowed the sum of Forty Dollars damages to her land through which the above mentioned road passes, and to the Heirs of Henry Hamsbergen the sum of Forty Dollars damages and that said report was confirmed at the June Term 1873 of this Court, and whereas no order has been made for the payment of the above-mentioned damages. Therefore it is Ordered that the late Township Board of Stonewall Township do pay to Julia A. Winsborough the sum of Forty Dollars for damage to her land in opening the Road from River Bank to Swift Run Gap Road near W. S. Miller's and also to the Heirs of Henry Hamsbergen the sum of Forty Dollars out of any monies in hand or under control of said Board, and if there be none, nor a sufficient amount, the said Board is directed to levy upon and collect a sufficient amount from said Township to pay said amount of damages to the said Julia A. Winsborough, and the Heirs of Henry Hamsbergen.

Ordered, That the following named persons sworn and empannelled on the first day of this Term of the Court for the trial of Charles Minnick, upon an Indictment for misdemeanor, and from said panel, for reasons appearing to the Court, one of said panel, was withdrawn, and the trial fixed for a future day of this term, and the remainder discharged, be each allowed the sum of One dollar for their services, which is ordered to be paid by the Treasurer of this County, and

certified to the Auditor of Public Accounts for payment, viz: Michael
c.p.d. Thomas, D.J. Kline, Michael H. Earmon, Leyms Pence, David B. Bulvey, John
certified to the Aud. of Pub. Accts. Sites Earmon, Giles Moyerhoeffer, A.N. Wilson, S.P.H. Miller, Samuel
N.L.c.c. Showalter, J.B. Eastham and John C. Good.

Ordered, That the following named Jurors be each allowed the sum of One Dollar, for their services upon the trial of Wm. Minnick upon an Indictment for misdemeanor, of which he was acquitted, (one day,) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

c.p.d. Michael Thomas, D.J. Kline, Michael H. Earmon, Leyms Pence, David B.
certified to Aud. of Pub. Accts. Bulvey, John Sites Earmon, Giles Moyerhoeffer, A.N. Wilson, S.P.H. Miller,
N.L.c.c. Samuel Showalter, J.B. Eastham and A.S. Byrd,

Ordered, That the following named Jurors be each allowed the sum of One dollar, for their services upon the trial of Charles Minnick, upon
c.p.d. an Indictment for misdemeanor, of which he was convicted, (one day,) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

cert. to Aud. of Pub. Accts. Michael Thomas, D.J. Kline, Michael H. Earmon, Leyms Pence, David B.
N.L.c.c. Bulvey, Giles Moyerhoeffer, A.N. Wilson, S.P.H. Miller, Saml. Showalter,
A.S. Byrd, John Huddleson and Augustine Armentrout,

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, December 23, 1875.

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

Carpenter & Weaver & J.M. Weaver & R.H. Weaver, } Upon a Notice.
vs
John C. Walker, Assessor of Stonewall Destrict }

✓ Thomas K. Miller, } Upon a Notice.
vs
same.

✓ Hy. B. Harnsberger, } Upon a Notice.
vs
same.

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

Ann Price vs Danl. Bowman, &c, exrtrs of &c. Upon a Notice.
same " Ephm. Wenger, &c, exrtrs of &c. Upon a Notice.

This day came again the parties by their attorneys, and defendants

filed by leave of the Court, their Bill of defence in each cause, and thereupon the trial continued until the next term,

Daniel Duff & others,
Peter Pleasants' Heirs, &c, } Upon a Road Petition.

For reasons appearing to the Court, Charles S. Roulead is appointed a Commissioner in the place of George Carpenter, and he together with the Commissioners heretofore appointed, (Wm. E. Milton, Isaac Showalter & S. A. Applecarver) are directed to go upon the Lands of the Defendants on the 13th. day of January 1876, and execute the order of the Court in this cause, made at the August Term 1875.

Ordered, That Dr. S. P. H. Miller late Commr. of Roads for Stonewall Township be allowed $7.50 for 3 days' services in viewing & locating road from McGaheysville to Bloomer Springs Road, in first report which was heretofore referred to him for amendment, he having made his amended Report to this Court, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

Upon the Petitions of John D. Pennybacker, A. L. Mauzy & others for the establishment of a Public Road from Edom to the Lick Road leading by Isaac Akers's to Conner's Station, and upon the report & amended report made by Henry Pulse, Jacob Neff and Emanuel Sipe, viewers appointed by the Court in this matter,

It is ordered, That C. O. Swank, J. B. Keezy, Henry Keiz, D. G. Brenneman, Isaac Yeager, Jno. D. Pennybacker, & Mary E. his wife, John D. Miller, Mrs. Elizabeth Baxter, M. M. Bowman, Dr. Chapman, H. L. Perry, A. L. Mauzy, M. V. Effinger and Henry J. Showalter, the land-owners on the route of the said proposed public road be summoned to appear at the Court House of Rockingham County on the first day of the January Term, 1876, of said Court, to shew cause, if any they can, why the said proposed public road should not be established according to the prayer of the petition, and upon the route designated therefor by the viewers in their report & supplemental or amended reports aforesaid, and according to the provisions of An Act of the General Assembly of Virginia, approved March 20, 1875, entitled "An Act to provide for working & keeping in order the Roads of the Commonwealth."

Wm. D. Miller,
G. W. Whitsell, &c, } Upon a Distrain Warrant.

It appearing in this cause from the evidence of W. H. Marshall introduced by the Defendant, that the amount of this warrant has been discharged and paid by the Defendant, It is ordered that this cause be dismissed agreed.

Simon Scott,
W. D. Covington, late Constable & Thos. K. Miller his surety, } Upon a Notice for money collected by said Constable.

Upon the calling of this cause, It is ordered that this cause do abate as to W. D. C. Covington, and the cause was submitted to the Court and having fully heard the same, It is considered by the Court that

the Plaintiff do recover from Thomas K Miller, the surety of said W. D. C. Covington, late Constable of Rockingham County, the sum of $29.23 with interest at the rate of 6 per cent. per annum on $27.43 part thereof from Sept. 26, 1857, and on $1.80 the residue thereof from March 12, 1859 till paid, and his costs by him in this behalf expended, subject to the following credits, viz:- $27.50 as of March 26, 1870 and $20.00 as of May 25, 1871.

Ordered, that, for reasons appearing to the Court, David C. Hulvey be exempted from working the roads in Plains District.

Commonwealth of Virginia,

L. S. Byrd, Jailor of Rockingham County. } Upon a Rule for failure to discharge his duties as Jailor according to the requirements of 50th Chap. Code of Va. 1873.

This day came as well the Attorney for the Commonwealth as the Defendant by his Attorney, and the Court having fully heard the evidence introduced, is of opinion that the said L. S. Byrd has not discharged his duties as Jailor of this County, according to the requirements of 50th Chapter Code of Va. 1873, and doth affix a Fine of Fifteen Dollars against him, and the costs of this proceeding. It is therefore considered by the Court that the Commonwealth of Virginia do recover of said Levi S Byrd, Jailor of Rockingham County, Fifteen Dollars the amount of Fine so imposed by the Court, and her costs by her in this behalf expended.

Ordered, That the following named Petit Jurors be each allowed the sum of One dollar for one day's services at this term of the Court, which is ordered to be certified to the Treasurer of this County, for payment, viz:- Michael Thomas, P. J. Keline, Michael H. Eamon, Lynn Pence, David D. Hulvey, John Sites Eamon, Giles Moyerhoffer, A. H. Wilson, S. P. H. Miller, Saml. Showalter, A. S. Byrd & Aug. Armentrout.

Upon the application of G. W. Kemper, H. Bateman, D. J. Weaver & others, for the establishment of a public road, leading from Weaver's Mill along the line between A. J. Baugher and Elias Grim and G. W. Grim, to a point on the road leading from Port Republic to McGaheysville near A. J. Baugher's house, the Court upon the evidence introduced, the papers filed, the Report of J. B. Nicholas, R. A. Scott and S. H. Lewis, filed at the November Term of this Court, and upon the rule against A. J Baugher, Elias Grim, G. W. Grim & D. S. Weaver, land-owners along the said proposed route, doth establish said road as a public road, according to said Report, as follows:- Said road to be 15 feet wide and to be located through the lands of A. J. Baugher, Elias Grim & G. W. Grim equally and up to A. J. Baugher's House and from that point to the Port-Republic & McGaheysville road on G. W. Grim's lands.

"The Court doth allow the damages to the land-owners recommended by the Commissioners in their report, viz:- To A. J. Baugher, $35.00 to Elias Grim, $10.00 & to G. W. Grim $14.00, to be chargeable to the County of Rockingham, and to be paid out of the Levy for the year 1876.

Upon the application of Saml. Goode, the Assessor of Central District is directed to issue to said Samuel Goode, a license as Book Agent upon the payment of one cent, a nominal tax, it appearing to the Court that he proposes to canvass for and sell only Religious Books and that he is a proper person to be entrusted with the sale of such Books.

It is ordered by the Court that Levi S. Byrd Jailor of Rockingham County procure for the use of the Jail of said County, Six substantial bedsteads, and present his account therefor to this Court for allowance.

On the application of Wm. S. Marshall, Surveyor of Road Precinct, No. 21, Stonewall District, it appearing to the Court that it is necessary for said Surveyor to purchase certain tools and powder in order to put the roads in his precinct in traveling condition, It is ordered that said surveyor purchase tools and powder, the cost of which shall not exceed $15.00 the tools so purchased to be the property of the County of Rockingham.

Solomon Huffman,
James Steele, } Upon a Notice.

For reasons appearing to the Court, on motion of the Plaintiff, this cause is continued until next term at his cost, and a Rule is awarded against A. W. Peale one of his witnesses, for his failure to appear at this term of the Court, when duly summoned, returnable to the 1st day of next term.

1 Rule & c/p/d

Ordered, That J. T. Logan, Clerk of this Court be allowed the sum of Two hundred and fifty dollars for public services for the half year ending Dec. 31, 1875, being in full of allowance for the year 1875, which is ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1875.

c/p/d.

David A. Plecker, Appellant
John F. Brown, Appellee. } Upon an Appeal from a judgment of a Justice of the Peace.

This day came again the parties by their attorneys, and the cause was submitted to the decision of the Court, and the Court having fully heard the evidence introduced, on consideration whereof the Court doth affirm the judgment of the Justice of the Peace; It is therefore considered by the Court that the Appellee John F. Brown recover of the Appellant, David A. Plecker, and his surety, M. Babyey Sammon, the sum of Thirty Dollars, with interest thereon from the 1st day of October 1875 till Nov. 27, 1875 and $2.80 costs before said Justice of the Peace, together with 10 per cent. damages on the aggregate amount from the 27th day of Nov. 1875, till paid, and his costs by him in this behalf expended.

✓

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 Friday, December 24, 1875.

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

Upon the petition of A.C. Buck, guardian of Martha V. Fitzgerald, It is ordered that under existing circumstances, that the said guardian be allowed in the settlement of his Account as Guardian, before the Commissioner of Accounts of Rockingham County the sum of $360 paid to his said ward heretofore, and also the additional sum of $50 to be paid to said ward, the Court being satisfied that said ammounts expended are judicious & proper for the maintenance of said ward. But this allowance is only to be applied to this year, and not to be regarded as a precedent.

cap'd & d.

The Court doth award a Rule against D.H. Roleton, Sheriff of Rockingham County, returnable to the first day of the next term of this Court, to show cause if any he can, why he should not be fined for his failure to return according to law two Fieri Facias against J.B. Eastham, late Collector of Stonewall Township & his sureties, one for the benefit of the Commonwealth of Virginia, the other for the benefit of the Commonwealth of Virginia, use of Rockingham County, issued by the Clerk of this Court on the 23d. day of August 1875, and received by J.D. Scott, his Deputy on same day; and also for his failure to return according to law, two other writs of Fieri Facias in name of same against the same Defendants, issued by the Clerk of this Court on 28th. day of July 1875, and received by said J.D. Scott his Deputy on the 2nd. day of August 1875.

issd

Peter Paul, Agent of Lands for Ashby District, this day presented in Court an Account against The Commonwealth of Virginia, ammounting to the sum of $333.00 for 111 days services in the re-assessment of lands in said District, which was sworn to in open Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd.

It is ordered that it be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for this County, is entitled to $5.00 for prosecuting to conviction in one case of misdemeanor, Commonwealth & Charles Minnick.

cap'd

On an application for a public Road leading from Spade's Church to the Valley Turnpike,

The viewers, Abram Leffman, E.H. Conner & George W. Effinger heretofore appointed to view and report on the route of said proposed road, having made their report to the Court, It is ordered that the following persons, land-owners along said route, be summoned to appear at the next term of this Court, and show cause if any they can, why said road should not be established, to-wit:- D.H. Landes, J.G. Kay, Isaac Stone, Samuel Dundore, Mrs. Dundore, (widow,) David Dundore, Geo. E. Deneale B. Landis, Simon Whitsell, John Rowhoff, Mrs. Mary Swank, V. Bolton, Polly Bolton, Calvin Argabright, J.B. Sheets, Thomas Kennedy, Jacob Byerly, — Argabright, (near Spade's Church) and Robert Cook, tenant of Pom Koffee farm.

issued & 19 capias issued

A. N. Peale
vs
Peter Bonds
} upon an Appeal

Saml. H. Brownsford
vs
A. N. Peale.
} upon an Appeal.

By consent of parties, H. A. Daingerfield is selected to sit upon the trial of these two causes, the Judge of this Court having been heretofore engaged as one of the counsel.

J. C. Sprinkel,
vs
S. R. Allebaugh late S. R. & C. Admrs. of J. C. Shoup } upon a Suggestion
gar. of Josiah Turner.

10 Con/y

On motion the Plaintiff a Rule is awarded against the Defendant to appear on the first day of the next term of the Court to answer the aforesaid Suggestion.

On the motion of Benjamin Trumbo, which was resisted by Frank lin F. Trumbo, the Court doth appoint him Curator of the Estate of John Riddle, dec'd, it appearing to the Court that the said Benjamin Trumbo is a devisee and legatee under the will of said John Riddle, which said will is now being contested in the Circuit Court of this County, and will be an heir and distributee of said Estate in case said will should be set aside, and thereupon he appeared in Court, and together with A. H. Buck and Geo. M. Hawley, his securities, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $25,000.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted and qualified accordingly, and the Court on his further motion doth appoint Stephen Roadcap, Isaac Buck, John C. Sprinkel and Moses Turner to appraise the Estate of said John Riddle, any three of whom may act, after first being duly sworn.

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

Chas. T. O'Ferrall.

Monday, January 17, 1876.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, January 17, 1876.

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

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

Bargain & Sale.	Wm. H. Bowman & wife	to Elizabeth Huffman,
" "	John Rife & wife,	" David Driver & Elizabeth Hoover,
Division of Land.	John Showalter,	" Among his Heirs,
Bargain & Sale.	Geo. S. Wine & wife,	" John W & Wm. H. Shaver,
Trust Deed.	Edward S. Kemper & wife,	" A. M. Newman, Trustee,
Bargain & Sale.	Peter Shaver & wife,	" Maria C. Beard & Heirs,
" "	Morgan C. Chapman and wife,	" Deborah Chapman & Heirs,
" "	Eli Long & wife & others,	" Daniel Long,
" "	W. M. Gilbert & wife,	" Rt. Rev. Jas. Gibbons, Bishop of Richmond,
" "	John	
" "	John Wyant & wife	" Jefee Wyant
Trust Deed.	Robert P. Eubank,	" Wm. L. Mowry, Trustee,
Bargain & Sale.	B. G. Patterson Commr.	" Isaac Wyant,
" "	Michael H. Lee & wife	" Sarah Snell,
" "	I. F. Brenner & wife & others,	" Michael Showalter,
Note,	Geo. F. Funkhouser,	" Ephraim Bowman,
Bargain & Sale.	Elizabeth Virginia Douglas,	" Erasmus F. Rinker,
" "	Isaac Ritchie & wife	" Gabriel D. Rhodes
" "	Isaac T. Killen & wife,	" John R. Thompson,
" "	Philip Sowder, Sr.	" Josiah Sowder,
Trust Deed.	John Koontz,	" Foxhall A. Daingerfield, Trustee,
Bargain & Sale.	John Kenney, Exor.	" W. E. Lemley,
Trust Deed.	W. E. Lemley	" B. G. Patterson, Trustee
Bargain & Sale.	Jacob W. Zirkel & wife,	" John Acker,
" "	S. M. Yost & wife,	" H. L. Thorp,
" "	John G. Winfield & wife,	" Same,
Trust Deed.	J. N. Loewenbach & wife,	" W. G. Penniman, J. Witz & C. Strayer, Trustees,
Bargain & Sale.	Simon Bowman, Exr. of Saml Bowman,	" Abram Whitmer,
" "	J. Saml Harnsberger & wife,	" J. D. Logan,
" "	John G. Winfield & wife	" Philip D. Shearer,
Corrected Deed B.B.	Same,	" Same
Trust Deed.	Peter Fahrney,	" Charles E. Fahrney, Trustee for Driver
" "	J. N. Loewenbach,	" George Chrisman, Trustee for &c,
Bargain & Sale.	J. N. Loewenbach & wife,	" N. J. Nicholas, Trustee for S. J. Nicholas,
" "	Samuel Kline & wife,	" David Reedy
Agt & Mech. Lien	E. Royer,	@ Richard Dunlap,
Memo of Agt.	Jacob A. Armentrout	to D. M. Prescott & J. J. Stonebumer
Bargain & Sale.	J. S. Harnsberger, Commr.	" Marion F. Floyd,

Bargain & Sale,	A. M. Newman, Comm.	to J. N. Loewenbach & c,
" "	Wm. Minnick & wife,	" John D. Mills,
" "	Francis W. Bitley & wife,	" Huston Beerley,
" "	A.E. Newbeyer, Exr. of P. Newbeyer,	" Geo. F. Compton, Trustee, &c,
Deed of Lease,	Henry C. Wyethe	" Jerome Kiely & Co.,
" " "	Jerome Kiely &c,	" Mt. Vernon Iron Works,
Bargain & Sale,	John E. Roller & others,	" Geo. F. Sherman, Chancery
" "	Harvey Armentrout & wife,	" Abram Gentry,
" "	John G. Lentes & others	" Benj. F. Lentes,
" "	Charles H. Bowers & wife,	" Joseph Watzel,
Release Deed,	Daniel Miller & wife & others,	" John C. & Samuel F. Miller,
Bond &c,	Catharine Bowman, &c,	" J. A. Triplett,
Trust Deed,	J. C. Staples,	" Wm. Shands, Trustee for A. H. Wilson,
Bargain & Sale,	Rebecca Bare,	" Dr. Allen N. Rader,
" "	John F. Strayer,	" Wm. J. Chrisman,
" "	Granville Eastham & Wm. B. Compton,	" Geo. F. Hasler,
" "	J. A. Loewenbach & wife,	" Michael Smith,
" "	Isaac Acker & wife,	" John Acker,
" "	Wm. D. Hannick & wife,	" Solomon Lantes,

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 Sarah Kahn, Adm. of H. P. Kahn,

" " " " " Geo. F. Sherman Adm. d. b. n. of same,

" " " " " Geo. F. Sherman, Adm. of Sarah Kahn, dec'd & Distributee,

" " " " " John Roleston, jr., Adm. b. t. a. of Jesse Roleston, dec'd.

" " " " " John B. Roller, Exr. of W. A. R. Showalter, dec'd.

" " " " " P. F. Layman, Exr. of Malinda Layman,

" " " " " P. N. Bertram, Exr. of Andrew Bertram,

" " " " " Joseph Heatwole, Exr. of Jno. G. Heatwole,

" " " " " John L. Wise, guard. of Rushrod & Lydia Layman,

" " " " " Joseph Shickel, Committee for Mary Stokes,

The Appraisement & Sale Bills of the Lands of L. Keyser's Estate were this day presented in Court, and no exceptions being taken thereto, are ordered to be recorded.

ch. 180. Sect. 33. Code 1873

Joseph Smith, Sheriff of Greene County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $10.55 for arresting Edward Grant, charged with felony, mileage, summoning witness, &c which being certified by B. P. Peel, Justice of the Peace, 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.

cert'd sent Lyman to Greene Ct. Jany. 21/76 S.T.L.

cert'd.

G. W. Salib presented in Court an Account against the County of Rockingham, amounting to $19.00 for coal furnished for Court House to Dec. 6, 1875, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of Levy for 1876.

The Rules awarded against J. K. Gibson and John F. Roulhac at the December Term last, for his failure to appear as a Petit Juror, when duly summoned, is, for reasons appearing to the Court, discharged.

The Court doth appoint Jacob B. Nicholas, Surveyor of Road Precinct, No. 36, in Stonewall District, extending from the old Dr. Kemper House to the Parkey ford, on North River & thence to the Port Republican Harrisonburg Road near Alexander Rigeis House, with the following hands assigned, viz:- John Nicholas, Charles Nicholas, George Tull, Leonard Tull, Samuel Tull & John Bowman. issued & copy

The Court doth appoint Dr. J. P. K. Miller as Surveyor of Road Precinct, No. 23, in Stonewall District, in place of Thomas K. Miller, resigned. issued & copy

On the motion of Mrs. M. McD. Coffman, Executrix of J. G. Coffman, dec'd. & the Estate of James Roadcap, dec'd. is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months. ✓

Commonwealth of Va.		Wm C. Spindle,	
(22)		(23)	
D. H. Roleton & H. C.	Upon a Rule.	J. K. McClaugherty Admr. of J. C. Sheets,	Upon a Rule.
Wm Lee Lacy,		J. N. Bradley,	
(24)	Sur.	(25)	Upon a
Wm. C. Caldwell, Gar. of Wm Shue		D. B. Reid, guard &c,	Rule.
Thornton & Compton		M. R. & C. Kite	
(26)	Sur.	(27)	Notice,
Wm Lora, gar. of Sarah Coffman &c		Daniel Kline, Com. of M. Good	

Ordered that the ongoing causes be placed upon the Commissioners docket.

Peter Thomas an infant over 14 years of age who has heretofore appeared in Court and made choice of H. F. Troyer Esqr. as his guardian, and thereupon the said H. F. Troyer Esqr. appeared in Court, and together with Reuben H. Harnsberger his security (who is qualified as to his sufficiency) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law; & thereupon the said Troyer took the oath prescribed by law & was duly qualified as such guardian.

Maggie D. Swinkel, infant child of D. H. Swinkel, dec'd, who is over 14 years of age, has appeared in Court and made choice of Wm. H. Roller as her guardian, and the said Wm. H. Roller appeared in Court and together with D. H. Swinkel & Wm. J. Chrisman, his security (who is qualified as to his sufficiency) entered into and acknowledged a bond in the penalty of $4,000.00 conditioned according to law, & thereupon the said Roller took the oath prescribed by law & was duly qualified as such guardian. dpd.

cap.

guardian of Mary A. Spainhour, infant child of J. L. & Spainhour, dec'd under the age of 14 years, and thereupon the said Mary A. Spainhour appeared in Court, and together with Julia A. Spainhour and Geo. W. Dillard, her securities, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4,000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as such guardian.

Charlotte Whipplett, an infant over the age of 14 years, this day appeared in Court, and made choice of John Eversole as her guardian, and thereupon the said John Eversole appeared in Court, and together with Enoch Eversole, his security, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $100.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as such guardian.

D. M. Layton, who was, on the 6th day of January 1876, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham for the term of four years from said date, this day appeared in Court, and together with Wm. Patterson and B. A. Scott, his securities, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $500.00 conditioned according to law, for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption,) which bond is ordered to be recorded by the Clerk of this Court, who is directed to transmit a copy of said bond, and a copy of this order to the Auditor of Public Accounts. And thereupon the said D. M. Layton took the several oaths prescribed by law.

entered bond

It appearing to the Court that Peter Sweadner, the former Administrator of Peter Acker has departed this life, on the motion of Jacob F. Hoffman made oath thereto according to law, he appeared in Court and together with Charles A. Acker, his security, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration, de bonis non, upon the Estate of said Peter Acker, dec'd.

On the motion of Samuel Brickenbergen one of the devisees of Wm. Brickenbergen, dec'd, Luther M. Brickenbergen, who made oath thereto according to law, appeared in Court, and together with Samuel Brickenbergen and John Shader, his securities, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $300 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration, de bonis non, with the will annexed of William Brickenbergen, dec'd.

And the Court doth appoint on the motion of the said Administrator, Reuben Kenffman, Abraham Heatwole, Silas Shacarnate, and William H. Sandy, to appraise the Estate of said William Brickenbergen, dec'd, any three of whom may act, as Commissioners being duly sworn.

Rule awarded at the Executor's case by Mrs Conrad against Ex. Nathan'l Whitehead, to shew cause why Writ of Fi. Fa. should not issue against the Testator's assets in the hands of the Executor.

Ordered by the Court, That so much of the Road as was Recorded No. 8 (Geo. R. Ingersoll right, Surveyor,) running from the Broad Brook Bridge to Port Republic Road, be transferred to Henry E. Pike, Surveyor of Road Record No. 9, and the Hands working on Dr. Pellew and David Gilmore's farms, be transferred to No. 9, Somerville District.

F. M. Kirkley, Plff.
Wm. D. Scott, Defft. } Upon a Notice to quash a Fi. Fa.

This day came the Plaintiff by his counsel and the defendant by his counsel, and the evidence and arguments of counsel being heard and considered, It is ordered that the Execution issued by the Defft. Scott against the Plff. Kirkley on 12th day of June 1871, for the sum of $60.24 with interest from the 1st day of Sept. 1869 be quashed, be quashed, and it is further ordered that the Judgment rendered in this Court by default on the — day of May 1871 for the sum of $60.24 with interest be vacated, and this cause is remanded to rules and the Clerk of this Court is ordered to certify the same to the Circuit Court of this County. as a removed cause, and it is further considered that the Plaintiff recover of the defendant his costs by him in this behalf expended.

It is ordered by the Court that Timothy Hand, Surveyor of Road Record No. 42, Somerville District, the Road running from the Burrows-town Valley Road by Bridges Atlanta to Junkytown Road, and the hands sufficient to furnish the opening of said Road, and report to the next term of this Court the expense involved in such extra labor.

W. J. Maxwell & Co,
Wm. H. Cooke & Wm. C. Brannen } Upon a Notice upon a Bond for the delivery of Property on the day of sale.

This day came the Plaintiffs by their Attorney, and the Defendants being solemnly called, came not, and the Notice was proved, It is therefore considered by the Court that the Plaintiffs have Judgment and Execution against the said defendants for the sum of $105.80 the penalty of the Bond, to be discharged by the payment of $52.90 with interest thereon from the 23d day of September 1875 till paid, and the costs of this motion.

Service,
Cir
Same. } Upon a Notice upon a Bond for the delivery of Property on the day of sale.

This day came the Plaintiffs by their Attorney and the defendants being solemnly called, came not, and the Notice was proved, It is therefore considered by the Court that the Plaintiffs have Judgment

on the said recognizance for the sum of $115.40 Expenses of the Court to be discharged by the payment of $52.70 with interest thereon from the 23d day of September 1878, levied, and the costs of this proceeding.

Peter Paul Foreman, A. L. Lindsay, Wm. R. McKeever, Wm. E. Carrier, B. F. Rickard, Geo. W. Hedrick, Isaac M. Beery, N. C. Switzer & C. W. Fellows were sworn and returned in panelled as a Grand Jury for and for the body of the County of Rockingham, and having received their charge from the Court, retired to consider of their presentments, and it appearing to the Court before any presentments were made that Isaac M. Beery one of the panel was a Road Surveyor the Court ordered the Jury to be brought to the bar of the Court, and thereupon discharged.

The Court then ordered another panel to be summoned, whereupon J. Paul Foreman, A. L. Lindsay, Wm. R. McKeever, Wm. E. Carrier, B. F. Rickard, Geo. W. Hedrick, N. C. Switzer & C. W. Fellows appeared, and were sworn and empanelled as a Grand Jury for and for the body of the County of Rockingham, and having received their charge from the Court, retired to consider of their presentments, and after some time returned into Court, and presented a True bill Peter Paul Foreman, An Indictment against John Taylor for Larceny a True bill Peter Paul Foreman, An Indictment against John Bowman for Assault & Battery, a True bill Peter Paul Foreman, An Indictment against John Brock for disturbing Public worship, a True bill Peter Paul Foreman, An Indictment against Homer Bowman for disturbing Public worship, a True bill Peter Paul Foreman, An Indictment against Barney Puck for Assault & Battery, a True bill Peter Paul Foreman, An Indictment against Geo. W. McGruder for breaking and entering a Store house in the night time, a true bill Peter Paul 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 against each of said Defendants.

summons issued.

The Court doth award Rules against Geo. W. Adams and Geo. Miller returnable to the next term, to shew cause, if any they can why they should not be fined and attached for their failure to appear at this term of the Court as Grand Jurors, neither duly summoned.

issued & c'd/y

Ordered that Peter Paul, A. L. Lindsay, Wm. R. McKeever, Wm. E. Carrier, B. F. Rickard, Geo. W. Hedrick, N. C. Switzer & C. W. Fellows be each allowed the sum of One Dollar, for one days service as Grand Jurors at this term of the Court.

George W. McGruder, who stands indicted, late of this County of Rockingham of a felony by him committed, was this day led to the bar of the Court in custody of the Jailor of this County, and having thereof charge pleaded "not guilty," thereupon Wednesday next January 10th was fixed on for his trial, and the Clerk of this Court is directed to issue a Venire Facias to the Sheriff of this County, commanding him to summon 24 Men to appear here on Wednesday morning next at 10 o'clock, for the trial of said George W. McGruder, and thereupon the Prisoner was ordered into

George W. Brown, Isaac W. Collins and Daniel Miller the three appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100. each, to be levied of their respective goods & chattels, lands and tenements, yet upon this condition, that they each make their personal appearance before this Court on Wednesday morning next at 10 o'clock, as witnesses in behalf of the Commonwealth against George W. McCauley charged with felony.

Wm. S. Whitehead, W. N. Keepharteinand Joseph Clark this day appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. each, to be levied of their respective goods & chattels, lands and tenements, yet upon this condition, that they each make their personal appearance before this Court on Wednesday morning at 10 o'clock, as witnesses in behalf of the Commonwealth against Wilbur and Brown Corbin, charged with a misdemeanor.

rec'd D Rockett Shenandoah.

The Capias awarded at the last term of this Court against Charles Trimmick having been returned "not found" on motion of the Attorney for the Commonwealth, the Court doth order a new Capias to issue directed to the Sheriff of this County, and also one directed to the Sheriff of Shenandoah County, returnable to the next term of this Court.

The Commissioners appointed at former terms to view and make report upon the route of the following roads, viz:- From Landeveen's Shop to Oliver Bank; from Furnace No 2 to Elk Run Church; and to assess the damages to Peter Pickerel's Heirs upon the road from Jacob Stufel's, near Friedens Church to the Old Furnace Roads, this day returned their report into Court, which are ordered to be filed.

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

Chas. S. O'Donald.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, January 18, 1876.

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

On the application of James M. Frazier for an alteration of the location of a Public Road leading from Bloss's Church to Bon Air Mills, of which John A. Bear is Overseer, so as to locate the Road on the line between J. M. Frazier & J. W. Bloss and J. M. Frazier & R. M. Spindle,

The Court doth appoint A. C. Wacker, A. C. Bear & O. H. Miller, viewers to view the ground, and report to this Court the conveniences and inconveniences that will result, as well to individuals as to the Public, if such road should be altered as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken. (1 & 3 capt. ints),

They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the alteration of said road. They shall report the names of the land-owners on such route as prayed to be altered, and state which of them require compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any change in route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate the change in said route which shall not exceed five degrees at any one point. A map or diagram of the changes in said route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace or other officer, who shall append his certificate to the same.

The Commonwealth
vs
John Taylor. } Upon an Indictment for burning a barn.

This day, John Taylor, late of the County of Rockingham, who stands indicted of a felony by him committed, was led to the bar of this Court, in custody of the Jailor of this County; and thereupon the prisoner, by his counsel, moved the Court to quash the Indictment, on consideration whereof, the Court doth overrule said motion to quash, and thereupon the prisoner was arraigned and pleaded "not guilty" to the Indictment; and upon the arraignment of the prisoner, the prisoner, demanded to be tried in the Circuit Court of this County, and moved to remand the case to said Circuit Court, on consideration whereof the Court doth decide that he has no right to make said demand, & doth overrule said motion to remand; and thereupon the trial of this cause is continued until the first day of the next term of this Court, on motion of the prisoner, and at his costs; and thereupon the prisoner was remanded to Jail.

The Commonwealth
vs
Wm. Warwick, } Upon an Indictment for selling intoxicating Liquors on the Sabbath

This day came again as well the Attorney for the Commonwealth as the Defendant by his counsel; and thereupon came a Jury to wit:

W. W. Cave, M. E. Carrier, A. C. Douglas, J. H. Taliaferro, A D Woodson, George Aikhart, jr, J. J. Baxter, R. W. Grubb, A H Brewer, B F. Rickard, Saml S. Miller and James P. McLeod, who being elected, tried and sworn the truth to say and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say "we, the Jury find the Defendant guilty & fix his Fine at Forty three Dollars ($43.00) It is therefore considered by the Court that the Commonwealth of Virginia recover of the Defendant, Wm. Minnick, the sum of $43.00 the amount of Fine by the Jurors in their verdict ascertained, and her costs by her in this behalf expended.

L. Eastham, Adm'r. of J. C. Woodson, Trustee &c
R. P. Endicott, } vs E & D.

On motion of the Plaintiff, by counsel, this cause is dismissed, and it is considered by the Court that the Defendant recover of the Plaintiff, his costs by him in this behalf expended.

Lydia N. Rhodes and Mary M. Rhodes infant children of Peter Rhodes dec'd, over the age of 14 years, this day appeared in Court and made choice of Noah W. Beery as their guardian, and thereupon the said Noah W. Beery appeared in Court, and together with Joseph F. Heatwole, Solomon E Rhodes and Jasper Hawse, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3.000.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as such guardian.

On the motion of Noah W. Beery, the Court doth appoint him as the guardian of Ida C. Rhodes and Emanuel D. Rhodes, infant children of Peter Rhodes, under the age of 14 years; and thereupon the said Noah W. Beery appeared in Court, and together with Joseph F. Heatwole, Solomon E. Rhodes and Jasper Hawse, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2.000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as such guardian.

Ordered, That the following named Jurors be each allowed the sum of One Dollar, for their services upon the trial of William Minnick, upon an Indictment for misdemeanor, of which he was convicted, (one day,) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:— W. W. Cave, M. E. Carrier, A. C. Douglass, J. H. Taliaferro, A. D. Woodson, Geo. Aikhart, jr, J. J. Baxter, R. W. Grubb, A. H. Brewer, B. F. Rickard, Samuel S. Miller and James P. McLeod,

cap. & D.

cert. to Aud. of Pub. accts. 4.1.L.cc.

Upon the application of Henry B Hamsberger & J. M. C. Hamsberger to have the Assessment of their 660 Acre tract of Land, situate on the Shenandoah River near Port Republic, as made by John C. Wacker, A Person for Stonewall District corrected, due notice having been given to said Assessor, and the Attorney for the Commonwealth being present and

cor'd & cert. to Auditor Jan. 22/76.

attending to the interest of the Commonwealth, the said Assessor having been examined & other testimony heard, the Court is of opinion and is fully satisfied that the assessment aforesaid of the said tract of land is too high, and the Court is of opinion that the true value of said tract of 660 Acres of Land, including buildings, is $28.00 per acre, and the Court doth reduce the said Assessment to $28.00 per acre, and the same is ordered to be certified to the Auditor of Public Accounts.

Upon the application of Thomas R. Miller to have the assessment of his 494 Acre tract of Land, situated on the Shenandoah River, as made by John C. Walker, Assessor for Stonewall District, corrected, due notice having been given to said Assessor, and the Attorney for the Commonwealth being present and attending to the interest of the Commonwealth, the said Assessor having been examined, and other testimony heard, the Court is of opinion and is fully satisfied that the Assessment aforesaid of the said tract of Land is too high, and the Court is of opinion that the true value of said tract of 494 Acres of land, including buildings is $30.00 per acre, and the Court doth reduce the said Assessment to $30.00 per acre, and the same is ordered to be certified to the Auditor of Public Accounts.

c of D. certified to Auditor Jany. 22/76.

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Upon the application of Carpenter & Weaver (and J. W. Weaver & R. F. Weaver, in the name of Carpenter & Weaver,) to have the assessment of their 665 Acre tract of Land, situated on the Shenandoah River, as made by John C. Walker, assessor for Stonewall District, corrected, due notice having been given to said Assessor, and the Attorney for the Commonwealth being present, and attending to the interest of the Commonwealth, the said Assessor having been examined, and other testimony heard, the Court is of opinion and is fully satisfied that the Assessment aforesaid of the said tract of land is too high, and the Court is of opinion that the true value of said tract of 665 Acres of Land, including buildings is $32.00 per acre, and the Court doth reduce the said Assessment to $32.00 per acre, and the Court is further of opinion that the said Carpenter & Weaver should not be charged with as much as 665 Acres of Land, and that the true amount of land which should be charged to them is 629 Acres in lieu of 665 Acres as charged, and the same is ordered to be certified to the Auditor of Public Accounts.

c of D certified to auditor Jany 22/76.

✓

Ann Price, Pltff.,

vs.

Daniel Bowman, &c, sureties of John R. Koogler, late S. R. C. } upon a motion

This day came again the parties by their Attorneys, and thereupon came the following Jury to-wit:— M. E. Carrier, J. W. Taliaferro, R. D. Woodson, Geo. Airhart, jr., J. T. Baxter, R. M. Gumble, A. H. Brenner, B. F. Rickard, Saml S. Miller, James P. McLeod, A. P. Stephenstine and Thomas G. Logan, who being elected, tried and sworn a true verdict to render according to the evidence, 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.

Chas. T. O'Ferrall,

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

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

Solomon Huffman & al. Pltfs.,
vs
James Steele. } Upon a motion to quash a Fi fa.

This day came again the parties by their attorneys, and the cause was submitted to the decision of the Court, and the Court having fully heard the evidence and argument of counsel, doth overrule the motion to quash; It is therefore considered by the Court that the Defendant recover of the Plaintiffs his costs by him in this behalf expended.

Henry Dever, Pltff.,
vs
Martin Propst, guard. of Allen B. & Sarah J. Joseph } Upon motion to execute new bond, or have powers revoked.

This day came the plaintiff by his attorney, and the Defendant having had legal notice of this motion, and he failing to appear and execute new bond as the guardian aforesaid, on his motion, the Court doth hereby revoke the powers of the said Martin Propst, guardian of Allen B. & Sarah J. Joseph.

Thomas H. Weaver, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $4.75 for arresting A. J. Bird, charged with felony, summoning 10 witnesses one day guarding self, 2 meals furnished & whipping, which being certified by A. Argabright, 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.

cap'd.

Benjamin Henderson, Special Constable, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $1.40 for arresting Martha Madden, charged with larceny, summoning two witnesses, and whipping, which being certified by J. C. Walker J. P. and that the Defendant is a minor and has no property, 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.

cap'd.

Upon the application of Jonas A. Keller, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is convenient and suitable, and he having produced in Court the receipt of the Treasurer of this County for

the payment of $12.50 the License Tax, It is ordered that a License be granted said Isaac A. Keller to Keep an Ordinary, with the privilege of selling Malt Liquors only, at his present place of business near the Depot of the B.&O. R.R. Company in the Town of Harrisonburg, from Monday 1. to May 1. 1876. This License however, is to have no effect until the said Keller provides five additional rooms to his present buildings, and is prepared to accommodate the public.

It appearing to the Court that the Report of Survey of N. B. Bear, Surveyor of Rockingham County, of a tract of Land, containing 14¼ Acres assessed upon the books of this County to Adam Detrick's Estate, and sold by the Treasurer of Rockingham County, as delinquent land on the 15th day of December 1873, for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. R. Allebaugh, Treasurer of Rockingham County, is made in conformity to law; It is ordered that the certificate of said survey be recorded in the Clerk's office of this County.

L. L. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia amounting to the sum of $53.80 (and one to Jany. 15, 1876) for cp&c. receiving, dieting &c, sundry Prisoners, from Nov. 17, 1875 to Dec. 29, 1875, 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. H. Glatterbuck and John Baker, a Rule is awarded against Strother Sheets, Edward Sheets, E. S. Sheets and Archy 144 cp&c. ind. Sheets, under Sect. 2 & 3 Chap. 149 of Code of Va. 1873, to try right of property returnable to 1st day of the next term of this Court.

The Court doth appoint the following persons as Registrars, at the various voting places in this County, to serve as such for the term of two years, commencing January 1, 1876, viz:-

Plains Dist.	Timberville,	Henry Rife,	Leotis Store, John G. Leotis,
" "	South Legion,	Jackson Nasty	Wattig's Store, - Geo. Wattig,
Linville's Creek,	"	Melrose, E. P. Myers,	Bowers's Shop, - Isaac Turner,
" "	"	Edom, Dr. M. L. Zirkel	Singer's Glen, - Solomon Funk,
Central	"	Harrisonburg, R. D. Cushen,	Not. Solicitors - S. A. Strickler,
"	"	Keezletown, - Geo. P. Bruner,	
Ashby	"	Cerro Keys - W. L. Lucas,	Bridgewater, - John W. Jacobs,
"	"	Mt. Crawford - George D. F. Sheets,	Stoltzfus, - Edward Heatwole,
"	"	Dayton, Stephen J. Fox,	Meyerhoeffer's Store, Isaac Long,
Stonewall	"	Leonards Store, Joseph H. Kite,	Port Republic, John M. Lee
"	"	McGaheysville, Jo. A. Hammon,	Furnace No. 2 - James W. Blair,

Corporations:-

Harrisonburg - R. D. Cushen, Bridgewater, Henry Smith,

J. B. Eastham, Dep. Sher. &c. } Sups.
S. H. Miller, gar. of J. N. Conrad Est. }

M. Haney, Effinger, Bar. for &c. Plff } Sups.
John Flory, G. W. Berlin & N. B. Strickler, gar. of N. Koontz, Jr. }

Ordered that the foregoing causes be dismissed.

Jackson Knopp, Pltff
vs
D.W. Rolston, S.R.C. Deft. } Upon a Notice.

Ordered, That this cause be dismissed, and it is considered that the Plaintiff recover of the defendant, his costs by him in this behalf expended. (the Defendant consenting in Court to pay the Plaintiff's costs)

Patrick Cavner, Pltff,
vs
Patrick Canty, Deft. } Upon a warrant.

Ordered That this cause be dismissed, on Plaintiff's motion, and that the Defendant recover his costs against the Plaintiff, by him in this behalf expended.

Richard Robinson, for Wm. Pltff.
vs
S.R. Allebaugh, S.R.C. Deft. } Upon a Notice. Hoffmans & Ruffy, for Pltff, vs Ely Shacklett, Sen. of W. Devers } motion.

Ordered, That these causes be continued until next term.

Peter Rader Special Constable, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $4.55 for arresting Geo. W. McGruder, charged with felony, mileage & service of two guards, which being sworn to in open Court by the Special Constable and guard, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Upon the Petition of G.T. Hopkins & others, for the establishment of a Public Road from McGaheysville to Bloomer Springs,

Upon the motion of J.V. McGahey, one of the land-owners, through whose lands the proposed route of the aforesaid road passes, the Court doth appoint J.A. Kite, J.C. Walker, T.N. Sellers, J.M. Weaver & Wm B. Yancey to go upon the lands of the said J.V. McGahey, on Friday the 28th day of January 1876, and after first being duly sworn, to ascertain what will be a just compensation for such of the freehold of the said J.V. McGahey, as is proposed to be taken for the purposes of said road. The said Commissioners, (any three of whom may act,) in the discharge of their duties, shall comply, in all respects, with the provisions of Sections nine and ten of Chapter 56 of the Code of 1873, and make return of their report to the next term of this Court, together with the certificate of the justice before whom they qualified.

Upon the Petition of R. Cox & others, for the establishment of a Public Road from Spade's Church to Valley Turnpike,

Upon the motion of Isaac Stone, Mrs. Mary Swank & F.G. Way, land-owners, through whose lands the proposed route of the aforesaid road passes, the Court doth appoint Wm. Eiler, Ed. S. Kemper, Reuben Kauffman, Abraham Paul and Daniel Byerly, to go upon the lands of the said Isaac Stone, Mrs. Mary Swank & F.G. Way, on Saturday, January 29, 1876, and after first being duly sworn, to ascertain what will be a just compensation for such of the free-hold of the said Isaac Stone, Mrs. Mary Swank & F.G. Way, as is proposed to be taken for the purposes of said road. The said Commissioners, (any three of whom may act,) in the discharge of their duties, shall comply, in all

respects, with the provisions of Sections 9 & 10 of Chapter 56 of the Code of 1873, and make return of their report to the next term of this Court, together with the certificate of the Justice before whom they qualified.

Upon the Petition of John D. Pennybacker & others, for the establishment of a Public Road from Edom to Cowen's Station on B. & O. R. Road.

Upon the motion of D. C. Brenneman, Wm. S. Perry, M. D. Effinger and Wm. Chapman, land-owners, through whose lands the proposed route of the aforesaid road passes, the Court doth appoint J. Hoff. Roleton, David A. Heatwole, John H. Roleton, of D, James Baker and Silcum Sellers, to go upon the lands of the said D. C. Brenneman, Wm. S. Perry, M. D. Effinger and Wm. Chapman, on Thursday, Feby. 10, 1876, and after first being duly sworn, to ascertain what will be a just compensation for such of the freehold of the said D. C. Brenneman, Wm. S. Perry, M. D. Effinger and Wm. Chapman, as is proposed to be taken for the purposes of said road. The said Commissioners, (any three of whom may act,) in the discharge of their duties, shall comply, in all respects, with the provisions of Sections 9 & 10 of Chapter 56 of the Code of 1873, and make return of their report to the next term of this Court, together with the certificate of the justice before whom they qualified.

On the motion of J. P. Roleton, late Sheriff of Rockingham County to whom at a former term of this Court, the Estate of Samuel G. Baughen, dec'd, was committed for administration de bonis non, the Court doth appoint J. H. Harnsberger, Wm. B. Yancey, S. P. A. Miller, Geo. B. Gilmer & David Gilmer to appraise the Estate of said Samuel G. Baughen, any three of whom may act, after first being duly sworn.

On the motion of D. H. Roleton, Sheriff of Rockingham County, to whom at a former term of this Court, the Estate of Mary Baughen dec'd, was committed for administration, the Court doth appoint Geo. B. Gilmer, J. B. Eastham, S. C. Taylor, W. A. Marshall & E. G. Sanford to appraise the Estate of said Mary Baughen, any three of whom may act, after first being duly sworn.

On the motion of D. H. Roleton, Sheriff of this County & as such Admr. of the Estate of John Bible, dec'd, the Court doth appoint George Grady, Wm. Roleton, Wm. J. Miller and J. H. Tate, to appraise the Estate of said John Bible, dec'd, any three of whom may act, after first being duly sworn.

The Commonwealth }
vs } Upon an Indictment for felony.
George W. McGruder, }

The prisoner, Geo. W. McGruder, late of the County of Rockingham who stands indicted of a felony by him committed, was this day again called to the bar of the Court, in custody of the Jailor of this County, and the Commonwealth's Attorney for this Court being called, a Jury of sixteen appeared, viz: C. H. Kagey, J. M. Sellers, Erasmus Mohler, E. D. Keller, Wm. H. Berry, Isaac Shelton, Elijah A. Armstrong, Wm. J. Lucas, Jr., D. Mauzy, J. T. Roleton, Chas. G. Skinner, G. W. Keyser, D. C. Brenneman, Wm. H. Eastman, E. S. Thompson & Emanuel Buchanan,

and said panel being examined by the Court, and found to be duly qualified and free from exception, the prisoner was furnished with a copy thereof and having elected to be tried by the oaths of the first twelve of said panel, viz:- D. C. Pleasants, Jr. W. C. Eastman, E. B. Simpson & John W. Mathews, the remaining twelve persons of said panel, viz:- C. A. Richter, J. B. Sellers, Emanuel Fletcher, D. D. Pleasants, Wm. F. Berry, Geo. W. Morton, Elizabeth Johnston, Wm. F. Fawley, Jr. H. Mauzy, S. F. Keaton, Chas. G. Stinnett and L. C. Hopkins, thereby constituting the jury, who being selected, tried and sworn well and truly to try and true deliverance make, between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after sometime returned into Court, and upon their oath do say, "We the jury find a verdict in favor of the Plaintiff for One Hundred & seventy dollars & fifty-one cents ($170.51) with interest from the 1st day of April 1865, until paid," It is therefore considered by the Court that the Plaintiff recover of the Defendants, the sum of $170.51 with interest thereon from the 1st day of April 1865, till paid, and her costs by her in this behalf expended.

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

Chas. L. O'Neall.

Ann Price,
&
Daniel Bowties & John R. Kooglu,
late Sheriffs &c.

Defts

And it being asked of the prisoner if he had or knew to say why the law should not proceed to pronounce judgment against him according to law, and nothing is offered or alleged in delay of judgment, It is the opinion of the Court that the said George W. McGruder be imprisoned in the Penitentiary House of this Commonwealth one year to be computed from the day of his conviction, and after the expiration of that time be discharged from imprisonment for this offence. And the Sheriff of this County, as soon as possible after he shall be able to agree upon a time for the removal of the said George W. McGruder from the Jail of this County to the Penitentiary House of this Commonwealth, shall remove him, the said George W. McGruder, from the Jail of this County to the Penitentiary House of this Commonwealth, and there safely deliver him to the Keeper thereof, together with a transcript of this record, and the said George W. McGruder is remanded to the custody of the Sheriff of this County.

Upon a Notice for money collected by Pltf. Summons Defy. Sheriff and not paid over according to law

in the jury room and in the public jail imparelled on yesterday, for the purpose of this trial, to render a verdict herein, 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 oath do say, "We the jury find a verdict in favor of the Plaintiff for One Hundred & seventy dollars & fifty-one cents ($170.51) with interest from the 1st day of April 1865, until paid," It is therefore considered by the Court that the Plaintiff recover of the Defendants, the sum of $170.51 with interest thereon from the 1st day of April 1865, till paid, and her costs by her in this behalf expended.

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

Chas. L. O'Neall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof on Thursday, January 26, 1865.

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

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 $15.00 for prosecuting to conviction at this term of the Court, one cause of misdemeanor to wit: Commonwealth vs. William Minnick, and also one case of felony, to wit: Commonwealth vs. Geo. W. McGruder.

cap'd.

Ordered, That the following named jurors be each allowed the sum of One Dollar, for their services upon the trial of Geo. W. McGruder, upon an indictment for felony, (on Friday) which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:- D. R. Rieffer, J. B. Sellers, Erasmus Aleshire, D. N. Blackburn, W. H. Yancy,

cert to Aud. of Pub. Accts. L.J.D.C.C.

Geo. W. Skelton, Eliphalet Johnston, John D. Fawley, Jos. H. Yancy, S. H. Marlow, Chas. A. Skinner & L. C. Hopkins.

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

cap'd.

N. W. Deane,	cap'd $2.00	George Airhart, jr.,	cap'd 2.00	B. F. Richard,	cap'd 1.00
M. E. Garber,	cap'd 1.00	J. D. Baxter,	cap'd 2.00	Saml. S. Miller,	cap'd 2.00
C. C. Douglass,	cap'd 2.00	R. M. Grubb,	cap'd 2.00	James P. McLeod,	cap'd 2.00
J. H. Paliafarro,	cap'd 2.00	A. H. Beaver,	cap'd 2.00	A. P. Heckenlively,	cap'd 2.00
A. D. Woodson,	cap'd 2.00	J. M. Bowman,	cap'd 1.00	Thomas A. Logan,	cap'd 2.00

ind. 1+1

The Court doth award a Rule against Lucian P. Cockrell a Petit Juror for his failure to appear at this term of the Court when duly summoned, returnable to the first day of the next term.

ind. 1+1

The Court doth award a Rule against S. T. Fishback, a Peremptory summoned for the trial of Geo. W. McGruder, charged with felony, for his failure to appear, returnable to the first day of the next term.

For reasons appearing to the Court, It is ordered that the Rule awarded against George Whitig, for his failure to appear at this term of the Court as a Grand Juror when duly summoned, is discharged.

On motion of Catharine Harshberger & others, heirs of Samuel Harshberger dec'd., the Estate of said decedent is committed to D. N. Rolston, Sheriff of this County for administration, it appearing to the Court that said Saml. Harshberger has been dead more than three months, and no administration on his Estate.

The Commonwealth } Upon an Indictment for felony.
John Taylor. }

Mems.- Pursuant to leave reserved upon the calling of this cause and at the time of the arraignment of the prisoner, at which time the motions referred to in the Bill of Exceptions were made, the prisoner offered his three

several Bills of Exceptions, which are in the words & figures following to-wit: "The Commitee of Va. vs John Taylor, &c, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done.

John C. Woodson & Wm. B. Compton, partners practicing law under the name of Woodson & Compton } Upon a sug^n

vs

Peter Long, gar. of Noah Shifflett & wife.

This day came the Plaintiff by counsel, and the Defendant Peter Long being solemnly called came not, upon the introduction of evidence, the Court is of opinion that the Plaintiff, Wm. B. Compton, surviving partner of Woodson & Compton is entitled to recover of the Defendant Peter Long the sum of 175^{00} with interest thereon from this day. It is therefore considered by the Court that the said Wm B. Compton, surviving partner of Woodson & Compton, recover of said Peter Long 175^{00} with interest thereon from this day until paid, and as to the residue of the amount claimed in the said Suggestion, the same is continued until the next term of this Court.

M. B E. Kline

vs

Samuel Kline, Committee of Maria Yount } Upon a notice to give new security, or have powers revoked.

Last Pub. Feb 1st

This day came the Plaintiff by his Attorney, and the Defendant having had legal notice of this motion, and he failing to appear and execute new bond as the Committee aforesaid, on his motion, the Court doth hereby revoke the powers of the said Samuel Kline as Committee of Maria Yount.

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

Chas. T. O'Ferrall.

In Vacation: Feby. 14, 1876.

The Clerk of the County Court is hereby ordered to issue a Venire Facias directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury, returnable to the 1st. day of Feby Term next. Given under my hand this 14th. day of Feby. 1876.

Chas. T. O'Ferrall
Judge Rc., Co., Ch.

Teste. J. P. Logan, Clerk

Monday, February 21. 1876.

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

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

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

Bargain & Sale,	Daniel Beasley	to	Board of School Trustees (col'd.) Plains Dist.
" "	Sarah Kingery & others,	"	Timothy Funk, &c, Dist School Trustees Linville "
" "	Frederick Wampler & wife,	"	Same,
" "	A. H. Beery & wife & J. K. Beery & wife,	"	Same,
" "	Jacob Wenger & wife,	"	same,
" "	Samuel R. Allebaugh & wife,	"	same,
" "	Joseph Hoover & wife,	"	same,
" "	Jacob Myers & wife & A. H. Beery & wife,	"	same,
" "	Peter Showalter, Sr. & wife,	"	Peter Showalter, jr.,
" "	John Acker & wife,	"	Isaac Acker,
" "	Abraham Shank & wife,	"	David W. Sanders,
" "	Laura M. Dovel,	"	Mattie Dovel, wife of J. H. Dovel,
Art. of Agreement,	Granville Bashaw,	&	Hopkins & Kisling,
Trust Deed,	James H. West,	to	C. C. Shoemaker, Trustee for Miss Catharine Moore,
Bargain & Sale,	Thomas Ritchie & wife,	"	Jacob Crist & wife,
" "	R. L. Roberts & wife,	"	Joseph S. Sheckhise,
" "	Jacob C. Roadcap & wife,	"	Rev. F. Fenner,
" "	Sandy Dovel & wife,	"	William Monger,
" "	James M. Dovel & wife,	"	Same,
Trust Deed,	E. L. Lambert & wife,	"	Wm. H. Lambert, trustee for Mrs. A. B. Lambert,
" "	James Smith & others, (Church Trustees) col'd.	"	Abram C. Long, trustee for Rev. J. W. Hott,
Bargain & Sale,	Charles E. Haas, Commr,	"	Wm. B. Compton,
" "	Rev. D. Funk & wife & Eph. Rebuck & wife,	"	Conrad H. Long,
" "	Silas R. Good & wife,	"	George N. Ritchie,
" "	David Bear & others,	"	Jacob Driver,
Trust Deed,	Joseph B. Armentrout & wife,	"	D. H. L. Beaty, Trustee for A. B. Armentrout,
Bargain & Sale,	Wm. B. Compton, Commr,	"	Martin Lohr,
Art. of Agreement,	Glen Publishing Company,	"	Wm. B. Blake & James F. Blake,
Bargain & Sale,	M. Snider & wife & J. Zeeman & wife,	"	Aaron Wilson,
" "	Simon Bowman, Exr. of Saml. Bowman,	"	Caroline Peale,
" "	Francis W. Kistley & wife,	"	Leroy S. Heiston,
" "	H. H. Kistley, Commr,	"	Shepherd McKoy
Trust Deed,	James W. Dofflemoyer & wife,	"	James Huffman, trustee for Baar, Scott & Co.,
Bargain & Sale,	Geo. G. Grattan, Commr, &c,	"	James A. Ritchie,
" "	James A. Ritchie & wife,	"	Philip Weller,
Deed for Deling. Land,	J. J. Logan, Clerk of County Court	"	Christopher Miller,
Bargain & Sale,	Jacob Haney Swauk & wife,	"	John P. Swauk,
Negr. Note,	Noah Simmers,	"	Basore & Shearer,
Homestead Deed,	Harvey F. Smith,	"	Claim of Homestead,

Agreement,	John Rhodes Adm'r.	& John Rhodes' Heirs,
Bargain & Sale,	Andrew B. Lasick & wife,	to Wm. D. Rutherford
" "	John Foley,	" A. McCatton & Geo. Seawright,
" "	Wm. B. Yancey & wife & others	" William S. Miller,
" "	Adam Gould & wife,	" John Berry & wife,
Ext. of Agreement,	F. H. Rhinehart	" Isaac Wenger,
Bargain & Sale,	John Peter & wife, & c,	" George Jefferson,
" "	John Paul, Commr,	" John Wright,
Power of Attorney,	Alfred Clevenger & Wm Parmett,	" J. J. Logan,
Bargain & Sale,	Andrew Quist & wife,	" Jane Taylor,
" "	Joel Cline, Exr of Joseph Cline,	" Susan C. Hewkel,
" "	Geo. R. Calvert, Sp'l Commr,	" Mathew White Williamson,
Deed of Partition	John D. Wise & wife,	" Levi Wise & Samuel Beard & wife,
Bargain & Sale,	John C. Adler, Adm'r & Geo Reserve Smith & wife,	" R. B. Jones,
Marriage Contract, &c,	W. G. Richardson & Wm H. McGee,	" George Chrisman, Trustee,
Agt. & Trust Deed,	John F. Long,	" James Rebard,
Bargain & Sale,	Joseph Bowman & wife,	" Jacob Raish,
" "	Wells Heavner,	" Michael L. Brake,
" "	Charles Fulk & others,	" Same,
Ext. of Agt. & Land Div.	Harvey Fulk	& James Fitzwaters,
Trust Deed,	John S. Rhinehart,	to Lewis Ewing, Trustee for Barnes & Heaver,
Bargain & Sale,	Joseph F. Wampler & wife,	" Noah Brock & wife,
" "	John A. Patterson & wife,	" Benj. G. Patterson,
Trust Deed,	Benj. S. Coulbourn,	" J. M. Stover, Trustee for Jos. G. Winfield,
Bargain & Sale,	B. G. Patterson, Trustee, &c,	" Jacob Reagy,
" "	Jacob Reagy,	" John R. Reagy,
" "	Allen W. Vaughn, (old case)	" Winfield Scott Vaughn,
" "	Charles A. Yancey, Commr,	" H. H. McGalia,
" "	Geo. W. Grattan, Commr.	" Gideon Layman,

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

Settlement of the Account of J. R. Allebaugh, Exr of Jacob Allebaugh,

"	"	"	Geo. W. Showalter,	" Joseph Berry,
"	"	"	Nicton Taylor,	" Christopher Keyser,
"	"	"	Wm A. Showalter,	" Anthony Showalter,
"	"	"	Rudolph Myers,	" Joseph Conner,
"	"	"	Wm G. Thompson,	" Geo B. Shaver,
"	"	"	C. Miller,	" Lydia Myers,
"	"	"	E. H. Conner,	" Joseph Conner,
"	"	"	Joseph Bowman,	" John Bowman,
"	"	"	J. B. Dingledine,	" Balser Dingledine,
"	"	"	J. R. Allebaugh, Sheriff &c,	" Barbara Rhodes,
"	"	"	same	" Jacob Vanfleet,
"	"	"	A. N. Sutsiler Adm'r,	" Delilah Sutsiler,
"	"	"	C. A. Van Lear,	" Hardin A. Vanlear,
"	"	"	C. Miller,	" John E. Myers,
"	"	"	J. P. Ralston, Sheriff & Adm'r,	" Reuben Altaffer,

Settlement of the Account of Daniel Bowman, guard. of Elizabeth & Jo. Miller,
" " " " " " Riley Armentrout " " Margaret A. Armentrout
" " " " " " Adam Ander, " " John Bowers,

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

Appraisement & Sale Bill of Per. Property of Est. of Jonathan Peale, dec'd,
" " " " " " " " " " Harvey Bonty, dec'd,
" " " " " " " " " " James Richards, dec'd,
" " " " " " " " " " Michael Hoover, dec'd,
Appr. & Sale Bill, " " " " " " Margaret Evans, dec'd,
Sale Bill, " " " " " " John L. Woodson, dec'd,

On motion of Sam'l R. Sterling, Treasurer of this County, and with the consent of the Court, F. H. Weaver, appeared in Court, and qualified as Deputy Treasurer for Stonewall District, by taking the oaths prescribed by law,

On motion of A. C. Bear, Surveyor of this County, and with the consent of the Court, John W. Bear appeared in Court and qualified as the Deputy of the said A. C. Bear, by taking the oaths prescribed by law.

P. P. Schiffelle, &c, (P) } Notice to execute Sale Bill &c,
vs. (D)
J. N. Shuler, Admr. of C. L. Vineyard, dec'd, }

J. A. Hammond, late S. K. C., (P) } Upon a Notice, Wm. D. Chatterbuck, &c, (D) } Upon a Rule,
vs. (D)
R. S. Heck, } Thos. Steele & others }

Wm. G. Lewis, (P) } M. E. & L. Jas. H. Crawford, (D) } motion to correct Assessment of Land
vs. (D)
Isaac Mongold, } D. N. Heatwole, Asst. Capital Dist. }

D. D. Cowell's Admr, (P) } upon motion to correct Assessment of Land,
vs. (D)
J. C. Wachter, Asst. of Stonewall Dist, }

Wm. Thomas, Jr., (P) vs. (D) J. C. Wachter, Asst. of Stonewall Dist — same motion.
G. I. Harpine, (P) vs. (D) same, same motion.
Cassania B. Harnsberger, (P) vs. (D) same, same motion.
It is ordered that the foregoing cause be placed upon the Causes Docket.

Levi Conner, Pltf (P) } Motion & Suggestion,
vs. (D)
Wm. D. Chatterbuck, Asst. & Wm. Shuler, Sheriff, }
Contra to the allegations of the Plaintiff, this cause is continued.

Com. vs. } Mar. Sess. Indictment for Assault & Battery
Geo. Mack.

This day came the Attorney for the Commonwealth & the Defendant by his Attorney, and the Defendant upon the call of the case in Court comes not, but makes default, whereupon it is considered by the Court that the Recognizance entered into by the said Defendant & his Surety be forfeited, & that Scire facias issue thereon.

Com. vs. } Indictment for Misdemeanor
Chas. Brock.

Same } Defendant discharged on Prosecutor
Chas. Harnsberger. } paying Costs.

The parties in these two cases, not having settled, it is ordered that Alias Summonses be issued against the Defendants, directed to the Sheriff of Shenandoah County, returnable to the first day of the next Session of this Court, also directed to Sheriff of Rockingham County,

issued &c,

The Rule awarded at last Term of this Court against Isaiah Pitsenbarger, for failure to attend as a Witness upon the trial of Jno. McCauley, charged with felony, was for reasons appearing to the Court discharged.

The Report of Wm. Sellers, Jno. B. Linaweaver & Jno. Hailey, Commrs. appointed to assess the damages upon the Lands of Jno. McCauley, upon an alteration of the proposed public road from McCauleyville to Woodstock Springs, this day returned into Court, & ordered to be filed.

The Report of C. S. Kaufman, Reuben Kauffman & Daniel Bogaly, Jurors of the Commonwealth appointed at the last Term of this Court to go upon the Lands of Silas Stone & others and assess the damages upon the Lands of said Stone & others, through which the proposed public road from Spadeville Mill to the Valley Turnpike passes, was this day returned into Court, & which is ordered to be filed.

The Report of Jos. Holston, John A. Holston & D. James Baker & D. A. Heatwole, Commissioners appointed at the last Term of this Court to go upon the Lands of C. B. Brenneman & others & assess the damages upon the Lands of said C. B. Brenneman & others, through which the proposed public road from Edom to Keezee's Station on the O. & A. Railroad passes, was this day returned into Court, which is ordered to be filed.

C. B. Brenneman appearing to the Court that the Lands of the Lands of Jonas Brenneman's Estate and of Silas Eastman's Lands, have not been assigned to him or his Lands, it is ordered that Negro on the Lands of Jonas Brenneman's Estate be assigned to Danl. W. Eberhardt's Road Precinct in Dist. No. 33, Dolly Sods Township, and that on Silas Eastman's Lands to Abraham Hoover's Road Precinct, No. 37, Dolly Sods Township.

Thereupon on motion of the Commonwealth's Attorney, Daniel Hinkle & others are appointed Viewers to view the proposed public road from Edom to Keezee's Station on the O. & A. Railroad, & report to the next Term of this Court.

Estate of Emanuel Rhodes, Minority. Petition for Sale of Real Estate.

William Rice, Benjamin Rice & Geo. H. Rice infant children over the age of 14 years of Geo. Rice, dec'd, having nominated Margaret E. Rice as their guardian, the Court doth appoint her as such, and the Court also doth appoint her guardian of S. N. Helen Rice, Julia Ann Rice, Sarah A. Rice and Ella E. Rice, infant children under 14 years of age of the said Geo. Rice, dec'd, and thereupon the said Margaret E. Rice appeared in Court, and together with John T. Rice, James H. Lacy, J. W. Earnhart & James Kauffman, her sureties, entered into and acknowledged a bond in the penalty of $3000.00 conditioned according to law, (containing the benefits of the Homestead exemption) and qualified accordingly.

Columbia A. Lamb, Wm. H. Lamb and Damaris J. Lamb, infant children of Ezekiel Lamb, over the age of 14 years, having nominated Charles B. Lamb as their guardian, the Court doth appoint him as such, and thereupon he appeared in Court, and together with Ezekiel Lamb, his surety, by J. A. Logan, his Attorney in fact, (duly qualified as to his sufficiency) entered into and acknowledged a bond in the penalty of Eighty Dollars, conditioned according to law, (containing the benefits of the Homestead exemption) and qualified accordingly.

On the motion of Ezekiel Lamb, the Court doth appoint Charles B. Lamb as guardian of his infant children Sarah E. Lamb & Emily A. Lamb, under 14 years of age; and thereupon the said Charles B. Lamb appeared in Court, and together with Ezekiel Lamb, his surety, by J. A. Logan, his Attorney in fact, (duly qualified as to his sufficiency) entered into and acknowledged a bond in the penalty of Sixty Dollars, conditioned according to law, (containing the benefits of the Homestead exemption) and qualified accordingly.

Upon the motion of D. C. Brenneman, one of the sureties of Barbara A. Brenneman, upon her official bond as the guardian of Frances Brenneman infant child of John Brenneman, dec'd, the said guardian came to execute a new bond, instead thereof, with other security, and thereupon the said Barbara A. Brenneman appeared in Court, and together with Peter Ritchie & Barney Myers, her sureties, (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $1.000.00 conditioned according to law, (containing the benefits of the Homestead exemption) and qualified accordingly.

Joseph M. Garber, infant child of Martin Garber over 14 years of age, having nominated John M. Garber as his guardian, the Court doth appoint him as the guardian of Wm. H. Garber, an infant child of said Martin Garber, under the age of 14 years, and thereupon the said John M. Garber appeared in Court, and together with Abraham Garber, 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, (containing the benefits of the Homestead exemption) and qualified accordingly.

certified to Aud.

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On the motion of Wm. H. Keran, Esq. it is ordered that Wm. H. Keran, Esq. be and he is hereby appointed Commissioner of the Revenue for the County of Rockingham, for the term of four years, from the day of his qualification, and that he enter into bond with Chas. A. Sipe and D. Pirtle his securities in the penalty of $ 500 conditioned for the faithful execution of his duties of office, (excepting Exemption of Household and Exemption) which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof and a copy of this order to the Auditor of Public Accounts. And thereupon the said Wm. H. Keran took the several oaths prescribed by law,

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cert'd,

On the motion of the Rev. G. W. Snapp, and 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 Wm. M. Keran, his security, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, (reserving the benefit of the Homestead exemption,) and qualified accordingly.

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cert'd.

On the motion of the Rev. A. D. Funkhouser, and 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 Wm. H. Bantiar, his security, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, (reserving the benefit of the Homestead exemption, and qualified accordingly.

John H. Thomas, John H. Roleton, Jr., Wm. E. Carrier, N. N. Hefner, Erasmus Long, Jacob B. Miller, Daniel B. Wright, St. Clair Kyle, J. J. Little and S. M. Hammer, were sworn and impanneled as 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 and be-coming organized, after some time returned into Court, and made the following present-ment, viz:- An indictment against Martha Plauger, for murder, true bill, John H. Thomas, foreman, and having completed the busi-ness before them, they were discharged from further attendance upon the Court.

Martha M. Plauger, late of the County of Rockingham, who stands indicted for murder, was this day led to the bar of the Court, in custody of the Jailor of this County, and being thereof arraigned, pleaded "not guilty," and thereupon the further consideration of the case was continued until to-morrow, and the prisoner was remanded to Jail.

Ordered, That John H. Thomas, John H. Roleton, Jr., Wm. E. Carrier, N. N. Hefner, Erasmus Long, Jacob B. Miller, Daniel B. Wright, St. Clair Kyle, J. J. Little and S. M. Hammer, be allowed the sum of $ and dollars for their services as this term of the Circuit Court, as a Grand Jury, and that the Auditor be directed to issue to them certificates for the same in accordance with the provisions of an Act of Assembly

Commonwealth, } Upon an Indictment for felony.
John Taylor. }

The prisoner John Taylor was this day again led to the bar of the Court in custody of the Jailor of this Court, and for reasons appearing to the Court his trial is continued until the next term of the Court.

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

Chas. J. O'Ferrall,

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday Feby. 22, 1876.

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

The Rule awarded at the last term of the Court against Geo. W. Adams, for his failure to appear at the January Term last as a Grand Juror, when duly summoned, was, for reasons appearing to the Court, discharged.

c.m.d. W. C. McAlister, this day presented in Court, an Account against the County of Rockingham, amounting to the sum of $106.00 for work at Jail and Court House, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

c.m.d. Wm. C. Coffman, this day presented in Court an Account amounting to the sum of $10.00 as chain carrier one day on Road from Mrs. Hagar's to Rockingham ~~County~~ District line, which was examined and allowed by the Court, payable by Stonewall Township, which Township is directed to make a Levy for same.

✓ Staples & Wilson,
&
Wm. H. Blakemore, Jas. & Wm. Bowman. } Upon a Suggestion.

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

✓ School Trustees of Stonewall District,
&
J. D. Gilmore, } Motion for condemnation of Land for School-House.

This day came the parties by their Attorneys, and it appearing to the Court that the report of Commissioners J. W. Pitt & others, who were appointed at a former term of this Court to ascertain what would be a just compensation for such of the land of the freehold of the defendant proposed to be taken by the Plaintiffs for the purpose aforesaid, having returned their report into Court, from which it appears the sum fixed by said Commissioners is Ninety-five dollars, to which there are no exceptions. On consideration whereof the Court doth confirm the same, and direct it to be recorded, and upon the payment of the said sum of Ninety-five dollars to the said defendant, or in case he shall refuse to receive it, upon the payment of the same into Court, the Sheriff of this County is hereby directed to place the Plaintiffs in this motion, in possession of the land, as set forth and described in said report.

Jeremiah Harnsberger,
vs
J. C. Walker, Jailor &c. } On motion to reduce Land Assessment.

The Court having fully heard this cause, declined to make any change in said Assessment, It is therefore considered that this cause be dismissed.

On motion of Barbara Yount, It is ordered that the Estate of Benjamin Yount, dec'd, be committed to D. H. Roleton, S. Rc. for administration, d. b. n. c. t. a.

On the motion of D. H. Roleton, Sheriff of Rockingham County, as such Admr. d. b. n. c. t. a. of Benjamin Yount, dec'd. It is ordered that Samuel Kline, late Trustee & Committee for Maria Yount, whose powers as such Committee were revoked at the last term of this Court, do settle his accounts as such Trustee and Committee, before A. M. Newman, Comm'r of Accounts for this Court, at once.

Copied ✓

Commonwealth
vs
Martha Flanger. } Upon an Indictment for murder.

The prisoner was this day again led to the bar of the Court in custody of the Jailor of this Court, and for reasons appearing, the Court doth continue her trial until the next term.

The Court doth appoint J. J. Weaver as Surveyor of Road Precinct No. 37 (Weaver's Mill road) in Stonewall District, and the following hands are assigned to said road, viz:- the hands from Weaver's Mill, & on lands of Thomas S. Logan, Elias & G. W. Grim & Jacob Kyger's.

issued &c.

Application of Simeon Miller to have Survey of 383 Acres of Land, purchased at Delinquent Land Tax Sale, recorded.

Ordered That this cause be placed upon the Court's Docket, and continued until next term.

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Patrick Canty
vs
Patrick Carver. }

By consent of parties, the credit of $24.55 endorsed on the judgment of Canty vs Carver, being for the amount of property sold under execution on said judgment, the value of which property the said Carver recovered of Canty on a motion upon an indemnifying bond, be erased, the said Carver being now not entitled to said credit, the pltf. refused to in among the returned Magistrates Exn's.

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Dinner & Smith,
vs
Jones' Bro's. } Upon a warrant.

The Defendant by counsel, suggested the non-residence of the Plaintiffs, and the Court doth award a Rule for security for costs, and thereupon John E. Roller appeared in Court, and entered as security for costs.

cap'd.

On motion of Wm. & Saml. Reubush, creditors of the Estate of F. M. Layton, dec'd, It is ordered that the Report of John G. Fulton, Stephen N. Murry & John N Miller, Commissioners appointed at a former term of this Court to lay off and assign Dower to Eleanor Layton, widow of F. M. Layton, be and the same is hereby set aside, by mutual consent. And it is further ordered that James M. Weaver, John F. Lewis Adam C. Bear, Geo. W. Mauzy & W. B. Hamsberger, be and are hereby appointed Commissioners, any three of whom may act, to lay off and assign Dower to Eleanor Layton, widow of F. M. Layton, in all the Real Estate of which F. M. Layton died seized, and make their Report to the 1st. day of the next term of this Court.

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cap'd for Auditor & mailed to him.

Upon the application of Gerard T. Hopkins, to have the assessment of his 530 Acre tract of Land, situated on Stony Run, as made by John C. Walker, Assessor for Stonewall District, corrected, due notice having been given to said Assessor, and the Attorney for the Commonwealth being present and attending to the interest of the Commonwealth, the said Assessor having been examined & other evidence introduced, the Court is of opinion and is fully satisfied that the assessment aforesaid of the said tract of land is too high, and the Court is of opinion that the true value of said tract of 530 Acres of land, including buildings, is $35.00 per acre, and the Court doth reduce the said Assessment to $35.00 per acre, and the same is ordered to be certified to the Auditor of Public Accounts.

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cap'd for Auditor & mailed to him.

Upon the application of The Shenandoah Iron Works Company to have the Assessment of their One Hundred Acre tract of Land, known as the "Fox Mountain Ore bank", situated in Stonewall District, in the Eastern part of the County of Rockingham, Virginia, as made by John C. Walker, Assessor for Stonewall District corrected, due notice having been given to said Assessor, and the Attorney for the Commonwealth being present and attending to the interest of the Commonwealth, the said Assessor having been examined, and other evidence introduced and heard, the Court is of opinion and is fully satisfied that the assessment aforesaid of the said tract of land is too high, and the Court is of opinion that the true value of said tract of 100 Acres of Land, (upon which there are no buildings) is Twenty-five dollars ($25.00) per acre, and the Court doth reduce the said Assessment from $250.00 per acre to $25.00 per acre, and the same is ordered to be certified to the Auditor of Public Accounts.

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cap'd & d. to E. S. Huffman July 3rd 1876.

On the application of Daniel Huffs others to establish a public road leading from Jacob Slusers, near Friedens Church to the old Furnace Road at Naked Creek Church.

The following land-owners having been summoned in accordance with law, to-wit:- Jacob Sluser, Abraham Flory, Abner Strobaugh, George Sutz, Saml. Gabriel, Wm. Reubush, Samuel Root, David Sutz, Margaret Sutz, S. H. Shank, Nimrod Showalter, Geo. Sherman, George Calhoun, Saml. Whitacre, Jo. Wilhite, Peter Pleasants Heirs, N. Hahns Heirs, Jac. A. Plecker and P. M. Dice; and it appearing to the Court that E. H. Sconner, late Commr. of Roads for Ashby Township has returned his Report in favor of the establishment of said road, with which Report there is a Survey and plat of said route, and in which Report

said Commissioner has allowed no damage to Jacob Slusher, Abm. Probaugh, Abram Story, Geo Lutz, Samuel Gratice, Wm. Reubush, Saml. Root, David Lutz, S. H. Shanks, Nimrod Showalter, George Sherman, George Calhoun, Jo. Willits, N. Hahn's Heirs, and P. M. Dice, said parties claiming none, and has allowed to Margaret Lutz, $10.00 damage and to Saml. Spitzel $7.00, And it appearing further that the Commissioners appointed by the Court to assess the damages on the lands of Peter Plecker's Heirs, and James H. Plecker have allowed to the former $15.00 and to the latter $12.50 as just compensation; and it appearing to the Court that the said road should be established, doth therefore order the payment of the amounts named in this order to the parties entitled thereto, and that the said road be established in accordance with the Report of said Commissioners and Survey & plat accompanying. It is further ordered that the costs of the application for the establishment of this Road be paid by the County, and that this cause be stricken from the Docket.

Levi S. Byrd, Jailor of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $167.05 for receiving & boarding and nursing Wm Spitzer, a Lunatic, from July 16, 1875 to Janry. 31st. 1876, (200 days.) and clothing furnished same, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cert'd.

It is hereby certified that Levi S. Byrd, Jailor of Rockingham County, Va., appeared & proved in open Court that the Lunatic above named was committed to his custody in the Jail of Rockingham County on the 16th. day of July 1875, and that he remained in said Jail continuously from that time to the 31st January 1876 (& still remains in Jail,) That the foregoing account for board, services & necessary articles of clothing furnished said Lunatic under the provisions of Sec. 41. of Chapter 82 of the Code of Virginia (1873) is correct.

And that immediately upon the commitment of said Lunatic to Jail, application was made according to law to the Boards of Directors of both of the Lunatic Asylums of Virginia for admission for said Lunatic, and that such application was refused for want of room, — and that such application has been made to both of the Boards of Directors aforesaid, at least once in every two months from the said 16th July 1875 to the 31st January 1876, and has been refused on the same ground, to-wit: "want of room", and that the said Lunatic is still in Jail.

Henry McDorman, Special Constable, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $9.80 for arresting Mary Plauger & Martha Plauger, charged with felony, summoning 16 witnesses, conveying Martha Plauger to Jail, mileage & board of prisoner, 17 days, which having been sworn to before B. M Rice, a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cert'd. ord.

Thompson Steele, Constable of this County, this day presented in Court, an Account against The Commonwealth of Virginia, for summoning Coroner's Jury & witnesses upon the Inquest of Martha Plauger's child, held on the 27th & 28th January 1876, amounting to the sum of $1.50 which being sworn to,

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

c.s.f.d.o.d. to J. Frankhouser

Ordered, That S. S. Harman, John J. Robinson, Abraham Anders, Michael Seline, John W. Beery, & David P. Rosenberger, be each allowed the sum of One Dollar for their services in holding an Inquest upon the body of

cert. to aud.

Martha Plauger's child, on the 28th. day of January 1876, and that the same be certified to the Auditor of Public Accounts for payment.

c.s.f.d.o.d. to J. Frankhouser.

Ordered, That Dr. James S. Curry be allowed the sum of Five Dollars for making post-mortem examination of the body of Martha Plauger's child, before Coroner's Inquest on 28th. of January 1876, and that the same be certified to the Auditor of Public Accounts for payment.

c.s.f.d.o.d.

Ordered, That Jacob Frankhouser, J.P. and acting Coroner, be allowed the sum of Three Dollars for holding Inquest upon the body of Martha Plauger's child, on the 28th. day of January 1876, and that the same be certified to the Auditor of Public Accounts for payment.

The Commonwealth,
vs
Charles Minnick.

Upon an Indictment for disturbing Public Worship.

The alias Capias ad. audiendum Judicium awarded against the Defendant at the January Term last being returned executed by the Sheriff of this County, the Defendant was led to the bar of the Court, in custody of the Jailor of this County, and it being enquired of him if anything he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the Commonwealth of Virginia recover of the said Defendant, Charles Minnick, the sum of $65.00 the amount of Fine, by the Jurors in their verdict ascertained, at the Dec. Term last of this Court, and her costs by her in this behalf expended, and it is further considered that the said defendant Charles Minnick be imprisoned in the Jail of this County for the period of thirty days. And thereupon the Defendant was remanded to Jail.

J. A. Hammen, late S.R.C.,
vs
A. A. Kesler, Sheriff &c John A. Kesler, W. C. Whitmer, Geo. W. Airey & Abram Anders, sureties of said A. A. Kesler.

Upon a motion to recover money paid by Pltff to Wm. Shacklett recovered against Pltff. at Sept Term of County Court 1875, in consequence of the default of said A. A. Kesler, D. Sheriff &c.

This day came the Plaintiff by counsel, and one of the defendants, Geo. W Airey, by counsel, who filed his plea of [illegible] and the Court having heard the cause continued the same as to the said Geo. W. Airey, and the other defendants having had due notice of this motion, and being solemnly called, came not. It is considered by the Court that the Plaintiff J. A. Hammen, late Sheriff of Rockingham County recover of the Defendant A. A. Kesler, late his Deputy & John A. Kesler, W. C. Whitmer & Abram Anders his sureties on his official bond, the sum of $144.80 with damages thereon at the rate of 15 per cent. per annum from the 15th. day of May 1871 until paid, &

$5.62 costs, subject to a credit of $50.00 May 1. 1871, and his costs by him in this behalf expended.

c o/d. for Auditor. & mailed to him.

This day came Wm. Crawford, Admr. of James R. Crawford, dec'd, who alleges that the Assessment of the lands standing on the land books of Central District in this County, in the name of James R. Crawford, as follows, to-wit:-

833 A. 3 R 27 P.	@ $24 per acre -	War Branch Peak,
18 A. 1 R.	@ 25 " "	" " "
360 A.	@ 4 " "	Hermitage,
322 A.	@ 2 " "	Peak,
146 A.	@ -25 " "	Little N. Mt.

should be revised and corrected; whereupon, in the presence of John Paul, Atty. for the Commonwealth representing the interests of the Commonwealth, and D. A. Heatwole, the Assessor examined as a witness, and it appearing to the Court that the said Assessment is incorrect, it is ordered that it be corrected according to the survey made by order of the Circuit Court of said County, and henceforth stand upon the land book as follows, viz:-

James R. Crawford's Estate,

833 A. 3 R. 27 P.	$24. per a.	Buildings $1800.	Home place,
89 A.	$ 8 "	" 150.	Hermitage
102 A.	$ 2 "	" 100.	Hume tract,
230 A.	.25¢.		Mountain
386 A.	$1.50 "		"

and it is ordered that the same be certified to the Auditor of Public Accounts.

c o/d. & mailed.

This day came Wm. Crawford, Admr. of James R. Crawford, who alleges that he is aggrieved by an entry in the Land Book made by J. R. Jones, Assessor of the Revenue for Central Township, in said County, in the year 1874, whereby he is charged with $5.01 taxes for the year 1874 on a tract of land, containing 18 A. 0 R 39 P. described as lying on War Branch, and that he is also aggrieved by an entry made by said Assessor in the year 1875, whereby he is charged with $4.40 taxes on the same tract of land for the year 1875, and thereupon the said Wm. Crawford moved the Court to refund him the $5.01 taxes for the year 1874, and to exonerate him from the payment of $4.40 the taxes so erroneously charged against said Estate for the said years, which motion was defended by John Paul the Commonwealth's Attorney for said County, and the said J. R. Jones, Assessor, who made the Assessment, was examined as a witness touching the application. And it appearing that said books in which said erroneous entries were made, were certified by the Clerk of the County Court of this County, on the -day of — 1874 & - day of - 1875, and that application for redress against the erroneous entries was made on this day for the first time; and it appearing that by a re-survey of the land standing in the name of James R. Crawford's Estate on the Land books, the said 18 A. 0 R. 39 P. is included in another and larger tract of 833 A. 3 R. 27 P. the said survey being made by order of the Circuit Court of said County,

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 said James R. Crawford's Estate is erroneously charged on said books with taxes amounting to $9.44, whereupon it is ordered that the said James R. Crawford's Estate be exonerated from the payment of $4.40 and that $5.04 of taxes so erroneously paid, be refunded to him.

J. N. Sellers, Trustee, Pltff
vs
W. D. C. Covington's Admn. &c. Defts. } Upon a warrant from a J. P.

This day came again the parties by their attorneys, and the Court having fully heard the cause, doth dismiss the same, It is therefore considered by the Court, that the defendants go hence without day, and that they recover of the Plaintiff their costs by them in this behalf expended. without prejudice to the Plaintiff to institute further proceedings

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John Bowman, jr. Agt. for Catharine Bowman
vs
J. G. Cootes & Co., } Upon an Appeal from a jud. of the J. P.

This day came again the parties by their attys. and the Court having fully heard the cause, is of opinion that this action cannot be maintained in this form, It is therefore considered by the Court that the judgment of the Justice be reversed, and that the Appellant, John Bowman Agt. &c recover of the Appellees, J. G. Cootes & Co, her costs by her in this behalf expended.

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 Wednesday, Feby. 23, 1876.

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

Upon the petition of Robert Cox & others, to establish a public road leading from Spader's Church to the Valley Turnpike, near Burkholder's Spring. The following land-owners having been summoned in accordance with the law, to-wit:- J.B. Sheets, Gabriel Argenbright, John Ronhof, Felty Bolton, Mrs. Mary Swank, Simon Whitzel, Benjamin Landes, George C Deneale, Elijah Dundore's Heirs, Isaac Stone, F.G. Way & D.W. Landes, to show cause against the report of Commissioners made at the last term of the Court & the Report of E.S. Kemper, D.W. Kauffman & Daniel Byerly, viewers appointed to view the lands of Isaac Stone, F.G. Way & Mary Swank being made in due form and returned to Court, and there being no exceptions thereto, their report is confirmed; And the Court having examined the Report of the Commissioners and the survey & plat heretofore returned, and it appearing to the Court that the proposed Road should be established upon the route as laid down in the Report of Survey of Abraham Bloser of date Dec. 14, 1875, except as to that part of the said Road which passes through the lands of F.G. Way & Isaac Stone, which by consent of all parties interested is changed from the route as laid down in said survey and is established upon a line from the point in front of Landes' Mill marked as No. 4, thence through the lands of D.W. Landes & F.G Way on the line of an old road S. 22 3/4 E. about 80 poles to the line of Way & Stone, thence with said line as laid down on said Survey; the Court doth allow damage to the following parties as fixed by the report of the Commissioners & viewers - to F.G. Way, $85.00 Isaac Stone, $25.00 Mary Swank, $15.00 & Geo. C. Deneale $50.00, these being all the parties requiring any compensation.

And upon the payment of the damages allowed to the parties entitled, the Court doth establish said road, and it is further ordered that all the costs attending this application be paid by the County, and that this cause be stricken from the docket.

J. A. Hammen, late S. & C.,

A. A. Keef & Dep. Shff. & John A. Keef, N.C. } Upon a motion
Whitmer Geo. N. Airey & Abm. Andes, sureties of said A. A. Keef, }

Upon the motion of N.C. Whitmore & Abraham Andes, and they having filed their affidavit shewing that they became the sureties of A. A. Keef as Deputy for Hammen, upon the condition that all the persons whose names are signed to the bond were to be bound as sureties of A. A. Keef, and one of said sureties having plead that said bond was not his bond & judgment having been awarded against said Whitmer & Andes upon a notice now pending; It is ordered that said judgment be and the same is hereby set aside, in toto, and the cause is continued until the next term.

P. P. Shofflett, &c,
vs
D. D. Dovel's Adm. &c. } Upon a notice to execute new Bond,

This day came again the parties by their attorneys, and the defendant having had due notice of this motion, On consideration the Court doth order that unless said defendant appears and executes a new bond with other and sufficient surety, as the Administrator d. b. n. with the will annexed of said D. D. Dovel, dec'd, during the March Term 1876, of this Court, this powers as such Administrator shall be and are hereby revoked.

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

Chas. T. O'Ferrall.

In Vacation March. 2. 1876.

The Clerk of the County Court is hereby ordered to issue a Venire Facias directed to the Sheriff of Rockingham County. Commanding him to summon a Special Grand Jury. returnable to the 1st day of the March Term Next. Given under my hand this 2nd day of March 1876.

Chas. T. O'Ferrall
Judge 9th Jud. Dist. Va.

Teste,
J. P. Logan, Clerk

Monday, March 20, 1876.

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

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

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

Bargain & Sale,	James D. Shipe & wife,	to A. J. Nicholas,
" "	Patterson Burgess & wife,	" William P. Tutwiler,
" "	Wm. B. Compton, Commr.	" W. M. Bollert,
Trust Deed.	Thomas Kirkpatrick & wife,	" Benjamin B. Herman, trustee,
Water Right Deed.	Samuel Wampler, Sen'r,	" Martin Wampler, (in lieu of old deed.)
Bargain & Sale,	Abraham Mohler, Commr.,	" Margaret E. Kemper,
" "	John Allebaugh's Adm'r,	" David Brunk,
Report of Commrs,	Edwd. S. Kemper & Jno. B. Webb, Jr., Commrs.	" Chas. A. Vanlear & others- Heirs,
Deed of Partition	Charles A. Vanlear & wife,	" Amanda Vanlear & others,
Bargain & Sale.	Philip Keller, Commr.,	" Emily E. Mitchell,
" "	Tiffen W. Pinchcast & wife,	" Isaac Yaunger,
" "	William B. Compton, Commr.	" Wm. F. & Saml. K. Moyerhoeffer,
Trust Deed.	D. & D. H. Hofflemeyer,	" James Buffman, trustee,
Deed of Homest.,	" Claim of do.,	" Claim of Homestead, &c,
Bargain & Sale	" Joshua Shoen	" Joshua Shoemaker,
" " son,	" James Layman,	" James Layman,
" " wife, &c,	" S. G. & A. W. Barfe, &c,	" S. G. & A. W. Baugher, (old deed.)
" " mon'r,	" John W. Palmer,	" John W. Palmer,
" " ats,	" Harvey Spinats,	" Harvey Spinner,
" " & Heirs,	" Jacob Senger & Heirs,	" Jacob Senger,
" "	" Same,	" Same,
" " le,	" W. S. Penniman & le,	" W. S. Penniman & le, Trustees of J. A. Shewbach,
" "	" Annie Lay,	" Annie Layman,
" " mon'r,	" G. M. Williamson,	" G. M. Williamson,
" " ing,	" M. A. Earman,	" M. A. Earman,
" "	" John W. Lunsford & wife,	" James C. Kettyel,
" "	Peter A. Shearer,	" David A. Plecker,
" "	D. A. Plecker,	" John J. Roller,
" "	Henry A. Smith & others,	" Leorin H. Snider,
Trust Deed.	Henry Keller & wife,	" A. C. Wade, trustee for Rice & Shutters,
Bargain & Sale.	Jno. W. Driver & wife,	" Hugh B. Pence & others, Trustees,
Trust Deed.	Elizabeth G. Haga,	" Jacob S. Rodes, trustee,
Lis Pendens,	Joseph Bauserman,	& Geo. W. Bauserman & Sarah J., his wife,
Dep't in Bankruptcy.	L. D. Gray, Reg. in Bankruptcy,	to John Paul, Assignee of John R. Smeltz,
Bargain & Sale,	John Paul, Assignee of Jno. R. Smeltz,	" Samuel Miller, trustee for Elizabeth C. Gay,
" "	Samuel Frank, trustee of David Garber,	" Jacob Zigler,
" "	James C. Keltzel & wife & others,	" Samuel Frank,
" "	Jacob Seaver & wife,	" Wm. J. Yancey,

Bargain & Sale.	James Kenney, Exor. of John Kenney,	to	Samuel A. Davis,
Trust Deed.	Samuel A. Davis,	"	B. G. Patterson, trustee for John Kenney's Exor,
Bargain & Sale.	G. G. Grattan, Exor. of Martha D. Grattan,	"	Jacob Foley
" "	James Kenney, Exor. of John Kenney,	"	John H. Shepherd,
Trust Deed.	John H. Shepherd,	"	B. G. Patterson, Trustee for John Kenney's Exor,
Bargain & Sale.	Robert A. Coghill,	"	Joseph S. Duckwall,
Trust Deed.	Thomas J. Kline & wife,	"	Wm. P. Byrd, trustee for Jesse Burkholder,
Bargain & Sale.	Charles A. Yancey, Commr.	"	A. J. Nicholas,
" "	James Kenney, Exor. of John Kenney,	"	Emanuel Royer,
Agreement.	George Saufley's Heirs & distributees,		
Bargain & Sale.	J. A. Loewenbach & wife & others,	"	A. J. Nicholas,
Trust Deed.	Benjamin E. Long & wife,	"	John E. Roller, trustee for Long, Bowman & Co.

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

Settlement of the Account of Joseph Beatrole, Admr. of Henry G. Beatrole, dec'd,
" " " " " Michael Zigler, " " Henry Sites, dec'd,
" " " " " James M Lewis, " " Mrs. Martha Lewis, dec'd,
" " " " " Harvey Wise, " " Peter Wise, dec'd,
" " " " " Michael Whitmore, " " Peter Whitmore, dec'd,
" " " " " Mary E. Wise, Admx. " Wm. H. Wise, dec'd,
" " " " " B. G. Patterson, Exor. " Ann Davidson, dec'd,
" " " " " Silas Benton, Commr. " Henry Anders,
" " " " " same, Comm. " same,

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

Appraisement Bill of Personal Propety of Estate of ~~Margaret Evans, dec'd~~ Peter Swank, dec'd,
" " " " " " " " Mrs. Ann Davidson, dec'd,
" & Sale Bill " " " " " " " same,
Sale Bill " Real Estate " " "

Skinner & Co.,
Wm. C. Graham, gar. of S. A. Davis } Upon a Suggestion.

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

On the motion of Wesley Clatterbuck, and for reasons appearing to the Court, upon the introduction of testimony, it is ordered that the said Wesley Clatterbuck be exempted from the payment of County and Parish Levies for the year 1875, on account of indigent circumstances and physical disability.

The writing purporting to be the last will and testament of Adam Lease, was this day presented in Court, and being proven by the oaths of Henry Jeffs & Jacob C. Ritchie, two of the subscribing witnesses thereto, was admitted to probate.

The writing purporting to be the last will and testament of Peter Haynes, dec'd, was this day presented in Court, and being proven by the oaths of J. S. Samuels & J. W. J. Samuels, ~~two~~ of the subscribing witnesses thereto, was admitted to probate.

On the motion of J. P. Ralston, late S. Rb. & as such Admr. of J. C. Homan dec'd., one of the creditors of Moses Bowman, dec'd. the Court doth permit Milton Taylor to qualify as the Administrator of said Moses Bowman, and thereupon said Milton Taylor, who made oath thereto according to law, appeared in Court, and together with Wm. F. Bowers, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1,000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of said Moses Bowman, dec'd

cp'd. & int'd

And the Court doth appoint Geo. W. Archeart, Mathias Heller, Michael Feltzmyer, Samuel Mohler and Samuel Heinegardner to appraise the Estate of said Moses Bowman, any three of whom may act, after first being duly sworn.

Joseph W. Rhodes, who was, on the 8th day of March 1876, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from date, this day appeared in Court, and together with Emanuel H. Conner, 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 waiving the benefit of the Homestead exemption. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Joseph W. Rhodes took the several oaths prescribed by law.

certified to Aud.

The Commonwealth,
vs
John Bowman, jr & J. M. Bowman. } Upon an Indictment for misdemeanor.

On motion and for reasons appearing to the Court, this cause is continued until the next term at the Defendants' costs.

Commonwealth,
vs
Harvey Funk. } Upon an Indictment for Assault & Battery

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

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

Henry Shacklett, foreman, A. L. Maupin, J. A. Dwyer, Daniel Click, B. F. Conner, Wm. C. Crandell, D. F. Ritenour, Philip Koller, Joseph Andrew & S. J. Jones, were sworn and impanelled as a Special Grand Jury in and for the body of the County of Rockingham, and having received their charge from the Court, retired to their room to consider of their presentments, and after

sometime returned into Court, and made the following Presentments, viz:- An Indictment against Lewis Kittley, for Burglary, a true bill, Henry Shacklett, foreman,- An Indictment against Susannah Taylor and Kate Taylor, for Keeping a disorderly House, a true bill, Henry Shacklett, foreman, and having completed the business before them, were dis- issued
-charged from further attendance upon this Court. And it is ordered that proper process do issue against Susannah Taylor and Kate Taylor.

Commonwealth,
vs. } Upon an Indictment for Burglary.
Lewis Kittley,

This day, the prisoner, Lewis Kittley, who stands indicted for felony, was led to the bar of the Court, in custody of the Jailor of this Court, and being thereof arraigned, pleaded "not guilty" and thereupon Tuesday the 28th day of March, 1876 was fixed as the day for his trial, and the Clerk of this Court is directed to issue a Venire Facias to the Sheriff of this County, commanding him to summon 24 Freeholders to appear here on Tuesday March 28, 1876, at 10 o'clock, A. M, for the trial of said Lewis Kittley and thereupon the prisoner is remanded to Jail.

Ordered, That Henry Shacklett, A. S. Maupin, J. H. Dwyer, Daniel Click, cap'd. rd.
B. F. Cropper, Wm. C. Crandel, D. P. Ritenour, Philip Keller, Joseph Andrew and S. J. Jones be each allowed the sum of One Dollar for their services at this term of the Court, as Grand Jurors.

Ordered, That Rules be awarded against A. J. McGahey, Wm. Sigler, John S. d.w.s. dy'd.
Funk and Charles E. Cammen, for their failure to appear at this term issued
disch'g'd.
of the Court as Petit Jurors, when duly summoned, returnable to the first 1st 2 cap'd
day of the next term of this Court.

This day came Wm. J. Myers, Esqr. of Hy. S. ~~Dalton &c~~ Showalter, who alleges that he is aggrieved by an entry in the Property Books made by Jo. H Rhodes Assessor of Ashby District and also by Hy. Heatwole, Assistant Assessor in Central District, in said County for the year 1875, and thereupon said Executor moved the Court to correct said erroneous assessments and it appearing from the evidence that the amount of $16.- assessed in Ashby District has been paid, and that the property is also assessed in cap'd. ✓
Central District at $1475.00 in value and should be reduced to $ the value of said property in Central District, which motion was defended by John Paul, Attorney for the Commonwealth for said County, and the said Henry Heatwole, Assistant Assessor, who made the assessment, was examined as a witness touching the application. And it appearing that said books in which said erroneous assessment was made, were certified by the Clerk of this County on the day of 1875, and that application for redress against the erroneous entries was made on this day for the first time; all which the Court certifies as facts proved upon the application aforesaid. On consideration whereof, and from such facts so proved, the Court is satisfied that said Wm. J. Myers, Esqr. as aforesaid is erroneously charged on the Property Books of Central District with taxes amounting to the sum of $16.92, and that the true amount is 82 cents for which said Estate is chargeable for property situate in Central District for the year 1875, whereupon It is ordered that said Hy. S Showalter is

Estate be exonerated from the payment of $116.09 the taxes so erroneously assessed against it in Central District, if not already paid, and if paid that it be refunded to said Estate.

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

Chas. T. O'Ferrall.

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

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

For reasons appearing to the Court, the Rule awarded on yesterday against Charles E. Hammon, for his failure to appear as a Grand Juror at this term, is discharged.

A. L. Blakemore, }
Geo. Chrisman, Exor. of John W. Detamore. } Upon a notice to give security as Executor of John W. Detamore, dec'd.

The defendant having acknowledged legal service of notice as aforesaid to this day of the Court, and he appearing by counsel, and declining to give security, It is ordered by the Court that his powers as Executor of said John W. Detamore be and the same are hereby revoked.

It appearing to the Court, from the certificate of J. C. Walker, J. P. that Wm. H. Cook, infant over 14 years of age hath nominated his father Robert B. Cook as his guardian, the Court doth appoint him as said guardian, and thereupon now said Robert B. Cook appeared in Court, and together with Geo. W. Cook, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500 conditioned according to law, waiving the benefit of the Homestead exemption; and thereupon said Robert B. Cook qualified as said guardian.

Upon the application of George W. Showalter, John Brubaugh, C. A. Paulsen and others, to establish a road commencing on the Keezletown Road near A. W. Knipple's wagon-shop, about 3/4 of a mile South-west of Cross Keys, and running thence with or near the line of the old neighborhood road to the intersection of George W. Showalter's lane & the neighborhood road leading to the Port-Republic Road near the Dunker Church, at the corner of the lands of George W. & Wm. A. Showalter,

copied

The Court doth appoint Harvey Wise, Jonathan Miller and Jasper Hawse, as viewers to view the ground and report to the Court the conveniences & inconveniences that will result, as well to individuals, as the public, if such road shall be established as proposed, and especially whether any yard, orchard, garden or any part thereof will in such case have to be taken. The viewers shall

particularly report the facts and circumstances, in their opinion, useful in enabling the Court to determine the expediency of establishing said road, and they may examine other routes than the one proposed and report in favor of the one they prefer, with their reasons for the preference. They shall also report the names of the land-owners on such route and state which of them require compensation, the probable amount in the opinion of the viewers to which such parties may be entitled, and any other matter which they may deem pertinent. They shall return a map or diagram of the route adopted with their report, and may procure a Surveyor if one is necessary.

The writing purporting to be the last will and testament of Harriet G. Effinger, was this day presented in Court, and being proven by the oaths of Wm G. Bennett & J. H. G. Smith, two of the subscribing witnesses thereto, was admitted to probate, and thereupon John and Wm. Effinger, the Executor therein named, who made oath thereto according to law, appeared in Court, and together with Wm. H. Billmeyer his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500 conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of probate in due form upon the Estate of said Harriet G. Effinger.

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

cap'd. To J. W. Bear for surveying Road from River Bank to mills 2 days-$5.00 Re-survey of same $5.00 & Survey of Naked Creek Road one day $2.50 $12.50

cap'd. " A. C. Bear, for surveying Road from Furnace No 2 - 2 days-$5.00 as Commr. on River Bank Road 3 days $3.00 & as Commr. on Naked Creek Road 1 day $1. $9.00

On the application of C M. Marty & others, for the establishment of a Public Road leading from at or near Marty's Store to the nearest point on the Keezletown Road,

The Court doth appoint Jacob N. Cowen, Thomas Moore and S. B. Allebaugh viewers, to view the ground, and report to this Court the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken. They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They may examine other routes than that proposed, (not exceeding two,) and report in favor of the one they prefer, with their reasons for the preference. They shall report the names of the land-owners on such route or routes, and state which of them require compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not report any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route

1 & 3 cap's.

they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and surveyor was employed in executing this order shall be appended to the report, and sworn to before a Justice of the Peace, or other officer who shall append his certificate to the same.

James Steele, Pltff.
John H. Long, Admr. Dft. } Upon a motion.

This day came again the parties by their attorneys, and the said motion having been considered, the opinion of the Court on said motion, is for the Plaintiff. Whereupon it is considered that the Plaintiff recover against James P. Roleton, late Sheriff of Rockingham County, and as such Administrator of John H. Long, deceased, $3,000.00 Penalty of Bond, to be discharged by the payment of $183.78 with interest on $32.50 part thereof from Nov. 15, 1865; on $5.00 another part thereof from July 23d. 1865; on $6.00 another part thereof from April 17, 1865; on $2.88 another part thereof from October 18, 1858; on $12.00 another part thereof from April 1, 1865; on $7.65 another part thereof from October 25, 1859; on $16.55 another part thereof from July 15, 1858; and on $1.20 the residue thereof from March 21, 1876, till paid, it being for money collected by Wm. H. Rodeffer, while he was a Constable of Rockingham County, and said Long, (being one of his sureties) on his official bond. And it is further considered that the Plaintiff recover his costs in this behalf expended.

J. C. Heltzel, Road Commr.
& } On Road Report.
Samuel Sheets, &c.

Ordered. That this cause be dismissed.

The Commonwealth
& } Upon an Indictment for Felony.
John Taylor

The Prisoner, John Taylor late of the County of Rockingham, who stands indicted for a felony, by him committed, was this day again led to the bar of the Court, in custody of the Jailor thereof, and the Venire-men summoned for his trial being called, a panel of sixteen appeared, viz:- B. F. Strayer, Jeremiah Sinaweaver, John S. Effinger, Ran. D. Cushen, N. W. Beery, James Sterne, Jesse L. Bowcock, L. B. Dovel, John Leedy, P. J. Weaver, Lewis P. Ott, Wy. H. Roller, J. W. Shirkey, R. W. Moore, Robt. F. Weaver & Wm. Sellers, and said panel being examined by the Court, and found to be duly qualified and free from exceptions, the Prisoner was furnished with a copy thereof, and having stricken therefrom, the names of the persons of said panel, viz:- L. B. Dovel, Lewis P. Ott, Robert F. Weaver & Wm. Sellers, the remaining twelve persons of said panel, viz:- B. F. Strayer, Jeremiah Sinaweaver, John S. Effinger, Ran. D. Cushen, N. W. Beery, James Sterne, Jesse L. Bowcock, John Leedy, P. J. Weaver, Wy. H. Roller, J. W. Shirkey, & R. W. Moore, thereby constituting the jury, who being so elected, tried and sworn well and truly to try and true deliverance make between the Commonwealth and the Prisoner at the bar,

and a true verdict render according to the evidence, and not having time fully to hear the ~~xxxxx~~ evidence and argument of counsel, were adjourned until to-morrow morning, and placed in charge of D.H. Rolston, Sheriff of this County & Levi S. Byrd, his deputy, to whom was administered an oath "that you shall ~~Keep~~ this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to Jail.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, March 22, 1876.

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

Commonwealth,
John Taylor (25) } Upon an Indictment for Felony.

This day, the prisoner was again led to the bar of the Court, in custody of the Jailor thereof; and thereupon came the Jury, sworn and impaneled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning, and placed in charge of D. H. Rolston, Sheriff of this County & D. N. Bear, his deputy, to whom was administered an oath, "that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to Jail.

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

Chas. T. O'Ferrall.

The Commonwealth of Virginia -

To J. M. Lowe, E E Conrad, B. F. Thomas, Thos. S. Kite, A C Walker, John Brill, John Breeden - Wm Johnson Thomas Miller - Edward Miller, M M Jarmon, James Frazier Wm J. Rinehr - Joseph Cormier - Franks Rucker, F. Lam, E. Lam G W. Cook - Wm Madden - Geo Hutchinson & Jos. Kelly for services as assisting in arrests of grandy Anderson Stafford Louisa Lawson & B. Williams, charged with felony having been summoned as such by V. H. Lam Constable of Rockingham County - & serving between the dates of February 10th & March 4th 1879.

J. M. Lam - services amounting to -		$12.25
E. E. Conrad " " "		2.75
B. F. Thomas " " "		6.75
Thos S. Kite " " "		2.00
A C Walker " " "		7.50
John Brill " " "		6.00
John Breeden " " "		4.00
Wm Johnson " " "		4.00
Thomas Miller " " "		3.25
Edward Miller "		2 00
M. M. Jarman "		200
James Frazier "		125
Wm J. Rinehr "		6.00
Joseph Cormier "		4.00
Franks Rucker "		2.00
F. Lam "		3 25
E Lam "		3.25
S. D. Keatley "		75
G W. Cook "		1 25
Geo Hutchinson "		5 50
Jos Kelly "		5.50
Cost of V. H Lam. constable		62.55

Board bill of prisoners & guards & B. Bonds in Mc Gaheysville
2o 69 meals & lodgings & 1¼ horse feeds, 83.
2o 69 meals & lodging at 25cts each. } 20.75

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

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

On the motion of B. M. Rice, who made oath thereto according to law, he appeared in Court, and together with William Shands, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $150.00 conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Mrs. Sarah Fishback, dec'd. And the Court doth appoint Daniel Bowman, Benjamin Bowman, G. W. McFarland, & John Smith to appraise the Estate of said Sarah Fishback, any three of whom may act, after first being duly sworn.

Jamison H. Dovel,
Isah W. Shuler, Admr. of D. D. Dovel, dec'd } Upon a notice.

Henry Shacklett, surv. &c,
J. L. Silcott & Jacob Dundore, Admrs of J. K. Roogler, dec'd } Upon a notice.

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

On the motion of Martha E. Kisey, who made oath thereto according to law, she appeared in Court, and together with Henry Andrew, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00 conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted her for obtaining letters of administration in due form upon the Estate of David Kisey, dec'd.

And the Court doth appoint Wm Beard, John Kinacofe, James Philips and Joshua Lupp, to appraise the Estate of David Kisey, dec'd, any three of whom may act, after first being duly sworn.

Henry Shacklett, surv. &c,
John R. Roogler's Administrators. } On motion

Affidavit having been made and filed in this case, that Henry Neff has an execution of Fieri Facias in his hands in the name of John G. Winfield and Jacob N. Liggett, Admrs of Richard Winfield for use of Shacklett & Gibbons against Michael Showalter and Noah Rhodes for $22.75 with interest from February 4, 1859, till paid and $— costs, which writ is material and proper to be produced in Court, on consideration thereof, Joseph S. Logan, the Clerk of this Court is ordered to issue a subpoena duces tecum against Henry Neff requiring him to produce the above described execution before this Court on the 28th day of March 1876.

1 & 1 copy issued

Commonwealth
vs
Martha Plauger, } Upon an Indictment for Felony

The prisoner, Martha Plauger, late of the County of Rockingham who stands indicted for a felony by her committed, was this day again led to the bar of the Court, in custody of the Jailor thereof, and the Veniremen summoned for her trial being called, it appeared that seven of said Veniremen were absent, viz:- Henry Moyers, John W. Strickler, J. R. Miller, S. C. Taylor, C. A. Pickering, John W. Mellhom & L. L. Wilkinson, whereupon the Court directed Rules to issue against said seven absent Veniremen, for their failure to appear on this day of the term, returnable to the 6th. day of the term, Saturday next at 10 o'clock A. M. and the Veniremen present and answering to their names were adjourned until Saturday morning next at 10 o'clock, A. M. And thereupon the prisoner was remanded to Jail.

A. J. Robinson, Gray Shirley, A. Blincoe & M. Blincoe, & G. W. Yates witnesses summoned in behalf of the Commonwealth against Martha Plauger, appeared in Court and acknowledged themselves to be indebted to the Commonwealth in the sum of $100. each, to be levied of their respective goods & chattels, lands & tenements, yet, upon this condition that they do make their appearance before this Court on Saturday morning next as witnesses in behalf of the Commonwealth. vs said Martha Plauger, the prisoner being present in Court.

Commonwealth
vs
John Taylor. } Upon an Indictment for Felony.

The prisoner, John Taylor, was this day again led to the bar of the Court, in custody of the Jailor thereof, and thereupon again came the Jury sworn and impaneled on Tuesday last for his trial, and not having time fully to hear the evidence and argument of Counsel, were adjourned until to-morrow morning, and placed in charge of D. B. Roleton, Sheriff of this County and Leo S. Byrd, his Deputy, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock, So help you. God." And thereupon the prisoner was remanded to Jail.

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

Chas. A. O'Neall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, March 24. 1876.

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

James Steele,
George R Roadcap. } Upon motion to perfect title under Tax Sale.

On motion of Plaintiff, leave is given him to docket his motion & papers, to perfect title to the land in controversy, 3¼ Acres, which is accordingly done & leave is given defendant to 1st day next term to file specifications of grounds of defence.

Commonwealth
John Taylor. } Upon an Indictment for Felony.

This day, the prisoner, John Taylor, was again led to the bar of this Court, in custody of the Jailor thereof, and thereupon came the Jury sworn & impanneled for his trial on Tuesday last, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, but not having time fully to consider the cause, were adjourned until to-morrow morning, and placed in charge of D. H. Roleston, Sheriff of this County and John A. Switzer, his deputy, to whom was administered an oath, "that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock, So help you God." And thereupon, the prisoner was remanded to Jail.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday March 25, 1876.

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

Coffman & Bruffy, use of W. H. Fleming,
Henry Shacklett, gar. of H. H. Devier. } Upon a motion to docket a Suggestion.

Ordered, That this cause be certified to the Circuit Court of this County for trial.

The Commonwealth,
John Taylor. } Upon an Indictment for Felony.

This day, the Prisoner, John Taylor, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon again came the Jury sworn and impaneled on Tuesday last for his trial, pursuant to their adjournment, and having fully considered of their verdict, 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 confinement in the Penitentiary at five years", Ran. D. Cushen, Foreman;" and thereupon the Jury was discharged. Whereupon, the Prisoner, by his counsel, moved the Court to set aside the verdict of the Jury, and grant him a new trial, which motion, on consideration the Court overruled. And thereupon the Prisoner was remanded to Jail.

Commonwealth,
Martha Plauger. } Upon an Indictment for murder.

This day the Prisoner, Martha Plauger, late of the County of Rockingham, who stands indicted for a felony by her committed, was this day again led to the bar of the Court in custody of the Jailor thereof, and the Veniremen summoned for her trial, being again called, fifteen of whom appeared and were examined by the Court, and found to be duly qualified and free from exceptions, viz: Samuel Orebaugh, George D. Anthony, A. C. Walker, J. B. Miller, George G. Strayer, G. L. Scott, James Funk, J. B. Eastham, S. P. A. Miller, David A. Mulva, A. H. Wilson, Samuel Showalter, L. L. Wilkinson, Wm. B. Bloce and John W. Strickler; thereupon the Court ordered the Clerk of this Court to issue a Venire facias directed to the Sheriff of this County, commanding him to summon twelve additional Veniremen to appear here forthwith, and of the Veniremen so summoned four appeared, viz:- Wm. A. Meeole, B. D. Avis, A. L. Glenn, & Theophilus Ott, one of whom, upon examination by the Court, was found to be duly qualified and free from exceptions, viz:- Wm. A. Meeole, and the panel of Sixteen being completed, the Prisoner was furnished with a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- A. C. Walker, J. B. Miller, Samuel Showalter and John W. Strickler; the remainning twelve persons of said panel, viz:- Samuel Orebaugh, George D. Anthony, George G. Strayer, G. L. Scott, James Funk, J. B. Eastham, S. P. A. Miller, David A. Mulva, A. H. Wilson,

L. L. Wilkinson, Wm. P. Bloce and Wm. A. Mecorole, thereby constituting the Jury, who being so elected, tried and sworn well and truly to try, and true deliverance make between the Commonwealth and the Prisoner at the bar, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until Monday morning next, and placed in charge of D. H. Rolston, Sheriff of this County and Samuel H. Bowman & Levi S. Byrd, his Deputies, to whom was administered an oath "that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, on Monday morning next at 9 o'clock. So keep you God." And thereupon the Prisoner was remanded to Jail.

Joseph Hawkins, for &c.,
vs
Noah Hawkins.
} Upon a Notice for money paid as surety.

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

James Payne, Wm. James Payne, Hardin Shifflett & John Joseph, witnesses summoned in behalf of the Commonwealth against Martha Plauger, appeared in Court, and acknowledged themselves to be indebted to the Commonwealth in the sum of $100. each, to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition that they do make their appearance before this Court on Monday morning next at 10 o'clock, as witnesses on behalf of the Commonwealth against said Martha Plauger, and not depart thence without leave of the Court, the Prisoner being present in Court.

Ordered, That this 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 March 27, 1876:-

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

It appearing to the Court from the certificate of Wm. Life, Overseer of the Poor for Stonewall District, that Caroline Thompson, daughter of Mary Thompson, cold, is likely to become chargeable to the County of Rockingham, on the motion of E. W. Keester, and for reasons appearing to the Court, it is ordered that Wm. Life Overseer of Poor as aforesaid, bind as an Apprentice to E. W. Keester, the said Caroline Thompson, cold: now 8 years of age, until she arrives at the age of 18 years. The business said Apprentice is to be taught, is that of Housekeeping & housework. The said E. W. Keester shall maintain said apprentice, and teach her reading and writing; and also pay said apprentice at the end of her 18th year the sum of Thirty Dollars, and furnish her a suit of comfortable clothing, for which payment, &c, bond shall be taken by the said Overseer of the Poor from the said E. W. Keester.

On the motion of Rev. M. F. Reiter, and it appearing from the testimony of A. C. Long, a witness introduced before the Court, that the said Rev. M. F. Reiter is a regularly ordained Minister in the United Brethren Church in Christ, and authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with A. C. Long, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and thereupon the said Rev. M. F. Reiter qualified accordingly.

On the motion of Rev. J. N. Rose, and it appearing from his credentials presented in Court, that the said Rev. J. N. Rose is a regularly ordained Minister in the Methodist Episcopal Church, South, and authorized to celebrate the Rites of Matrimony, he appeared in Court, and together with John E. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, waiving the benefit of the Homestead exemption, and thereupon the said Rev. J. N. Rose qualified accordingly.

The writing purporting to be the last will and testament of Mary Roulhof, dec'd, was this day presented in Court, and being proven by the oaths of Elijah Huffman & Jacob Byerly, two of the subscribing witnesses thereto, was admitted to probate; and thereupon John C. Arrabright, the Executor therein named, appeared in Court, and together with Elijah Huffman, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $150.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of probate in due form upon the Estate of said Mary Roulhof.

Commonwealth,
vs
Martha Plauger,
} Upon an Indictment for murder.

This day, the prisoner, Martha Plauger, late of the

County of Rockingham, who stands indicted for a felony by her committed, was ~~this day~~ again led to the bay of the Court in custody of the Jailor thereof, and thereupon came the jury sworn and impaneled on Saturday last for her trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning, and placed in charge of D.S. Rolston, Sheriff of this County and Samuel V. Bowman, his deputy, to whom was administered an oath, "that you shall keep this jury together and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

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

Chas. T. O'Ferrall.

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

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

At a Circuit Court continued and held in and for the County of Rockingham at the Court-House thereof, on Thursday July 3d 1876.—

Washington, Cincinnati & St. Louis Railroad Co. Plaintiff,

D. M. Switzer, Deft.

This day came again the parties by their Attorneys, and the Court having fully heard, and considered the whole matter, and all the evidence adduced against as well as in support of the report of the Commissioners, doth order that the said report be and the same is hereby in all respects confirmed, and ordered to be recorded in the Deed Book of the Clerk's Office of the County Court of Rockingham, and that the said Washington, Cincinnati & St. Louis R. R. Co. pay to the Defendant, D. M. Switzer, the Damages ascertained by the Commissioners in their said report. And it is further ordered that the Defendant recover against the Plaintiff his costs by him about his defence in this behalf expended, and have leave to sue out from the Clerk's Office of this Court Execution for said costs; and it further appearing to the Court from the record in this cause, that the damage awarded by the Commissioners has been heretofore paid over into the hands of the Receiver of the County Court of Rockingham, It is ordered that this judgment be certified to the County Court of Rockingham

A Copy. Teste,

J. H. Shue, C.C.C.R.C.

1 Sp. Fu. Dm. And upon motion of D. M. Switzer, A. B. Irick, the General Receiver of this Court, is ordered to pay over to said Switzer, the damages ascertained by the Commissioners and heretofore paid over to him by the Washington, Cincinnati & St. Louis Railroad Company in this cause, and the interest thereof.

G. S. Weaver for &c,
vs
Revel Rogers, &c,
} Judgment at D. Bond at Jan. Term, 1861.

✓ bond cp'd. It appearing to the Court that the delivery bond, upon which the Judgment at the January term 1861, in the name of G. S. Weaver for &c, vs Revel Rogers, &c, was rendered, was taken upon an execution which issued from the Clerk's office of the Circuit Court of Rockingham County, and ought to have been proceeded upon in that Court, on motion of Wm. S. Sawley and John P. Swank, Administrators of George Sawley, dec'd, leave is given to withdraw the said forthcoming bond from the papers in this cause, upon leaving an attested copy. This order to be filed with the papers in the said cause.

Joseph Hawkins for use of Wm. Sanders Pltff,
vs
Noah Hawkins. Deft.
} Upon a motion for money paid as surety.

s It appearing to the Court that the Defendant Noah Hawkins has had due notice of this motion, and being solemnly called came not, and on consideration thereof, the opinion of the Court is for the Plaintiff, It is therefore considered by the Court that the Plaintiff, use of Wm. Sanders, do recover of the Defendant the sum of $338.00 with interest thereon from April 26, 1858, till paid and 5 per cent. damages on the same, and his costs by him in this behalf expended.

Commonwealth,
vs
Martha Plauger,
} Upon an Indictment for murder.

This day, the prisoner, Martha Plauger, late of the County of Rockingham, who stands indicted for a felony by her committed, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon again came the Jury sworn and impaneled on Saturday last for her 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 some time returned into Court, and not having agreed upon a verdict, were adjourned until to-morrow morning, and placed in charge of D. H. Polston, Sheriff of this County and Samuel H. Bowman, his deputy; to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to Jail.

Commonwealth
vs
Lewis Kirtley.
} Upon an Indictment for Burglary.

This day, the prisoner, Lewis Kirtley, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court, in custody of the Jailor thereof, and the Venire issued summoned for his trial being called,

sixteen of whom appeared and were examined by the Court, and found to be duly qualified and free from exceptions, viz:- Robert Kyger, Geo. W. Skelton, John W. Glover, Jo^s. H. Crawn, Eli Long, I. N. Miller, Eliphalet Johnson, John Sites Eammon, Wm. R. Hopkins, S. R. Kieffer, Robt. Z. Fenny, N. F. Propst, Michael H. Eammon, Silas J. Holeniger, Samuel S. Miller and Simon Whitsel, thereupon the prisoner was furnished a copy of said panel, and having stricken therefrom the names of four of the persons of said panel, viz:- Eliphalet Johnson, John Sites Eammon, Wm. R. Hopkins and Simon Whitsel, the remaining twelve persons of said panel, viz:- Robert Kyger, Geo. W. Skelton, John W. Glover, Jo^s. H. Crawn, Eli Long, I. N. Miller, S. R. Kieffer, Robert Z. Fenny, N. F. Propst, Michael H. Eammon, Silas J. Holeniger and Samuel S. Miller, thereby constituting the Jury, who being so elected, tried and sworn well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and not having time to hear the evidence were adjourned until to-morrow morning, and placed in charge of D. M. Rolston, Sheriff of this County and Wm. H. Blakemore & D. W. Bean, his deputies, to whom was administered an oath, "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to have any communication with them or converse with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock." So help you God.

And thereupon the prisoner were remanded to Jail.

Ordered, That Rules be awarded against John Harman, Edmond N. Wise, Wm. L. Sanders and Giles Moyerhoeffer, returnable to the next
issued 10 Sept. term of this Court, for their failure to appear at this term as Recognizers in the case of the Commonwealth vs Lewis Whitley, charged with felony, when duly summoned.

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

Chas. N. O'Donald.

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

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

Commonwealth,
@
Martha Plaugen, } Upon an Indictment for murder

This day, the prisoner, Martha Plaugen, who stands indicted for a felony by her committed, was again led to the bar of the Court in custody of the Jailor thereof, and thereupon came again the jury sworn and impanneled on Saturday last for her trial, pursuant to their adjournment, and having fully coneidered of their verdict, upon their oaths do say, "we the jury find the prisoner, Martha Plaugen, not guilty" J. B. Eastham, foreman, March 29th 1876. It is therefore considered by the Court that the prisoner go hence without day, &c. And thereupon the prisoner was discharged. The jury was thereupon also discharged.

Ordered, That B. F. Stover, Jeremiah Linaweaver, John S. Effinger, Wm. D. Leedom, N. H. Berry, James Steiner, Jesse L. Bowcock, John Leedy, D. J. Weaver, Wm. W. Roller, J. W. Shirkey & R. W. Moore, be each allowed the sum of Five Dollars for their
cap. rd. services 5 days, as Venirepersons, at this term of the Court, upon the trial of John Taylor, charged
cert. to the Aud. of Pub. Accts. L. T. 2. c. with felony, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

Ordered, That George D. Anthony, George D. Anthony, George G. Strayer, G. L. Scott, James H. P. A. Miller, David P. A. Miller, David N. Bulova, A. W. Wilson, L. L. Wilkinson & A. Mesarole Leach & A. Mesarole Leach allowed the sum of
cap. rd. Five Dollars (typ.), as Venirepersons, at this term of (typ.), as Venirepersons, at this term of the Court, upon the trial
certified to the Aud. of Pub. Accts. L. T. 2. c. c. of Martha Plaugen, which is on felony, which is ordered to be paid by the Treasurer of this County, Auditor of Public Accounts & Auditor of Public Accounts.

Commonwealth
@ Indictment for Burl Indictment for Burglary.
Lewis Rittle

Lewis Rittle, prisoner, Lewis Rittle, prisoner, Lewis Rittle, who stands indicted for a felony has again led to the bar again led to the bar of the Court in custody of the Jailor thereof, and thereupon came the jury sworn and impanneled on yesterday for his trial, pursuant to their adjournment, and having fully heard the evidence and argument of counsel, retired to their room to coneider 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, and ascertain the term of his confinement in the Penitentiary at five years" L. L. Miller foreman.

And thereupon the jury was discharged and the prisoner remanded to Jail.

Ordered, That Robert Rogers, Geo. W. Shelton, John W. Glover, Jr., T. Kenaon, Eli Long,
cap. rd. L. N. Miller, L. A. Kieffer, Robert J. Furry, N. D. Propst, Michael D. Eamman, Silas J. Heininger
& cert. to Aud. of Pub. Accts. & Wm. Heidelberg, Saml. L. Miller, be each allowed the sum of Two Dollars for their services as

at this term of the Court, (2 days) upon the trial of Lewis Kirtley, charged with felony, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

Commonwealth, vs John Rock, - Upon Indictment for misdemeanor
Same, vs Homer Bowman, Same,
Ordered, That the two foregoing causes be continued until next term

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The Court doth appoint Isaac Stone Overseer of Road Precinct, No. 46, in Ashby Township, Known as Spader's Church Road, and the hands on the following lands are assigned to work the same, viz:- J. B. Sheets, Calvin Argenbright, John Rouhof, Felty Bolton, Mrs. Mary Swank, Simon Whitzel, Benjamin Sanders, Leo E Deneale, Elijah Dundore's Heirs, Isaac Stone, F. G. Mayo & D. B. Sanders.

c. s. p. d.

Ann Price, Pltff,
vs
Ephraim Wenger, &c., executors of J. R. Koogler, late S. R. C. Defts } Upon a notice for money collected by G. Ammon, late D. S. & not paid over.

This day came again the parties by their attorneys, and the Defendants by counsel, moved the Court to quash the notice, which motion, on consideration, the Court doth overrule, and thereupon came the following Jury to-wit:- C. A. Denton, A. J. Bear, Wm. P. Funk, D. F. Ritenour, Peter W. Long, Jacob H. Neff, Noah Mumnick, Daniel B. Wright, W. C. Whitmer, Abraham Sanders, Elicous Michael and Samuel H. Coffman, who being elected, tried and sworn well and truly to try the issue joined, and a true verdict render according to the evidence, and not having time fully to hear the evidence, were adjourned until to-morrow morning at 9 o'clock

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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 Thirty Dollars for prosecuting in three cases of Felony, at this term of the Court, to-wit:- Commonwealth vs John Taylor, same vs Martha Plunger & same vs Lewis Kirtley.

c. s. p. d. & d.

Ordered, That Mrs. M. C. Lupton, Revere House, be allowed the sum of $48.00 for the board of 12 Veniremen, 4 days, at this term of the Court ($1 each per day) upon the trial of John Taylor, for felony, and that the same be certified to the Auditor of Public Accounts for payment.

c. s. p. d. & d.

Ordered, That Mrs. M. C. Lupton, Revere House, be allowed the sum of $48.00 for the board of 12 Veniremen, 4 days, at this term of the Court ($1 each per day) upon the trial of Martha Plunger, for felony, and that the same be certified to the Auditor of Public Accounts for payment.

c. s. p. d. & d.

Ordered, That Mrs M. C. Lupton, Revere House, be allowed the sum of $12.00 for the board of 12 Veniremen, 1 day, at this term of the Court, ($1 each per day) upon the trial of Lewis Kirtley, for felony, and that the same be certified to the Auditor of Public Accounts for payment.

c. s. p. d. & d.

Ex-parte - John E Roller - Application to correct Assessment,
Ordered That this cause be placed upon the Court's Docket,

J

Ordered, That Court be adjourned until To morrow morning ah. 9 o'clock.

Chas. J. O'Ferrall.

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

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

A. C. Bear, J. M. Weaver, D. B. Harnsberger & G. W. Mauzy, Comms. appointed at last term of the Court to lay off and assign Dower to Mrs. Eleanor Layton, widow of F. M. Layton, dec'd. in the lands of said F. M. Layton, having been returned into Court, was examined and confirmed by the Court, and ordered to be recorded in the Deed Book of the County Court of Rockingham County.

Upon the application of Elizabeth J. Haga, for permission to erect gates across the road, recently established, leading from Elizabeth J. Haga's to the bridge across the Shenandoah River, known as Miller's Bridge, the said application is docketed, and notice of the same is directed to be posted at the front door of the Court-House and at two public places, near where the gates are proposed to be erected, as required by law.

Washington, Cincinnati & St. Louis Railroad Company }
D. M. Switzer. }

It appearing to the Court that a demand upon A. B. Brick, General Receiver of this Court, has been made by D. M. Switzer, in pursuance of a former order of this Court, for the damages, &c, paid into his hands in this cause, which demand has not been complied with, on motion of D. M. Switzer, It is ordered that the said A. B. Brick be summoned to appear before this Court on the 31st. of March 1876, to shew cause if any he can, why he shall not be attached for his failure to comply with said order to pay over said moneys to said Switzer.

J. G. Cortes & Co. }
Catharine Bowman, } On a warrant

On motion of the plaintiffs in this cause, it appearing to the Court that leave is asked to withdraw the bond upon which this suit is brought for the purpose of using the same as an exhibit in a Chancery suit, leave is accordingly given, upon condition that a certified copy of the same be left in the papers of this cause.

The following Accounts against the Commonwealth of Virginia in case of Commonwealth vs Martha Flanagan, charged with felony, being certified by B. M. Rice, J. P., were sworn to, and examined by the Court, allowed

and ordered to be certified to the Auditor of Public Accounts for payment, viz:-

To Geo. H. Ramsey, 6 days guarding prisoner at 75¢ per day	4.50	
1 pair half soles furnished prisoner,	.50	$5.00
To John Kephart 1 day guarding prisoner at 75¢ per day,		.75
To Henry McDorman, 6 days guarding prisoner at 75¢ per day		4.50
To Algernon McDorman, 2 days guarding prisoner at 75¢ per day,		1.50

c/d.

Ann Price, Pltff.,
vs
Ephraim Wenger, &c, exrs of J.R. Koogler, late S.R.C., Defts. } Upon a motion &c,

This day came again the parties by their attorneys, and thereupon came the jury sworn and impaneled for the trial, pursuant to their adjournment, and having partially heard the evidence, the plaintiff by counsel, saith she will not further prosecute her suit, and suffered a non-suit, thereupon a Juror, D. F. Ritenour, was withdrawn and the rest of the Jury from rendering a verdict were discharged. It is therefore considered by the Court, that the Defendants go hence without day, and recover their costs by them in this behalf expended, they claiming no damages, &c.

A. C Bryan, Pltff
vs
Z. Raines, &c. Defts. } Upon an Appeal.

On motion of Plaintiff's counsel, this cause is revived in the name of J. A. Hammen, late S.R.C. & as such Admr. of A.C. Bryan, dec'd.

Commonwealth,
vs
John Taylor. } Upon an Indictment for Felony.

The prisoner, John Taylor, 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 of the Court, in custody of the Jailor thereof, 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 John Taylor 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 John Taylor from the jail of this Court to the public jail and penitentiary house of this Commonwealth, therein to be kept imprisoned, and treated in the manner directed by law, for the term aforesaid. And the prisoner is remanded to jail.

Commonwealth,
vs
Lewis Kirtley. } Upon an Indictment for Burglary.

The prisoner, Lewis Kirtley, 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 of the Court, in custody of the Jailor thereof, 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 Lewis Ritley 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 Lewis Ritley from the Jail of this Court to the Public Jail and Penitentiary House of this Commonwealth, there in to be kept imprisoned, and treated in the manner directed by Law, for the term aforesaid. And the prisoner is remanded to Jail.

Jackson Maitz, who was, on the 24th day of March 1876, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham for the term of four years from date, this day appeared in Court, and together with Charles E. Haas, 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 waiving the benefit of the Homestead exemption. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Jackson Maitz took the several oaths prescribed by Law.

cut to Aud.

A. N. Peale, Appellant,
Peter Bondo, Appellee. } Upon an appeal from a judgment of a Justice of the Peace.

Upon the calling of this cause, it appearing that the Judge of this Court had been counsel therein, he declined to sit upon the trial thereof, and by consent of parties, Foxhall A. Daniel, a practicing Attorney in this Court was selected to try the cause, and thereupon came the parties by counsel, and having fully heard and considered the same, the Court doth affirm the judgment of the Justice of the Peace, It is therefore considered by the Court, that the Appellee Peter Bondo recover of the Appellant A. N. Peale and his surety J. J. Miller, the sum of $16.51 with interest thereon from June 16, 1867 till April 29, 1874 and $9.80 costs before said Justice of the Peace, together with 10 per cent. damages on the aggregate amount from April 29, 1871, till paid, and his costs by him in this behalf expended.

Skinner &c.
Wm. B. Graham, gar. of S. A. Davis. } Upon a sug.

On motion of Plaintiffs, this cause is dismissed.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, March 31. 1876.—

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

D. M. Switzer,
vs
The W. C. & St. Louis R R. Co.

On motion of the Defendant, and for reasons appearing to the Court, the Rule awarded in this cause, on the 30th day of March 1876, against A. B. Strick, General Receiver of the Court, is quashed at the costs of said D. M. Switzer.

W. C. & St. Louis Railroad Co.
vs
D. M. Switzer.

It is ordered that A. B. Strick, the General Receiver of this Court do make to it a report forthwith, of the condition of the fund paid into his hands in this case, whether or not the same has been invested, and if so, how, and upon what terms; and if not invested, what increase, if any, it has yielded.

1 copy

On motion of G. T. Hopkins, &c. the Petition filed by them praying for change in road from McGaheysville to Bloomer Springs, is dismissed.

Upon the petition of G. W. Showalter & others, for the establishment of a public Road:—

This day, the viewers, Harvey Wise, Jonathan Miller & Jasper Hawse, appointed by the Court in this matter, returned their Report to the Court, and thereupon, It is ordered that J. D. Hopkins, J. T. Scott, Wm. A. Showalter & Ann Moyerhoeffer, the land-owners on the route of the proposed road as reported by said viewers, be summoned to appear on the first day of the April Term next of this Court, to shew cause, if any they can, why the proposed Road should not be established according to the prayer of the petition, and in accordance with said report of the viewers.

1 & 4 copies

It appearing to the Court from the certificate of B. M. Rice, J. P. that Maggie E. Rehrd, widow of Lewis D. Rehrd, had renounced her right to qualify as Admx. of her husband's Estate, and desired Wm. Rehrd to administer, on her motion, Wm. Rehrd, who made oath thereto according to law, appeared in Court, and together with Peter W. Rehrd, Leavitt C. Rehrd & J. M. Effinger, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $10.000 conditioned as the law requires; & waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form, upon the Estate of said Lewis D. Rehrd, dec'd.

And the Court doth appoint Samuel J. Glick, Jacob Strickel, B. M. Rice & Philip Keller to appraise the Estate of said Lewis D.

Reherd, any three of whom may act, after first being duly sworn.

Ordered That Staples & Kent be allowed the sum of $1.75 for hire of Horse & Buggy in sending for and bringing into Court, a witness upon the trial of the Commonwealth vs John Taylor, for felony, at this term of the Court, and that the same be certified to the Auditor of Public Accounts for payment.

cs/d.

Moses Joseph, Appellant
vs
Rachela Joseph, Appellee. } Upon an Appeal from a J. P.

This cause was this day submitted to the Court, and having fully heard the same, It is considered by the Court that the judgment of the Justice of the Peace be reversed, and that the Appellant Moses Joseph recover against Rachela Joseph, his costs by him in this behalf expended.

Ex parte- John E. Roller, motion to correct an Erroneous Assessment.

This matter came on to be heard this 31st. day of March 1876, upon notice to the Assessor, the evidence adduced, and arguments of counsel, upon consideration whereof, it appearing to the Court, that due notice has been given the Assessor of this motion, and John Paul, Attorney for the Commonwealth appearing to defend the same, and it further appearing that 10¼ Acres of the tract of 623 Acres standing on the Assessor's books in Danville District, in the name of S. A. & M. D. Coffman has been conveyed to and stands on the said book in the name of Erasmus Coffman, jr, and that 35 Acres of the same tract have been conveyed to and ought to stand on the said book in the name of Mrs. Fannie Coffman, and that there is an error of ¾ of an acre as shown by J. H. Polston's survey in the quantity of land in the same, the Court directs that the said 35 Acres be transferred upon the said Assessor's Books to Mrs. Fannie Coffman, and that the tract of 623 Acres be corrected in amount and reduced to 577 Acres.

certified to auditor

G. W. Grimm, Appellant,
vs
Madison Mikle, Appellee. } Upon an appeal from a J. P.

It appearing to the Court that this cause has been on the Docket more than seven years, It is ordered that the Appeal be dismissed, and that the judgment of the Justice be affirmed; It is therefore considered by the Court that the Appellee Madison Mikes recover of the Appellant G. W. Grimm and his surety Jacob Grimm, the sum of $25.00 the value of five Sheep, and one cent damages for wrongful detention of said Sheep, and $5.38 Cents, together with 10 per cent. damages on the aggregate amount from Sept. 23, 1865 till paid, and his costs by him in this behalf expended.

Annie E. Dillard, Appellant
vs
James Kavanaugh, Appellee } Upon an Appeal from a J. P.

This day came again the parties by their Attorneys, and the cause being fully heard and considered by the Court, the Court doth

reverse the judgment of the Justice of the Peace, It is therefore considered by the Court that the Appellant Annie E. Dillard recover of the Appellee, James Kavanaugh, her costs by her in this behalf expended.

Henry Empsewhiler, Appellant,
vs
Samuel Empsewhiler, Appellee } 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 and considered the same, doth affirm the judgment of the Justice of the Peace, It is therefore considered by the Court that the Appellee, Samuel Empsewhiler recover of the Appellant, Henry Empsewhiler, and David Bowman, his surety, the sum of $15.00 ~~with Legal Interest thereon from August 6, 1878, till paid~~ and $6.70 Costs, together with 10 per cent. damages on the aggregate amount from the 6th. day of August 1878, till paid, and his costs by him in this behalf expended.

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

C A Denton,	$5.00	A. J. Bear,	$5.00	Wm M. Funk,	$5.00
John Minnick cr'd	1.00	D F Ritenour	5.00	Peter W. Long,	5.00
Jacob F. Neff,	5.00	Noah Minnick	5.00	Dl. B Wright,	5.00
James R. Eiler,	3.00	Wm C. Whitmore	2.00	Abm. Anders,	2.00
Elicous Michael,	2.00	Danl W Coffman,	2.00		

Abm. Early,
vs
John Robinson, } An Inq.

Ordered, That this cause be dismissed.

J. N Hammen, S.R.C.
vs
A. A. Kefs. &c, } Upon a Notice.

A Rule is awarded against A. A Kefs. one of the Plaintiffs witnesses, returnable to the next term, for his failure to appear at this term of the Court, when duly summoned, and the trial is continued until the next term of the Court.

B. G. Patterson, Pltff
vs
Balt. & Ohio R R. Co. Deft. } Upon a warrant.

Ordered, That this cause be continued until the next term of the Court, at Defendants costs.

Geo. M. Shaner, Appellant,
vs
Jacob C Rhodes, Appellee } Upon an Appeal.

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

A J Whitmer & Hannah Whitmer, Appellants,
vs
Fulton's Estate, Appellee } Upon an Appeal

This day came the Appellants, by counsel, the Appellee not appearing, the cause was submitted to the Court, and on consideration thereof, the Court doth reverse the judgment of the Justice of the Peace; and on motion of the Appellants, a Rule is awarded against P. N. Dice, returnable to next term of the Court, to shew cause, if any he can, why the Court should not enter up judgment against him for the Appellants' costs.

issued 10th inst.

Lane, Appellants,
vs
Lane, Appellees. } Upon an Appeal.
Same order.

Ordered, That this Court be adjourned until to-morrow morning at 9 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 Saturday, April 1, 1876.

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

John Kelly, Pltff
vs
Wm. Enright, Deft } Upon an Attachment.

This day came again the parties by their attorneys, and the Court having fully heard the cause, is of opinion that the Attachment has been properly sued out against the Defendant William Enright. It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $38.00 with interest thereon from June 23, 1873, and his costs by him in this behalf expended, subject to a credit of $13.00 paid by John Allen to D. A. Rolston, S. R. C, as of date

And it appearing that there is no liability against John Allen summoned as a garnishee. It is ordered that the same be dismissed and that John Allen recover of the Plaintiff John Kelly, his costs by him in this behalf expended.

A. N. Peale & Jonathan Peale, Appellants
vs
Samuel Brown, for use of Joseph Faught, Appellee } Upon an Appeal from Jud. of a J. P.

Upon the calling of this case, it appearing that the Judge of this Court had been counsel therein, he declined to sit upon the trial of the same, and by consent of parties, Marshall A. Darrington, a practicing Attorney in this Court was selected to try the cause, and

Thereupon came the parties by counsel, and the death of Jonathan Peale being suggested, this cause is revived in the name of D.F. Roleston, Sheriff of this County, and continued as to him, and the cause having been fully heard by the Court as between A.N. Peale, Appellant & Saml. Brown, for use of Joseph Faught, the Court doth affirm the judgment of the Justice, It is therefore considered by the Court that the Appellee Saml Brown, do recover against A.N. Peale, Appellant and B.F. Patterson his surety, the sum of $17.13 with legal interest thereon from Dec. 5, 1860, till ~~paid~~ June 17, 1871, subject to credit of two years interest paid, & $4.28 costs, together with 10 per cent. damages on the aggregate amount from the 17th. day of June 1871, till paid, and his costs by him in this behalf expended.

Wm. H. Clatterbuck,
Strother Sheets, &c. } Upon a Rule.

Ordered, that this cause be continued until next term at the Defendants costs.

The Reports, &c, of the following named Road Surveyors, were returned into Court at this term of the Court, and continued until next term for inspection of the Court, viz:—
C.S. Eamon, Wm. C. Flook, Adam Ritchie, Abraham Hoover, Joseph B. Metzger, G.R. Eastham, D.C. Mantz, Michael Roller, James D. Whitesell, A.R. Rhinehart, G.B. Reed, A.S. Rosenberger, Robert Ruffner, J.J. Shoemaker, H.E. Sipe, Peter W. Ammentrout, Samuel Empeswhiler, Wm H. Kniacofe, Joseph H. Swank, Geo. R. Ergenbright, Abm. Beam, George Kanicofer, Geo. W. Rehard, Geo. W. Mozens, I.F. Brunner, B.F. Ritchie, S.P.H. Miller, R.A. Hanson, Isaac Deaver, John Early, J.F. Neff, J.H. Bear, A.H. Brenner, Michael S. Eamon, Wm J. Carpenter, P.P. Shifflett, C.S. Pennington, James M. Chapman, Richard Lohr, John H. May, J.B. Brunner, Christian J. Shank, Jas. F. Lowman, John S. Long, Samuel W. Chandler, James R. Eiler, Samuel D. Maupin, L.T. Bell, J.H. Hemsberger, Reuben Moore, Cornelius Ammentrout, Abm. Flory, R.M. Grubb, Wm P. Coker, T.R. Sandy, John S. Fridley, H.B.C. Gentry, John T. Maiden, R.H. Wyant, W.C. Rite, Jacob Garber, Jesse Wyant, W.H. Marshall, Andrew Bazzel, Wm. Neff, Jackson A. Shoemaker, James M. Sterne, James H. White, Samuel Minnick, Philip Ritchie, John W. Driver, Josiah Hulva, Frederick A. Rodes, Benjamin Kuster, Benjamin Trumbo, Geo. W. Falk, Wm F. Bowers, W.S. Brake, D.H. Smith, C. Runyon, J.C. Spinkel, Noah Stroup, Joseph Manuel, C.B. Stevens, J.H.P. Harrison, Samuel Bailey, John N. Simmons, Wm F. Hosler, Herod Homan, H.H. Kinkel, J.A. Mitchell, R.J. Mason, C.H. Hamidlenger, Jesse Moyers, Michael Thomas, Jeremiah Ammentrout, Wm. Koontz, Wm. Feeney, Jacob Geil, S.C. Naylor, A. Whitmore, F.D. Kildow, A.C. Walker, James Beneley, R.W. Bear, James Huffman, David B. Sites, & Samuel Sheets.

And the Court doth award Rules against the Surveyors of Road Precincts appointed at the August & Sept. Terms last of this Court, who failed to make Report at this term, and not contained in the foregoing List of Reports, made at this term of the Court, which Rules are made returnable to the April term of this Court.

On the motion of Sallie Hammer & Wm. Lilly & wife, the Estate of Solomon Earman, decd, is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that said Solomon Earman has been dead more than three months, and no administration.

Wm. P. Kyle & wife, Pltffs.
Robert P. Eubank, Deft. } Upon an Attachment.

Ordered, That this cause be dismissed, and that the Defendant recover his costs, (by him in this behalf expended,) against the Plaintiffs.

Henry Shacklett, exrog. &c., Pltffs.
John R. Roogler's Admrs. Deft. } Upon a Notice.

issued 14th inst. Henry Neff, a witness summoned to appear on the 3rd day of this term of the Court, under a Subpoena duces tecum, having failed to appear and produce the writ therein named, on motion of the Plaintiffs, a Rule is awarded against him returnable to the 1st day of next term, for his failure aforesaid.

On motion of D. H. Roleton, Sheriff of this County, and it appearing from evidence introduced before the Court that it is necessary, It is ordered that the said

cap'd & d. Sheriff be allowed two guards in conveying John Taylor and Lewis Kirtley convicted of Felony at this term of the Court, from the Jail of this County to the Penitentiary of this Commonwealth.

Diemer & Smith, Pltff.
Jones Bro's Deft. } Upon a warrant.

This day came again the parties by their Attorneys, and the cause being submitted to and fully heard by the Court, It is considered by the Court that the Plaintiffs recover of the Defendants the sum of $34.00 with interest thereon from 15th day of Jany. 1875 till paid, and their costs by them in this behalf expended.

On an application for the establishment of a public road leading from James C. Keltzel's Mill to the Hopkins Mill Road,

This cause came on to be heard this 1st day of April 1876, on

cap'd & d to J. J. Kisley the report of James C. Keltzel, former Commissioner of Roads for Central Township and E. A. Cromer former Commissioner of Roads for Ashby Township, the diagram and survey of J. H. Roleton, accompanying said Report, and the report of Simon Harman, Wm. Eiler, A. J. Maupin, Stotler Sheets and D. A. Beatwole Commissioners appointed to assess the damages to the lands of D. R. Hopkins; On consideration whereof It is ordered that said road be, and the same is hereby established, as follows to wit; Commencing at or near James C. Keltzel's Mill, running thence on the line of James C. Keltzel and Henry Payne and Henry Showalters dec'd 13 1/2 poles, thence with the line of C. C. Rhodes and A. Layman, 5 poles, thence with the line of B. F. Stover and A. Layman, 25 1/2 poles, thence with the line of Shem Weaver & A. Layman N. 26 E 34 poles,

thence through the lands of Wm Runtnee, N. 47 E. 40 poles, N. 32 E. 38 poles, N. 65 E. 12 poles, N 25 E. 44 poles, thence through the lands of Lewis Driver, N. 10 E. 110 poles, N. 18 E. 38 poles, thence through the lands of Kibler, N. 38½ E. 33 poles, thence through the lands of David R. Hopkins, N. 43 E 100 poles, N. 18¾ E. 21 poles, thence through the lands of Mrs. Rettie Hopkins N. 31 E. 80 poles to the Hopkins Mill Road. It is further ordered that the following sums be paid to the following land-owners along said road as compensation for the land taken, to-wit:— to David E. Kibler $50.00 — to Wm N. Runtnee, $25.00 — to Lewis Driver $25.00 to David R. Hopkins $299.00 & Mrs. Rettie Hopkins $210.00

It is further ordered that the lands on the lands through which said road passes, be assigned to open and work the same,

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, April 3, 1876.

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

It appearing to the Court by the oath of N. W. Shuler, that he has lost a ticket issued to him by the Clerk of this Court at the Feby. Term 1875, for the sum of $3.00 in the trial of misdemeanor cases to be paid by the Commonwealth of Virginia, It is ordered that the Clerk of this Court issue to said Shuler a duplicate of said ticket.

Ordered, That Jacob Dyndor be allowed his legal costs expended by him in resisting the confirmation of the Report of the Commissioners upon the establishment of a Public Road from Keltzel's Mill to Whitmer's Blacksmith Shop, to be paid by the County of Rockingham.

W. O. & St Louis R. R. Co.
D. M. Switzer, } Upon a Rule vs A. B. Irick, Gen. Receiver.

A. B. Irick, Genl. Receiver of this Court, returned his Report into Court in this cause, in obedience to an order made on Friday last, which the Court orders to be filed, to which order of filing, the Defendant by counsel, excepts, as also to the Report.

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

Chas. J. O'Ferrall.

In Vacation, April 12, 1876.

The Clerk of the County Court is hereby directed to issue a Venire Facias, and directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury, for April Term next of said County Court, to appear at the Court-House thereof, on the 1st. day of said Term at 10 o'clock, A. M.

Given under my hand this 12th. day of April 1876.

Chas. J. O'Ferrall, Judge of the Cir. Ct. Rs. Co.

Teste, J. J. Logan, Clerk C. C.

Monday, April 17, 1876.

At a County Court held in and for the County of Rockingham at the Court House thereof, on Monday April 17, 1876.

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

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

Bargain & Sale.	Mary Warken,	to Garrot Powell,
" "	Garrott Powell,	" Hudson Rucker,
" "	Caroline V Kiracofe, &c,	" Lewis D. Kinsely,
" "	Wm. H. Buntner & wife,	" Henry Payne,
" "	Henry M. Payne & wife,	" Martin A Saymam,
" "	James C Keltzel & wife & W.H. Payne & wife,	" same,
" "	Christopher Keyser Exor.	" Alexander Holsinger,
" "	Alex. Holsinger jr & wife & others.	" Alexander Holsinger, Sr.
" "	Archibald Taylor & wife,	" Peter C. Sutphin,
" "	John Flory, Special Commr.	" Samuel Shacklett,
" "	Abm. Kinegardner & wife	" B. F. Nichael,
Land Division,	Alexander Holsinger, dec'd,	Div. of Land among Heirs,
Bargain & Sale,	G. P. Barbee & wife,	" Joseph A. Settle,
" "	John Harper & wife & others,	" Andrew J. Baugher,
Deed of Gift.	H. E. Roller,	" Peter Roller, trustee for Eliza C. Roller,
Bargain & Sale,	Chas. A. Yancey, Commr,	" Sallie C. Hopkins, wife of R. E. Hopkins,
" "	Jacob Rush's Exor. (S. A Hoffman,)	" Jacob H. F. Rush,
" "	Jacob B. Liggett,	" Wm. B. Yancey,
" "	Thomas M. Wynne & wife,	" same,
" "	Chas. A. Yancey, Commr.	" same,
" "	Wm. B. Yancey & wife,	" Jacob L. Fry,
" "	Jacob L. Fry & wife,	" Jacob H. F. Rush,
" "	J. A. Loewenbach & wife,	" Albert Lewis,
Trust Deed.	R. E. Hopkins & wife,	" A. W. Newman, trustee for Stoneburner & B.
" "	John Taylor,	" J. Logan, trustee for J. B. Roller,
Bargain & Sale,	Wm. C. Harrison & wife, &c,	" A. D. Armentrout,
" "	D. C. Kooglen,	" Jo S Rice,
" "	Jacob Miller & wife,	" Geo W Grady,
" "	J. A Loewenbach's trustees, &c,	" A. W. Effinger,
" "	Thomas M. Hite & wife,	" Elizabeth A. Earheart,
" "	Geo. G. Grattan, Commr.	" George W. Berlin,
" "	Jacob Garber & wife,	" B A Myers,
" "	A. C. Fishback & wife,	" Daniel J. Good,
" "	Lucian B. Dovel,	" Malinda Garber,
Bill of Sale,	E. L Lambert,	" Mahues & Houck,
Bargain & Sale,	Samuel Kline & wife,	" Jacob Garber,
Trust Deed.	M. J Partlow & E. L. Lambert,	" John E. Roller, trustee,
Bargain & Sale.	Peter S Roller & wife,	" John Lee, trustee for Bettie N. Lee,

Bargain & Sale.	John Allebaugh's Admr.	to	Wm. P. Estep,
Homestead Deed.	Wm. N. Waesche,		Claim of Homestead,
same.	B. F. Richards,		same,
Bargain & Sale.	John Cronenhom, trustee for Sarah Miller,	to	Daniel S. Heatwole
" "	Samuel Hoffman & wife,	"	same,
" "	John H. Showalter & wife, & others,	"	Joseph A. Eamon,
" "	Thornton Green & wife,	"	Henry Adkins, H. Green, &c, trustees,
Bill of Sale.	Jacob Holsinger,	"	Joseph Holsinger,
Bargain & Sale.	Jonas N. Loevenbach & wife & others	"	Charles W. Sellers,
Power of Attorney	Benj. H. Maxey & others,	"	Michael J. Maxey,
same,	Henry Rinkhoder & wife,	"	Moses Mason,
Bargain & Sale.	John P. Good & wife,	"	Jacob D. Suter,
Trust Deed.	Annanias Dorman,	"	Eliza Benton,
Bargain & Sale.	Samuel Grim & wife & others,	"	Abm. S. Byrd,
" "	M. M. Silcott & wife,	"	S. A. Moffett,
" "	Samuel H. Moffett,	"	Marion M. Silcott,
" "	B. G. Patterson, Commr.	"	Jacob Lincoln & A. B. Lincoln,

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 J. P. Swank & Wm. N. Saufley, Admr. of George Saufley, dec'd.,
" " " " " Jasper Hawse, Admr. of John Baldwin, dec'd,
" " " " " A. C. Long, Admr. of David Flook, dec'd,
" " " " " Gideon Rosenberger, Admr. of Fanny Getty, dec'd,
" " " " " R. A. Scott, Admr. of Wm. Saufley, dec'd,
" " " " " C. F. Rinker, Exr. of Mary Rexford, dec'd,
" " " " " N. S. Blakemore, guard. of A. S. Newman, &c,
" " " " " same, guard of same,

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

Appraisement & Sale Bill of Personal Property of Peter Rhodes, dec'd,
Re-appraisement of " " " Mary A. Baugher, dec'd,
Re-appraisement of " " " S. G. Baugher, dec'd,

N. B. Hannaberger, surg. &c, } Upon a Sug. ✓ Ann Price, } Notice
S. B. Allebaugh, &c, jar. of G. W. Bogan. } (R) Ephraim Wenger, surety of J. B. Woodal late S. R. C.

Cyrus Pence, for &c } ✓ S. W. Sellers, & Trustees &c } Notice,
B. D. Gilmore, &c, sureties of G. C. Simmons late S. R. C. } Notice. (R) S. K. Miller, surg. of Lizzie &c,
J. A. J. Wintermeyer, &c (R) P. A. Dice - Upon a Rule
Ordered, That the foregoing named causes be placed upon the Court's Docket.

The Court doth assign the following additional hands to work on Road Precinct No. 46, of which Isaac Stone is Surveyor, viz:- Daniel Landes' hands, Poor House hands, - Andes on the Quirk farm, David Landes' hands, the Messrs. Douglass, on the Brown farm and the hands on the Deneale farm.

On his motion, the Court doth permit Ulrick Wittig to qualify as the Administrator, with the will annexed of Adam Leasa, dec'd, and thereupon the said Ulrick Wittig, who made oath thereto according to law, appeared in Court, and together with Henry Wittig, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration (with the will annexed,) in due form, upon the Estate of the said Adam Leasa, dec'd, whose will was probated at the March Term last of this Court.

And the Court doth appoint Wm. Bowen, Wm. Gordon, Geo Bowman & John Mohler to appraise the Estate of said Adam Leasa, dec'd, any three of whom may act, after first being duly sworn.

Wm. Bear, infant child of John Bear, dec'd, this day appeared in Court, and made choice of John Gw. Effinger as his guardian; thereupon the said John Gw. Effinger, appeared in Court, and together with A. W. Peale, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $250.00, conditioned according to Law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian

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Ordered, for reasons appearing to the Court, that the Rules awarded at the last Term of the Court, against Wm. Sigler & John S. Funk, Petit Jurors and Giles Mayerhoffer, Edmond A. Wise and S. C. Taylor, Veniremen, for failure to appear at said term, when duly summoned, be discharged.

Wm. H. Ansheat, who made oath thereto according to law, this day appeared in Court, and together with J. Hopkins Roleston, Samuel Sigler and Saml. A. Myers, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3.000.00, conditioned according to Law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Raphael Myers, dec'd.

And the Court doth appoint Wm. Carpenter, Jacob Garber, Emanuel Roller, John Spades & David Garber to appraise the Estate of said Raphael Myers, dec'd, any three of whom may act, after first being duly sworn.

John Harper, who made oath thereto according to law, this day appeared in Court, and together with Henry B. Hamsbeger, his surety, (who is justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $2300.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration, d. b. n. c. t. a. in due form, upon the Estate of Samuel Miller, dec'd, it appearing to the Court that Addison Harper, the former Adm. has removed from this Commonwealth.

On the motion of John L. Angabright, Ex'r. of Mary Roulof, dec'd, the Court doth appoint Elijah Huffman, Jacob Cook, Jacob Byerly, Valentine Bolton, and Geo W. Whitsell to appraise the said Estate, any three of whom may act, after first being duly sworn.

Joseph J. Haley, who made oath thereto according to Law, this day appeared in Court, and (together with Wyatt S. Beasley, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $2.000.00 conditioned according to Law, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining letters of administration, d.b.n. in due form, upon the Estate of Israel Jones, dec'd.

The writing purporting to be the last will and testament of John Huffman dec'd, was this day presented in Court, and being proven by the oaths of R. H. Harrison and Nathaniel Howard the two subscribing witnesses thereto, was admitted to probate; and R. H. Harrison, the Executor therein named appeared in Court and qualified according to Law, and together with Thos. Felse and S.B. Allebaugh, his sureties, (who justified) entered into and acknowledged a bond in the penalty of $ according to Law, (waiving the benefit of the Homestead exemption) as granted him for obtaining a probate of said will.

And it is ordered that Nathaniel Howard, R. A. Stephens, B. F. Armentrout, & H. B. Armentrout be & H. B. Armentrout be appointed to appraise the Estate of said John dec'd, any of whom may act, after first being duly sworn,

The writing purporting to be the last will and testament of Moses Poorman, dec'd, was this day (being) proven by the oaths of Joseph B. Armentrout and John Swecker subscribing witnesses thereto, was admitted to probate; and Thos. Hubbs, the Executor therein named appeared in Court, and together with his sureties, entered into and acknowledged a bond in the penalty of $1200.00, conditioned according to Law, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining a probate of said will.

And it is ordered that Wm. Sellers, Preston Rhodes, Wyatt Rhodes, & Philip Shultz be & they are appointed by this Court to appraise the Estate of said Moses Poorman, dec'd, any three of whom may act after first being duly sworn.

Dr. Geo. W. McFarland the 24th day of March 1876, duly commissioned by the Governor Public in and for the County of Rockingham, for the term of one year from date, this day appeared in Court, and presented in Court, and together with his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Geo. W. McFarland took the several oaths prescribed by Law.

It appearing to the Court that the Rev. C. W. Stinespring (from the evidence of Rev. Wm. D. Bentley) is a regularly ordained Minister in the United Brethren Church in Christ, and authorized to celebrate the Rites of Matrimony, he this day appeared in Court, and together with Wm. D. Bentley, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to Law, (waiving the benefit of the Homestead exemption, and qualified accordingly.

Sol. Gladwell this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $2.62 for guarding Martha Flanigen, charged with felony, 3½ days @ 75¢ per day, which being certified by B. M. Rice, a J. P. and sworn to, was examined by the Court, and after evidence being introduced, was allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p/d to Eugene Beau
J. P. Lee

Commonwealth,

John Bowman, jr, & J. M. Bowman } Upon an Indictment for a Misdemeanor.

This day came again as well the Attorney for the Commonwealth as the Defendants by Counsel, whereupon the Attorney for the Commonwealth entered a Nolle Prosequi as to J. M. Bowman, one of the defendants, and thereupon it is considered by the Court that the said J. M. Bowman, go hence without day, &c. And thereupon John Bowman jr, the other defendant appeared in Court, and confessed a judgment for one dollar and costs, It is therefore considered by the Court that the Commonwealth of Virginia do recover of John Bowman jr, the sum of One dollar fine, and her costs by her in this behalf expended.

Same,

John Brock. } Upon an Indictment for a misdemeanor.

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and the said Defendant by his counsel, confessed a judgment for one cent and costs; It is therefore considered by the Court that the Commonwealth of Virginia do recover of John Brock the sum of One cent, fine and her costs by her in this behalf expended.

Same,

Homer Bowman, } Upon an Indictment for a misdemeanor.

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and the said defendant by his counsel, confessed a judgment for One cent and costs, It is therefore considered by the Court that the Commonwealth of Virginia, do recover of Homer Bowman, the sum of One cent, fine and her costs by her in this behalf expended.

Same,

Harvey Fuck, } Upon an Indictment for Assault & battery.

This day came again as well the Attorney for the Commonwealth as the Defendant by Counsel, and thereupon came the following Jury, to-wit:- A. D Rolston, C. G. Skinner, Wm. R. Fallis, Fabian F. Lower, John G. Fulton, Dan'l J. Hanencker, D. B. Sites, Dan'l S. Harrison, Abm. Beam, M. V. Richcreek, John M. Huffman and John Linaweaver, who being elected, tried and sworn well and truly to try the issue joined, and a true verdict render according to the evidence, and having fully heard the evidence and argument of

counsel, retired 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, and assess his Fine at Two hundred dollars," C. G. Skinner, foreman. It is therefore considered by the Court that the Commonwealth of Virginia do recover of the defendant Harvey Fulk, the sum of Two hundred dollars fine and her costs, by her, in this behalf expended.

Same,

vs

Susannah Taylor & Kate Taylor. } Upon an Indictment for Keeping a disorderly House.

This day came again the Attorney for the Commonwealth, the Defendants not appearing, and thereupon came the following jury, to-wit:- N. D. Polston, C. G. Skinner, Wm. R. Fallis, Tobias H. Cover, Wm. H. Peterson, Danl. J. Hauserucker, D. B. Sites, Danl. S. Harrison, W. D. Haga, Geo. W. Fulk, John M. Huffman & John Linaweaver, who being elected, tried and sworn well and truly to try the issue joined, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired 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 defendants guilty, and assess their fine at Sixty-two Dollars and 50 cents each." C. G. Skinner, foreman; whereupon, on motion of the Attorney for the Commonwealth, the Court doth award a writ of Capias ad Audiendum Judicium to be directed to the Sheriff of this County, returnable forthwith, commanding him to take the said defendants, Susannah Taylor and Kate Taylor, and them safely keep, so as to have them before this Court, as soon as may be, to shew if anything they have to say or know, why the Court should not then proceed to pronounce judgment against them according to law.

Same,

vs

G. W. Rineheart. } Upon an Indictment for Assault & battery.

This day came again as well the Attorney for the Commonwealth as the Defendant, by counsel, and on motion of defendants counsel, and for reasons appearing to the Court, the trial of this cause is continued until the next term at his costs.

Same,

vs

Henry Raines, } Upon an Indictment for Felony.

(1st'd)

&

Same,

vs

Lewis Randol, } Upon an Indictment for Felony.

On the motion of the Attorney for the Commonwealth, an Alias Capias is awarded against Henry Raines and Lewis Randol, returnable to next term of the Court, the former process not having been executed.

(1st'd),

John L. Lewis, Pltff. vs Isreal Mongold - W. E & D.

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

Upon the application of A.J. Wall, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is suitable and convenient, and entitled &c, It is ordered that a License be granted him to Keep an Ordinary, (together with Merchants Retail Liquor Licenses,) to be conducted at his place of business, the "Dr. Harris building" in the Town of Harrisonburg from May 1, 1876 to April 30, 1877, the receipt of the Treasurer of this County for amount of License Tax, being presented in Court.

Upon the application of James Kavanaugh, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is suitable and convenient, It is ordered that a License be granted him to Keep an Ordinary, (together with Merchants Retail Liquor License,) to be conducted at his place of business, the "Virginia Hotel," in the Town of Harrisonburg, from May 1, 1876, to April 30, 1877, the receipt of the Treasurer of this County for amount of License Tax, being presented in Court.

Upon the application of Richards & Bell, they having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicants are persons of sobriety and good character, that the place of business is suitable and convenient, It is ordered that a License be granted them to Keep an Ordinary, (together with Merchants Retail Liquor License,) to be conducted at their Saloon next to Rockingham Bank, on Main St. (one room) from May 1, 1876 to April 30, 1877, the receipt of the Treasurer for amount of License Tax, being presented in Court.

Upon the app. L. Pollock, she having L. Pollock, she having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence the said applicant the said applicant is a person of sobriety and that the place of business the place of business is suitable and convenient, License be granted License be granted him to Keep an Eating House, if selling ardent sp. if selling ardent spirits to be drunk at the place with Merchants Ret. with Merchants Retail Liquor License,) to be conducted place of business on place of business on Main St. in the Town of Harrisonburg, from May 1, 1876 to April 30, 1877, from May 1, 1876 to April 30, 1877, the receipt of the Treasurer of this County for Tax, being presented in Court. Tax, being presented in Court.

Upon the application of Lew. V.D. Pelbert, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is suitable and convenient, It is ordered that a License be granted him to Keep an Ordinary, (together with Merchants Retail Liquor License,) to be conducted at his place of business in the Town of Timberville, from May 1, 1876, to April 30, 1877, the receipt of the Treasurer of this County for amount of License Tax, being presented in Court.

The Court doth appoint the following named persons to act as Judges of Election, at the respective Voting Places in the County of Rockingham, to serve as such for the term of one year, viz:—

Stonewall District.

Conrad's Store.- John C Walker, W H. Carpenter & James G. Marden,
McGaheysville - Charles R Rush, A J. O'Bader, & Robert A. Gibbons,
Port Republic.- Geo W Kemper, jr, J B. Nicholas & Saml. H. Lewis,
Furnace No 2 - Jackson Garrison, Sebastian Probst & Stephen Hensley,

Ashby District.

Cross Keys.- E. S. Kemper, W H. Hooke & Solomon Beery,
Mt. Crawford.- Saml. C. Switzer, Aaron Shutters & Samuel Vawters,
Dayton.- Hiram Coffman, Saml Simon David Suter & J. J. Garber, David Brown 2nd
Bridgewater.- John McWilliamson, St. C Kyle & A L. Lindsay,
Otobine.- F. M. Erwine, Wm Curry & Wm L. Anderson,
Moyerhoeffer's Store.- Henry Carpenter Samuel Reubensh, Harvey Wise & C A. VanLear,

Central District.

Keezletown.- Strother Sheets, John M. Huffman & Aug. Armentrout,
Harrisonburg.- Philo Bradley, Wm W. Gay & Wm P Grove,
Mt. Clinton.- Michael Whitmer, Simon S Harman & Martin Beery,

Linville District.

Melrose.- Peter Neff, Madison Moore & Silum Sellers,
Edom - D H. Coffman, John Lincoln & Henry Beery,
Hoover's Shop.- Daniel Brenneman, Stephen Pawley & Abm Hoover,
Singer's Glen,- G W. Skelton, Solomon Funk & Ephraim Reubush,

Plains District.-

South Legion.- J. W. Bowen, Curtis Yates & John Harrison,
Timberville.- Henry Neff, Wirt Vaughn & Lewis Hill
Coote's Store.- John G. Cootes, Jackson Horn & Geo W. Fulk,
Wittig's Store.- Henry Wittig, Isaac Fink & Josiah Bowden,
And Philo Bradley, Wm P. Grove, Hiram Coffman, John M. Huffman
& Wm W. Gay are appointed Commissioners of Election.
And for the following Corporations viz:-
Harrisonburg.- Wm Ott, John S. Effinger & George Miller, A. M. Coffman
Bridgewater.- John Ottoffer, St C. Kyle & A. L Lindsay,

Strother Sheets, Foreman, J. R. Price, Thomas H Miller, John M. Moore, Philip Eastham, James P. Roleton, Stephen Hensley, Harrison Bateman, Wm S. Slusser, & C. D. Harrison, were sworn and impanneled a Special Grand Jury for 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 not having time fully to consider of their presentments, were adjourned until to-morrow morning at 10 o' clock.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, April 18, 1876-

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

The Court doth order that Thomas Kirkpatrick be imprisoned in the Jail of this County, until to-morrow morning for contempt of Court.

ind. 1 case.

Ordered, That a Rule be awarded against Isaac Ellinger, returnable forthwith ~~to the~~ next term of the Court, for his failure to appear at this term of the Court as a witness before the Grand Jury at this term of the Court, when duly summoned.

Eliza Jane Bear, infant child of John Bear, dec'd, this day appeared in Court, and made choice of George Messersmith, as her guardian, thereupon the said George Messersmith appeared in Court, and together with Samuel Upp, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $250.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian, it appearing to the Court that said Eliza had the right to nominate her guardian, being over 14 years of age.

On the application of George Pritchett for obtaining certificate for commutation of Artificial arm;

It appearing to the Court from evidence adduced that the applicant is a citizen of this State; that his left arm has been permanently disabled by a wound received in the late war as a member of Co. F. 12th Virginia Cavalry; that at the time he received the wound which disabled his said arm he was a citizen of this State; that he has not received an artificial arm or commutation therefor from any other State, the United States or under any of the Acts heretofore passed by the General Assembly of Virginia, "to provide artificial limbs for soldiers maimed in war or to allow commutation therefor;" the certificate for obtaining commutation therefor, is hereby granted the said applicant, as provided for in the various acts passed by the said General Assembly of Virginia.

cap^{t}

James H. Burgess, Constable of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting

cp'd. & d. to the sum of $3.50 for arresting, summoning witnesses and conveying to Jail, Ephraim Garner, charged with felony, which being certified by B. M. Rice, J.P., and sworn to in Court, and examined by the Court, was allowed 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 an Ac-

cp'd. & d. count against the Commonwealth of Virginia, amounting to the sum of $133.90 for receiving, dieting, &c various Prisoners from Dec 18, 1875 to April 4, 1876, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

Ann Price, Pltff,
vs
Ephraim Yeager, surety of J.A. Kegley, late S.R.C. } Upon a Notice,

Ordered that this cause be continued until next Term of the Court at the Defendants costs, and said defendant have leave to file bill of defence within 20 days.

Franklin Lickey, Pltff.,
vs
James Steele, Defts. } Upon a Notice,

On motion of the Defendant, It is ordered that the Pltff. file a statement of the grounds of his claim within 20 days from the rising of this Court.

Dr. H. C. Meade this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.00 for visit and examination of Albert Wilhite, suspected of Lunacy, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment, Joseph Byrd, B. W. Rice & S. C. Whitescarver, three Justices of the Peace having certified to the Court that said examination was made under a summons issued by them to said Dr. H. C. Meade,

Commonwealth
vs
Isaac Ellinger } Upon a Rule for failure to appear before the Grand Jury as a witness

The Rule awarded against the Defendant being returned executed, and he failing appearing in Court under said Rule and being examined by the Court, the Court doth impose upon said Defendant a Fine of $2.00 for his said contempt. It is therefore considered by the Court that the Commonwealth of Virginia do recover of the defendant Isaac Ellinger, Two Dollars Fine and her costs by her in this behalf expended.

Samuel H. Casey, Committee for Susannah C. Casey, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $87.00 for the custody and maintenance of said Susannah C. Casey, a person of unsound mind, which being sworn to in open Court, was examined and allowed by the Court, and it appearing from Commissioner Newman's Report, filed in the Clerk's Office of this Court, that the Estate of Susannah C. Casey, a person of unsound mind, has been exhausted in the support of said Lunatic, It is ordered that the Account of Samuel H. Casey, heretofore appointed as Committee of said Susannah C. Casey, a person of unsound mind, and allowed the sum of forty cents a day for her support and $30. per annum for her clothing, amounting to $87.00 for support of said Susannah C. Casey from 18th. day of Octo. 1875 to 15th. day of April 1876 = 180 days @ 40¢ per day and six months clothing at rate of $30. per annum, be allowed and that the same be certified to the Auditor of Public Accounts for payment.

The Court doth order that the allowance heretofore to Samuel H. Casey Committee for Susannah C. Casey, a person of unsound mind, shall

be at the rate of $2 per month, instead of $30. per annum as heretofore allowed.

The Grand Jury sworn and impaneled on yesterday, in and for the body of the County of Rockingham, this day appeared in Court pursuant to their adjournment, and again retired to their room to consider of their presentments, and after some time returned into Court, and made the following presentments, viz:— An Indictment against Joseph S. Shreckhise, for selling liquor to a minor, A true bill- Strother Sheets, foreman. (No 1) An Indictment against Joseph S. Shreckhise, for selling liquor to a minor, A true bill- Strother Sheets, foreman, (No 2)- An Indictment against Joseph S. Shreckhise for selling intoxicating drinks on Sunday, A true bill, Strother Sheets, foreman,- An Indictment against Joseph S. Shreckhise, for Keeping a disorderly house, A true bill, Strother Sheets, foreman,- An Indictment against Wm. D. Waesche, for lewd and lascivious cohabitation, A true bill, Strother Sheets, foreman,- An Indictment against Flora Miller, for lewd and lascivious cohabitation, A true bill, Strother Sheets, foreman,- An Indictment against Allen Gentry, for Petit Larceny, A true bill, Strother Sheets, foreman,- An Indictment against Daniel Fisher, for selling liquor to a minor, A true bill, Strother Sheets, foreman, (No 1. An Indictment against Daniel Fisher, for selling liquor to a minor, A true bill, Strother Sheets, foreman (No 2) And having completed the business before them, were discharged from further attendance upon this Court.

issued. And it is ordered, that proper process do issue against the Defendants.

It is ordered that the following-named persons be each allowed the sum of Two Dollars, for their services at this term of the Court (2 days,) as Grand Jurors, and that the same be certified to the Treasurer of this County for payment, viz:— Strother Sheets, J. R. Price, Thomas H. Miller, John H. Moore, Philip Eastham, James P. Roleton, Stephen Kenley, Harrison Bateman, Wm. S. Sluyer & L. D. Harrison,

c.p.d. & d.

Lizzie Gordon, a witness before the Grand Jury, was this day brought into Court under an Attachment this day awarded against her, and upon her examination, for reasons appearing satisfactory, the Court doth direct that she be discharged from the custody of the Sheriff.

W. J. Carrier	Pltff.	vs	Jake Carrier	Deft.	Upon Att.
G. M. Stanley	Pltff.	vs	same	Deft.	same,
G. M. Yancey	Pltff.	vs	same,	Deft.	same,
Overseers of Poor,	Pltff.	vs	J. C. Hoover,	Deft.	Notice,
A. S. Denton,	Pltff.	vs	S. Bright,	Deft.	Upon Att.

For reasons appearing to the Court, these causes are stricken from the Docket.

D. B Devier, Pltff. vs John H Devier, Deft- Upon motion
On motion of Plaintiff, this cause is dismissed.

Margaret Perkins Pltff. vs John Kelly, Deft. Upon a warrant.
Ordered, that this cause be dismissed agreed.

J. A. Hammer Pltff vs James Steele, Deft - Upon a Notice.
Ordered, That this cause be continued until next term.

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

Chas. T. O'Ferrall.

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

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

Commonwealth,
vs
Susannah Taylor & Kate Taylor. } Upon an Indictment for Keeping a disorderly House.

The Capias ad audiendum judicium, awarded against the Defendants at a former day of this term, being returned executed, the Defendants were led to the bar of the Court in custody of the Sheriff, and it being enquired of them, if anything they had or knew to say why the 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 Commonwealth of Virginia recover of the said Defendants Susannah Taylor & Kate Taylor the sum of $62.50 each, the amount of Fine, by the Jurors in their verdict ascertained, at this term of the Court, and her costs by her in this behalf expended. And it is further considered by the Court that the said defendants Susannah Taylor and Kate Taylor be each imprisoned in the Jail of this County, for the period of four months, and thereafter until they do pay the amount of Fine assessed against each of them, or be released therefrom in accordance with law.

It appearing to the Court that Anna Flick has been, by R. W. Harrison Jr. Funkhouser & D. G. Maxey, Justices of the Peace of this County, adjudged, upon an examination had, a Lunatic, and placed under the charge and care of Catharine Flick, she having executed bond according to law; and it further appearing to the Court that it is proper to contract with a proper & fit person for the maintenance and care of the said Lunatic; It is therefore ordered that Catharine Flick be appointed a Committee to have the care, custody and maintenance of the said Anna Flick, until the future order of this Court, upon the execution of a bond in the penalty of $200.00 with approved personal security, before this Court, conditioned to exercise proper care & make proper & decent provision for said Lunatic; and that she be allowed therefor 40 cents per diem and at the rate of $2.00 per month for clothing.

The Washington, Cincinnati & St. Louis R. R. Co. } Upon a Notice & Report
vs } of Commissioners, &c, ---
Abraham Sager,

On motion of the Plaintiff, the Report of Commissioners, George

F. Funkhouser, Joseph Click & J. Shickel, assessing the Defendants damages for such of his lands taken by the Plaintiff for said Railroad at Three hundred dollars is confirmed. And it is ordered that this cause be stricken from the Docket.

Same,
vs.
Daniel Bowman, } Upon Notice & Report of Commissioners, &c.

On motion of the Plaintiff, the Report of Commissioners, George F. Funkhouser, Joseph Click & J. Shickel assessing the Defendants damages for such of his lands taken by the Plaintiff for his said Railroad at Three hundred dollars, is confirmed. And it is ordered that this cause be stricken from the Docket.

D. R. Glenn, Plaintiff,
vs.
The Baltimore & Ohio Railroad Company, } Upon a warrant from a J. P.

This day came the parties by their attorneys, and the Plaintiff, by counsel, saith he will not further prosecute his suit, and suffered a non-suit. It is therefore considered by the Court that the Defendant go hence without day, and recover against the Plaintiff the sum of $5.00 damages and its costs by it, in this behalf expended.

Wm. Glattenbuck, &c., Pltff.,
vs.
Strother Sheets, &c., Deft. } Upon a Rule to try the right of Property, &c.

This day came again the parties by their attorneys, and thereupon came the following Jury, to-wit:- Wm. H. Peterson, C. G. Skinner, Wm. B. Fallis, Geo. W. Funk, Fabius F. Leaver, John G. Fulton, D. J. Hauenstein, Stephen Fawley, D. B. Sites, W. D. Haga, M. A. Richareek & R. D. Leuthen, who being elected, tried and sworn well and truly to try the issues joined, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning, at 10 o'clock.

B. G. Patterson, Pltff.,
vs.
The Baltimore & Ohio Railroad Company, } Upon a warrant from a J. P.

This day came again the parties by their attorneys, and thereupon came the following Jury, to-wit:- Wm. H. Peterson, C. G. Skinner, Wm. B. Fallis, Geo. W. Funk, Fabius F. Leaver, John G. Fulton, D. J. Hauenstein, Stephen Fawley, D. B. Sites, D. S. Harrison, M. A. Richareek & R. D. Leuthen, who being elected, tried and sworn well & truly to try the issue joined, and a true verdict rendered according to the evidence, and after the Plaintiff had introduced his evidence the Defendant by counsel, moved the Court to exclude the same, which motion the Court doth sustain; and thereupon the Plaintiff saith he will not further prosecute his suit, and thereupon a juror was withdrawn & the Plaintiff suffered a non-suit. It is therefore considered by the Court that the Defendant go hence without day, and recover its cost by it in this behalf expended, the Defendant waiving damages.

Ordered, That Court be adjourned until to-morrow morning at 9 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 Thursday, April 20, 1876.

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

On motion of Eliza A. Campbell, who is detained in custody of the Jailor of this County, under a commitment from B. M. Rice, a J. P. to answer a charge of felony, to be discharged from custody, the Grand Jury at this term not having made a presentment against her, the Court after having heard the evidence introduced and argument of counsel, declined to discharge the said Eliza A. Campbell from custody. And thereupon, the said Eliza A. Campbell by counsel, moved the Court to admit her to bail, which motion the Court doth take time to consider; and thereupon she was remanded to Jail

On motion of Ephraim Garner who is detained in custody of the Jailor of this County, under a commitment from B. M. Rice a J. P. to answer a charge of felony, to be discharged from custody, the Grand Jury at this term not having made a presentment against him, the Court after having heard the evidence introduced and argument of counsel, doth take time to consider said motion to discharge; and thereupon he was remanded to Jail.

Wm. Clatterbuck, &c., Pltffs.
vs.
Strother Sheets, &c., Defts.
} Upon a Rule to try the right of Property, &c,

This day came again the Jury sworn and impaneled on yesterday, for the trial of this cause, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock.

Ordered, That Court be adjourned until to-morrow morning at 9 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 Friday, April 21. 1876.

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

B. G. Patterson, Pltff
D. R. Clem, Pltff. } vs. The Baltimore & Ohio Railroad Co.- Upon a warrant same, same

On motion of the Plaintiffs, leave is given them to withdraw the accounts filed in these causes, upon leaving attested copies thereof.

Ephraim Garner, committed to jail to answer a charge of felony before the Grand Jury at this term, was again led to the bar of the Court in custody of the Jailor of this County, and the Court having fully considered the motion made on yesterday for his discharge from custody, doth sustain the same; and thereupon the prisoner was discharged.

Franklin Whitmer's Adm'r. Pltff
James McDorman, Deft. } vs. Upon an Attachment.

On motion of Henry S. Soule, leave is given him to file his petition in this case, which is accordingly done. And a Rule is awarded against James P. Ralston, late Sheriff of Rockingham and as such Adm'r. of Franklin Whitmer and Plaintiff in this suit, returnable to the first day of the next May term of this Court, to shew cause why the proceeds arising from this attachment should not be applied to the payment of the judgment set forth in the petition filed by Henry S. Soule.

Wm. A. Glattenbeck, &c., Pltffs,
Strother Sheets, &c Defts. } vs. Upon a Rule to try the right of Property, &c.

This day came again the jury sworn and impaneled 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 that the wheat in controversy is not the property of Strother Sheets." C. G. Skinner, foreman.

Catharine Flick, who was appointed at a former day of this term of the Court, Committee for Anna Flick, who has been adjudged a Lunatic, this day appeared in Court, and together with S. B. Allebaugh and Abraham B. Flick, her sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $200.00, conditioned according to Law, and the order entered appointing the said Committee, (waiving the benefit of the Homestead exemption) and qualified as the Committee of the said Anna Flick,.

J. A. Hammer, S. R. C.
A. A. Kyle, &c. } vs. Upon a Notice on a Bond.

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

Wm. C. Whitmer, John A. Kefs, Geo. W. Airey & Abram Anders, the sureties, filed their plea of non est factum, to which the Plaintiff replied generally, and the Defendant joined in said general replication; thereupon came the following Jury, to-wit: Wm. N. Peterson, C. C. Skinner, Wm. B. Fallis, Geo. W. Fuck, Tobias F. Glover, B. F. Showalter, Dl. J. Hauseucker, Stephen Fawley, D. B. Sites, Dl. S. Harrison, Wm. H. Richcreek & B. D. Cochran, who being elected, tried and sworn, well and truly to try the issue joined, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock.

The Court having inspected the Reports of Road Surveyors made at the March Term of the Court, and also those made at this (April) Term of the Court, doth make the following allowances to the said Road Surveyors for their services in warning in hands and for pay of teams &c, employed by them, and the same is ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1875, viz:-

Certified to Treasurer May 4, 1876 d.T.L.cc.

March Term

Central District

C. S. Earnigan	Teams $4.	Self $2	6.00
G. R. Eastham	Teams $4.	Self $1	5.00
James R. Eiler	Teams $4.50	Self $2	6.50
Wm. Farney	Team $10.	Self $1.	11.00
Wm Koontz	Team $2.	Self $1.	3.00
A. C. Brewer	Teams $29	Self $4.50	33.50
D. F. Linneweaver		Self	2.00
E. M. Jones	Team $1	Self $2.	3.00
James. C. Weltzel	No work done		
D. S. Weatwole	"	"	
Martin Beery	"	"	
Jno. B. Moyers	"	"	
Peter Swope	"	"	
Jacob D Spotts	"	"	
Abram. Hooper	"	"	

April Term

Stonewall District

Cornelius Armentrout	Self $1.		1.00
J. B. Binner	Teams $7.	Self $1.50	8.50
S. P. C. Miller	Bal. on Teams &c	$5.50 Self	6.50
C. B. Stevens	Teams &c $10	.82 Self $1	11.82
John S. Long	Teams $3.	Self $1	4.00
James Hendley		Self	1.00
C. M. Clearnsberger		Self	1.00
Geo. R. Engenbright	Team $5.	Self 1.	6.00
R. C. Wyant		Self	.50
C. E. Sipe	Teams $4.	Lumber 7.08 Self $3	3.08
W. H. Marshall	Report not approved		
J. B. Nicholas	Teams $2.	Self $1.	3.00
E. L. Lambert	Team $2.	Self $1	3.00
Jesse L. Pocock		Self	1.00
D. Miller	Team $7.50	Self $1.	8.50
Edward Bateman	Teams &c $6.16	Self $1.	7.16
H. S. Fry	No work done.		
R. A. Scott	"	"	

Stonewall District

Wm. P. Parker	Teams $4.	Self $1.	5.00
P. P. Shifflett		Self	2.50
A. C. Walker	Team $15.25	Self $2	17.25
S. C. Naylor		Self	1.00
R. M. Bear	Teams $36.12	Self $12.00	48.12
Jeremiah Armentrout	Team 1.25	Self 1	2.25
John B. C. Gentry		Self	1.00
Wm. E. Kite	Team $2.	Self $1.	3.00
Jesse Wyant		Self	2.00
John F. Maiden		Self	1.00
J. M. Bear	No work done.		
George Sipe		Self	1.00
Solomon Dean		Self	1.00
Wm. C. Patterson	Team $2.	Self $1	3.00
Sebastian Propes	Expenses		15.10
Thomas Eaton		Self	1.00
C. J. Weaver	No allowance		

April Term

March Term

April Term

Allowed Sureties $2.25

Asphby

John Q. Simmers Team $2 Self $1	3.00
James Huffman, Team $2 Self $1.	3.00
F. A. Rhodes. for Wm M. Kerns. Lumber	2.50
S. W. Chandler. Teams $4. Self 2$	6.00
Abraham Glory. Teams &c $5. Self 50.	5.50
Gilman R. Danley. Team $2. Self $1.	3.00
Wm. H. Kanicofe. Bal on Team &c $1. Self 2.	3.00
J. D. Whitezell. Teams $4. Self $1	5.00
Reuben Kisling. Team $2. Self $1	3.00
P. A. Kisler. Bal on Expenses 50¢ Self $1.	1.50
John Price. Self	1.00
E. S. Huffman. Bal on Team $4.75 Self $1	5.75
Wm. L. Anderson. Teams $6 Self $1.	7.00
John R. Bowman. Team $4.50 Self $1.	5.50
John Bonsehorne. $4 Team Self $1.	5.00
Daniel Miller. Teams 2$ Self 1$	3.00
George Hall No Work Done	
Geo. W. Airey " "	
E. A. Spitzer " "	
Abram. Selick " "	
Rudolph Moyers a/c allowed by B of S.	

Linville

John A. Abramentrout Team $2.50 Self 3	5.50
John. H. Keay. Team. 7.50 Self $1.	8.50
Abraham Denver. Team $2. Self $1	3.00
W. A. Kildow. Teams &c 6.45 Self $-85	7.48
Jacob Geil. Team $7. Self $1.	8.00
B. F. Ritchie. Team $2. Self $1.	3.00
Samuel Barley. Teams. &c. 11.18 Self $2=1	13.18
Same G. B. Rudy $--	7.00
C. F. Shank. Self	1.00
Philip Ritchies Jr. Teams 4$ Self 4$	8.00
Berryman Custard Teams $2. Self 1.	3.00
Wm. F. Chester. Self	10
A. R. Rhinehart. Teams Bal $7.50 Self 2$	9.50
Wm. C. Glover. Team $2.25 Self $2.	4.50
G. S. Neff Team. 7$ Self 2$	9.00
Joseph C. Ritchie. Teams 14.50 Self 2$	16.50
A. C. Long. Teams &c 10.86 Self $1	11.86
C. F. Ritchies Teams 6.50 Self 1.00	7.50
Isaac A. Beery Teams 3.25 Self 50	3.75
James Jones Bal on Teams 3.25/11 Self 2$	5.25
Gideon Layman. No work Done	
J. M. Saunders " "	
J. P. Swank a/c allowed by B of S.	

Plains

Reuben Moore. Team $2 Self $1	3.00
Geo W. Richard Teams &c 13.00 Self $1	14.00
S. D. Wampler. Teams $4 Self $1	5.00
E. S. Pettingtow Self $	1.00

Dustract

Wm. J. Carpenter. Teams &c. $12.00 Self $1	13.00
J. F. Lowman. Teams $2.75 Self $1	3.75
John Early Teams $4.00 Self $2.	6.00
George Kanicofe. Bal on Team 1.90 Self $1	2.90
J. H. Baumbergen, Teams Bal Log &c 6.95 Self $1.	7.95
L. F. Bell, Teams. $2.75 Self $1.50	4.25
John J. Showalter. Teams &c. $3.12 Self 50.¢	3.62
David J. Garber. Teams $2. Self $1	3.00
John P. Fisher. Expenses $4.43 Self $1.	5.43
Robert Pentzer. Bal on Teams 4.75 Self $1	5.75
Emanuel Roller, Teams $7.00 Self $1	8.00
J. M. Kennedy. Expenses $5.10 Self $1	6.10
Noah Glory Teams $2. Self 50.	2.50
S. A. Wine. Teams &c $5.75 Self $1.	6.75
Wm. H. Monger. Bal on Team 2$ Self 1$	3.00
Samuel Baker. No work Done	
Peter Showalter. " "	
Lehd. A. VanLear " "	
Robinson Showalter " "	
Wm. P. Sites a/c allowed by B. of S.	

Dustract.

Abram. Beam. Team $2. Self $2.	4.00
J. A. Mitchell Team $2. Self $1	3.00
Jr. R. Wenger, Self	1.00
J. A. Shoemaker Team $2. Self $1.	3.00
J. M. Sterne. Teams $8.50 Self $2.	10.50
Wm. Neff. Team $2. Self $1.	3.00
Andrew Bazzle. Team $2.50 Self 1$	3.50
R. A. Harrison. Team $5.50 Self $2.	7.50
R. M. Grubb Bal on Team $3.25 Self $1	4.25
John S. Bridley Teams $4 Self $2.	6.00
R. F. Mason. Bal over fines Collected.	50
J. M. C. Harrison. Teams 4$ Self $1	5.00
Adam Ritchie Team $2. Self $2	5.00
Robert Ruffner Teams $3 Self $1	3.00
Jacob Weaver. Team $2. Self $1.	3.00
J. M. Simmers. Team $2. Self $1.	3.00
David Moore. Team $7.50 Self $1 allowed by B of S.	8.50
Timothy Funk Team $10. Self $1.	11.00
Thomas Moore. No work Done	
John Miswander Account allowed by Board of Supervisors	
Silas Beard " "	

Plains Dustract.

James M. Chapman Teams 4.25 Self $1.	5.25
Joseph Mauck Teams $8 Self $1.	9.00
James M. White Team $2. Self $1.	3.00
Same Abram Lineslen 1.25	1.25

Marcel Swan

Plains District:

Samuel Emperiden Teams &c. 2.50 Self $1	3.	80
Geo. W. Moyers Teams. $4 Self $1	5.	00
David B. Sites Teams $19. Self $1.00	20.	00
Josiah Mowbrey Team $6. Self $3.	9	00
Christian Runion. Team. $4. Self $3.	7	00
Wm. H Bowers. Teams $6.50 Self $1.	7	50
Herod. Homan. Teams $4.50 Self $1	5	50
Samuel Minnick Fines Collected & all expenses.		
Benj Saunbs. Team 2 $ Self $2.	4	00
Jesse Moyers. Teams. 6 $ Self $1	7	00
D. S. Rosenberger. Teams &c. 22.94 Self $2.	24.	94
D. C. Martz. Bal. on Team 50. Self $1	1.	50
G. B Reed. Teams 13.50 Labor 1.50 Self 2	17.	00
Henry L Shonpe Self	2	00
John M. Glass Team 1.25 Self $1	2.	25
Wm. M. West Team 2.50 Self 1	3.	50
Ab. J. Rosenberger, Teams. 2.50 Self $1	3.	50
Lewis Driver, Teams. 2.25 Self $1	3	25
Josiah Swader. Self	1.	00
David Bowman No. Work done		
Harvey Dove " " "		
Saml. Flory " " "		

Phil Swan

District:

P. G. Brenner. Teams $ 23 Self $ 1.	24.	00
David Shurley Bal on Teams 4.37 Self $1.	5	37
Noah Stroup Team 3.50 Self $1	4.	50
John C. Sprinkel. Self	3.	00
Michael S. Earman. Team $16. Self $3.	19	00
D. H. Smith Team $2. Self $3.	5	00
Jno. W. Driver. Teams $2 Self $1.	3.	00
M. S Brake. Teams &c. 6.16 Self $1	7.	16
Michael Thomas. Teams $2 Self $1.	3.	00
George W. Fulk. Teams 16.00 Self $4.	20.	00
Jacob Garber. Teams &c. 3.69 Self $1.	4.	69
Michael Roller. Bal on Team &c 3.50 Self $1.	4.	50
Richard Lohr. Teams $4. Self $1.	5	00
Mathias M. Miller Teams 4.50 Self $1.	5.	50
David J. Driver. Teams 2.25 Self 1.00	3	25
David Driver. Self	1.	00
John. B. Smith Teams $9 Self $1.	10.	00
Philip Sowders Team $1. Self $1.	2	00
Ulrick Wittig No Work done		
Cyrus Pence " " "		
Harvey Archart " " "		
S. L. Williamson " " "		

It is further ordered that any Surveyor of Roads now having money in his hands arising from the Collection of fines, or who may hereafter receive any from said Source, is directed to pay the Same into the hands of the Treasurer of this County, to the Credit of the road fund.

The following Road Surveyors having returned their Reports to Court, at this term, It is ordered by the Court that the Rules awarded against them for their failure to report at the March Term last, be discharged upon the payment of the costs of the Rule, viz:-

Central District:-Jesse Riser, Jacob D. Suter, F. J. Butler, Peter Swope, Samuel Driver, A. W. Long, Martin Beery, Abraham Anders, Jacob Meserole James C. Heltzel, D. F. Linaweaver & Wm. J. Atchison,

Stonewall District:- R. A. Scott J. S. Imy, Thomas Eaton, Edward Bateman, Sebastian Cooper, J. D. Wisner, Wm. C. Patterson, J. L. Bowcock, E. L Lambert, George Life & J. B. Nicholas.

Ashby District:-Wm. P Sites, Noah Flory, Robinson Showalter, Abm. Welch, C. A. Wanlear, E. A. Spitzer, Peter Showalter, Geo H. Airey, Samuel Baker, George Hall, W. H. Monger, Daniel Miller S. B. Wine, John Cronenhour, J. M. Kennedy, Wm. L. Anderson, Emil Roller, jr., John Price, P. A. Riser, John B. Fisher, E. L. Kyger, David J. Garber & Reuben J. Kisling,

Linville District:- J. P. Swank, Silas Beard, Gideon Layman, John Wisevander, Thomas Moore, James Jones, & I. N. Beery, A. J. Roberts,

Plains District:-S. L. Williamson, Samuel Flory, Harvey Archeart, Harvey Dove, David Bowman, M. Wittig, A. J. Rosenberger, David Driver, W. M. West, John M. Glass & Ly. L. Shoup.

The following Road Surveyors having returned their Reports to Court, at this term, It is ordered, for reasons appearing to the Court, that the Rules awarded against them for their failure to report at the March Term, be discharged, viz'-
Central District'- Abraham Bloser, Jr. B. Moyers, D. A. Heatwole, E. H. Jones & Wm. R. Hopkins,
Stonewall District'- C. J. Weaver & Solomon Dean,
Ashby District'- Rudolph Myers, John R. Bowman, E. S. Huffman, Robt. Rutrviler,
Linville District'- J. M. Samuels, John Lamb, Timothy Funk, David Moore, J. C. Simmons, A. C. Long, Jacob Hoover, & Jr. C. Ritchie,
Plains District'- Cyrus Pence, Josiah Sowders, Philip Sowders, Lewis Driver, John B. Smith, David J. Driver, & M. M. Miller,

Ordered, That this Court be adjourned until to-morrow morning at 9 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 Saturday, April 22, 1876.-

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

Commonwealth,
vs
Allen Gentry,
} Upon an Indictment for Petit Larceny.

The prisoner was this day led to the bar of this Court in custody of the Jailor of this County, (it being the day fixed for his trial,) and it appearing to the Court that the Sheriff has not returned the Subpoena for witnesses in this case, to this day of the term, It is ordered by the Court that the trial of the cause be continued until Monday next, and a Rule is awarded against D. A. Roleston Sheriff of this County, returnable to Monday next, to shew cause for his failure to execute and duly return the process aforesaid to this day of the term, which went into his hands on Wednesday last.

J. A. Hammen, S. A. C.,
vs
A. A. Neff, &c,
} Upon a Notice on a Bond,

This day came again the Jury sworn and impannelled on yesterday for the trial of this cause, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until Monday next at 10 o'clock.

Upon the application of George W. Airey, and from evidence introduced that the said applicant is a person of sobriety and good character, that the place of business is suitable and convenient, It is ordered that Merchants Retail Liquor License be granted him, at his place of business, near Rawley Springs from May 1, 1876 to April 30, 1877, the receipt of the Treasurer of this County for the amount of the License Tax, being presented in Court.

√
empd.

Application of Henry Beery, A. H. Beery, Wm. S. Zirkle & others, for continuation of Road from Loweis Station, &c,

Ordered, That this cause be docketed,

Ordered, That this Court be adjourned until to ~~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, April 24, 1876.—

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

The Court doth award Rules against Isaac Lohr, Surveyor Road Precinct No. 30 Plains District and Wm. Carpenter Surveyor Road Precinct No. 13 issued. & Wm. Carpenter Surveyor of Road Precinct, No. 29. Ashby District, for their failure to make their Reports at the March Term last of this Court, as said Surveyors, according to law.

Upon the Petition of George W. Showalter, John Seabaugh, C. A. Van Lear & others, to establish a road, commencing on the Keezletown, near A. H. Kniphle's wagon-shop, about 3/4 of a mile South-west of Cross-Keys, and running thence with or near the line of the old neighborhood road to the intersection of George W. Showalter's lane & the neighborhood road leading to the Port-Republic, near the Dunker Church,

This day came the parties by their Attorney & it appearing cap'd. to the Court that the rule to show cause against the report of the viewers, returned to the last ~~term of the Court~~ returnable to the first day of this term has been issued & duly served on Wm. A. Showalter, John D. Hopkins, J. T. Scott, & Mrs. Ann Moyerhoeffer, the land-owners on the line of the proposed road & they failing to show any cause against said report, the said report is confirmed, and the Court doth establish the said road in accordance with the prayer of the petitioners on the route laid down on the plat & survey returned with the report of the viewers, the said road to be made twenty feet in width, and it appearing that the viewers have allowed damages to the following parties, to wit:- John D. Hopkins, Ten Dollars; James T. Scott, Fifteen Dollars; Wm. A. Showalter, Twenty Dollars & Mrs. Ann Moyerhoeffer, Fifteen Dollars, the said damages to be paid by the petitioners before the opening of the said road,

It is further ordered that W. H. Hooke be appointed Surveyor of this Precinct No. 47 Ashby District, and the following hands assigned to work thereon, viz:- Solomon Beery, John Atkins, John D. Hopkins, James Rogers, George W. Showalter, W. A. Showalter, Alex. Seabaugh, Wm. Rodeheffer, & A. H. Kniphle, and all costs of this application of whatsoever kind, shall be paid by the petitioners, and the road shall be opened at their costs.

Upon the Petition of Robert Cox & others to establish a Public Road, leading from Spade's Church to the Valley Turnpike, near Burt-holder's Spring.

Upon motion of the Petitioners, and it appearing that an error was made in the order made in this cause, at the Feby. Term, 1876, establishing said road, the said order is set aside, and thereupon the whole matter came on to be heard again, and it appearing that the following land-owners have been summoned in accordance with the law, to-wit:- J. B. Sheets, Calvin Argenbright, John Ronhof, Felty Bowman, Wm. Mary Swank, Simon Whitsel, Benjamin Landes, George E. Deneale, Elijah Dundore's Heirs, Isaac Stone, H. G. Way, & D. H. Landes, to show cause against the Report of the Commissioners made to a former term of the Court, and the report of E. S. Kemper, D. H. Huffman, & Daniel Byerly, viewers appointed at the January Term last, to view the lands of Isaac Stone, H. G. Way & Mary Swank, being made in due form & returned to this Court at its last term, & there being no exceptions thereto, their report is confirmed. And the Court having examined the report of the Commissioners & the survey & plat heretofore returned & the amended survey, & having heard all the evidence, doth order that the said road be established twenty feet in width upon the route as laid down in the report of Survey of Abraham Bloser of date Dec. 14, 1875, as amended and changed by his additional report of April 11, 1876, the adoption of the changes from the original survey being made upon motion of the Petitioners, and with the consent of Isaac Stone, H. G. Way & the Heirs of Elijah Dundore, upon whose lands the changes are made. And the Court doth allow damages to the following parties as fixed by the report of the Commissioners & viewers, to-wit:- H. G. Way, $85.00; Isaac Stone, $25.00; Mary Swank, $15.00; & George E. Deneale $5.00- these being all the parties requiring any compensation. And upon the payment of the Damages allowed to the parties entitled, the Court doth order that said road be opened for use, & it is further ordered that the costs attending this application be paid by the County, and that the appointment of Surveyor & assignment of hands on the road as made at the last term of this Court, be ratified and confirmed.

Samuel H. Bowman, Deputy for D. H. Roleton Sheriff of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.60 for arresting Charles Minnick, convicted of misdemeanor, mileage to County Jail and expenses of Prisoner, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd.

It is ordered by the Court that A. D. Roleton, C. G. Skinner, Wm. R. Fallis, John Linaweaver, Tobias H. Coiner, John G. Fulton, Dr. J. Hanenkratt, D. B. Sites, Daniel S. Harrison, Abraham Beam, M. H. Richareck & John M. Huffman, be each allowed the sum of One Dollar for their services, one day, at this term of the Court, upon the trial of Harvey Fulk, &c, for misdemeanor, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

c/p'd & d.

cert. to Aud. of Pub. Accts

M. S. L. c. c.

It is ordered by the Court that the following-named Petit Jurors be allowed the sums opposite their names, for their services at this term of the Court, which is ordered to be certified to the Treasurer of this County for payment, viz: —

Wm. A. Peterson,	$7.00	C. G. Skinner,	$6.00	Wm. R. Fallis,	$6.00
Geo. W. Fulk,	7.00	Wm. D. Haga,	5.00	Tobias P. Leaver,	6.00
John G. Fulton,	5.00	D. J. Hauenstein,	6.00	Stephen Fawley,	7.00
David B. Sites,	6.00	D. S. Harrison,	6.00	R. D. Cushen,	5.00
M. N. Richcreek	5.00	B. F. Showalter,	3.00		

cd

J. N. Hammen, S. R. C.,
vs
N. N. Hess &c, } On a Notice,

It appearing to the Court that the order made in this cause on the 21st day of April 1876, making up the issue, inadvertently omitted to state that the Defendants George W. Airey, Abraham Andes & Wm. C. Whitmer craved oyer of the bond mentioned in the Plaintiffs notice, on which this motion is based, and filed their pleas of non-est-factum, to which the Plaintiff replied generally, and it further appearing that said order inadvertently embraced the name of John N. Hess as filing said plea, It is ordered that the same be corrected in said particulars — the said George W. Airey, Abraham Andes & Wm. C. Whitmore having craved oyer of said bond before said pleas of non est factum were filed, and the said John N. Hess not having filed any plea to the motion.

N. B. Hamaberger, surv'g. &c,
vs
S. B. Allebaugh, gar. of G. W. Hogan, } Upon a Petition

On motion of Jacob W. Zirkel, he has leave to file his petition in this cause, which is accordingly done.

A. J. Wall, upon an application for Ordinary & Merchants Retail Liquor License at Broadway

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

The Commonwealth,
vs
Allen Gentry. } Upon an Indictment for Petit Larceny.

This day came again as well the Attorney for the Commonwealth, and the Defendant by counsel, (who filed his Plea of "not guilty") the Defendant also being led to the bar of the Court in custody of the Jailor of this County, and thereupon came the following Jury, to-wit: — J. L. Andes, A. A. Howard, Jed McLaughlin, J. N. Ritchie, John W. Rolston, of D. S. A. Davis, G. W. Jones, John Snyder, Joseph Randol, Wm. C. Coffman John Fox and A. P. Keephemateme, who being elected, tried and sworn well and truly to try the issue joined, and a true verdict render according to evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their

oaths do say, "We, the Jury find the Defendant guilty in manner & form as charged in the Indictment, and ascertain the term of his confinement in the County Jail at eight months." John H. Rolston, of D. foreman. It is therefore considered by the Court that the Defendant Allen Gentry, be imprisoned in the Jail of this County for the period of eight months, the time ascertained by the Jury in their verdict, and that the Commonwealth do recover of said Defendant her costs, by her in this behalf expended. And thereupon the prisoner was remanded to Jail.

It is ordered by the Court that the following named persons be each allowed the sum of One Dollar, for their services at this term of the Court, one day, upon the trial of Allen Gentry, for Petit Larceny, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:— J. L. Anders, A. A. Howard, Jesse McLaughlin, J. N. Ritchie, John H. Rolston, of D, S. A. Davis, G. H. Jones, John Snyder, Joseph Randol, Wm. C. Coffman, John Fox & D. P. Heaplenstein.

cert'd & d.

cert. to Aud. of Pub. accts.

L. L. & c.

J. A. Hammen, S. R. C. Pltff,
A. A. Hefs &c, Defts. } Upon a Notice upon a Bond,

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, upon the plea of non-est-factum, filed by George W. Airey, Wm C. Whitmer and Abraham Anders, in this cause, find for the Defendants," Charles G. Skinner, foreman. Whereupon, the Plaintiff by counsel, moved the Court to set aside the verdict of the Jury, and grant him a new trial, which motion on consideration, the Court overruled, to which action of the Court in overruling his motion to set aside the verdict of the Jury, and grant him a new trial, the Plaintiff by counsel excepted. It is therefore considered by the Court that the Plaintiff recover of the Defendants A A Hefs and John A. Hefs, the sum of $15.000 the Penalty of the Bond in upon which this action is founded, to be discharged by the payment of $144.80 with damages thereon at the rate of 15 per cent. per annum from the 15th day of May 1871, until paid, and $5.62½ costs in suit of Hy. Shacklett, as J. A. Hammen, &c, subject to a credit of $50.00 as of the 1st day of May, 1871, and his costs by him in this behalf expended. It is further considered by the Court that the Defendants Geo W. Airey, Wm C. Whitmer and Abraham Anders go hence without day, and recover of the Plaintiff, their costs by them in this behalf expended.

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

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Chas. D. O'Donnell,

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Tuesday, April 25, 1876.-

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

Cyrus Pence, for &c, Pltff,
vs.
J. D. Gilmore, &c, sureties of J. C. Ammon, S.R.C. } on a notice,

A. J. Whitmer &c, Pltff,
vs.
P. H. Dice, Deft } on a notice,

Ordered, That these causes be continued until next term at the costs of the Defendants.

T. W. Sellers, &c, trustees, Pltffs,
vs.
P. K. Miller, surv'g, &c, Deft } upon a notice.

This day came again the parties by their attorneys, and the Defendant craved oyer of the bond and receipt and filed a plea of statute of limitation, to which the Plaintiff replied generally, and thereupon the cause was continued until next term.

Newton Moore, Pltff vs J. & S. Mantz, Deft - Appeal.
Ordered, That this cause be continued generally until next term.

Geo W. Shaver, Appellant,
vs.
Jacob C. Rhodes, Appellee } upon an appeal.

The Court doth award a Rule against Henry Beery, one of the Appellee's witnesses, returnable to the next term of the Court, for his failure to appear at this term, upon the call of the case, and the trial of this cause is continued until next term, at the cost of the Appellee.

Upon the application of C B. Luck, agent for Mrs. V. M. Luck, he having produced in Court the recommendation of the Common Council of the Town of Harrisonburg, and from evidence introduced, that the said applicant is a person of sobriety and good character, that the place of business is suitable and convenient; It is ordered that a License be granted him to keep an Ordinary, (together with Merchants Retail Liquor License,) to be conducted at this place of business, the "Spotswood Hotel," in the town of Harrisonburg, from May 1, 1876 to April 30, 1877, the receipt of the Treasurer of this County for the payment of the amount of the License tax, being produced in Court.

G. M. Cobb, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $22.84 for Coal furnished for Court-House from January 24, 1876 to April 20, 1876, 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 out of the Levy for the year 1876.

Wm N. Chatterbuck, &c, Pltffs,
vs.
Stephen Sheets, &c, Defts } upon a Rule to try the right of Property, &c,

It appearing to the Court that the order entered in this case,

on the 3d. day of this term of the Court, (April 19th) inadvertently failed to show that an issue was made up with sufficient distinctness before the Jury was impaneled, when in fact the same was done, It is ordered that the record of the said order and of the proceedings on the said 3d. day of this Term, be, ~~corrected~~ and the same is hereby corrected as follows: "Insert after the word Attorneys, in the first line of said order, the following words, viz:- "and the Defendant Strother Sheets, by his Attorney, says that the title to the Wheat in the proceedings mentioned is in him and the same is the property of him, the said Strother Sheets, to which the Plaintiffs replied generally, and issue was joined upon the replication, and thereupon came the following Jury, to-wit:- Wm. P. Peterson, C. G. Skinner, Leon P. Fallis, Geo. W. Fuek, Tobias J. Glover, John G. Fulton, D. J. Hauseucker, Stephen Fawley, G. B. Sites, W. D. Kaga, W. N. Richcreek & R. D. Cushen;" And no further omission appearing, the Court doth confirm the said order and proceedings as corrected,

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Wm. N. Blatterbuck, &c Plff.

Strother Sheets, &c, Defts. } Upon a Rule to try the right of Property &c.

This day came again the parties by their attorneys, and the Defendant, Strother Sheets, moved the Court to set aside the verdict of the Jury and grant him a new trial, which motion, on consideration, the Court doth overrule, to which action of the Court in overruling the motion to set aside the verdict of the Jury and grant him a new trial, the Defendant by counsel, excepted. The Defendant also excepted by counsel, to the action of the Court, in entering an order to-day, correcting an order in this cause entered on the 3d. day of this Term of the Court. It is therefore considered by the Court that the wheat in the proceedings mentioned, not being the property of the Defendant Strother Sheets, be delivered to Thompson Steele, Constable of Rockingham County, or to such other officer or officers as may have the executions of the Plaintiffs against Edward Howard, and that the Plaintiffs recover of the said Defendants, their costs by them in this behalf expended.

c/p'd. for U.S.M.

D. N. Bear, Deputy for J. P. Rolston, Sheriff of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $16.50 for making arrest of Geo W. Hull, (indicted for felony) under a Bench warrant,) mileage, toll, assistance of guard & expences of prisoner, which being sworn to by said Deputy Sheriff, D. N. Bear & Wm P. Blakemore, the guard, and was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p'd

A. J. Wall, Appellant,

John M Royer, Appellee. } Upon an Appeal, from a judgment of a J. P.

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 be reversed; It is therefore considered by the Court that the judgment of the Justice of the Peace be reversed, and that the Appellant, A J Wall, do recover of the Appellee John M. Royer, his costs by him in this behalf expended.

Ordered, for reasons appearing to the Court, that the Rule awarded on Saturday last against D. A. Rolston, Sheriff of this County, for failure to make due return of the Subpoenas in case of Commonwealth vs Allen Gentry, for petit Larceny, be discharged.

J. A. Hammen, v. R. C. Pluff

vs

A. A. Hefs. &c, Defts. } Upon a Notice.

Memo:- Upon the trial of this cause the Plaintiff by counsel excepted to an opinion of the Court, refusing to give certain instructions to Jury, and tendered his bills of exceptions, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in words & figures following to-wit:- "J. A. Hammen, Sheriff of Rockingham County vs A. A Hefs. &c."

Memo:- Upon the rendition of the verdict in this cause, the Plaintiff by counsel, excepted to the action of the Court in overruling his motion to set aside the verdict of the Jury and grant him a new trial, and tendered his 2nd bills of exceptions, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words & figures following, to-wit:- J. A. Hammen, S. R. C. vs A. A. Hefs. &c."

Staples & Wilson, Pltffs;

vs

Wm. D. Blakemore, gar. of Will Bowman, Deft. } Upon a Suge.

This day came the parties by their attorneys, and the defendant Wm. D. Blakemore gar. of Will Bowman, being examined. It appeared to the Court that he had in his hands for the benefit of said Bowman, the sum of $8.00 which the Court is of opinion is liable to the lien of the Plaintiffs Fieri Facias; It is therefore considered by the Court that the Plaintiffs recover of Wm. D. Blakemore, gar. &c, the sum of $4.00 with interest thereon from September 20, 1874 till paid & $1.78 costs before the Justice of the Peace, and his costs by him in this behalf expended.

A. J. Wall upon an Application for Ordinary & Merchants Retail Liquor License, at Broadway.

Ordered, That this application be continued generally until the next term.

Ordered That Court be adjourned until to-morrow evening at 5 o'clock.

Chas. D. O'Donald.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Wednesday, April 26, 1876.

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

It is ordered by the Court, 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 Fifteen Dollars, for prosecuting in three cases of misdemeanor, to conviction, at this term of the Court, viz:- Commonwealth vs Susannah Taylor, and same vs Kate Taylor, same vs Harvey Puck and same vs Allen Gentry.

cert'd.

On the Petition of George Crouse[illegible] & others for the establishment of a Public Road from the new road near David Spicer's, about 3 miles S. E. of Rawley Springs, to the old road near the end of Cooper's Mountain:

And appearing to the Court that the report of E. H. Conner, late Commissioner of Roads for Ashby Township, dated May 15, 1875, returned to this Court at a former term, is fatally defective, the same is hereby set aside, and it is ordered that Peter Paul, Michael Whitmore and John Soule be and they are hereby appointed viewers to view the ground and report to this Court the conveniences and inconveniences that will result as well to individuals as the public if such road should be established as proposed, and especially whether any yard, garden or orchard, or any part thereof will have to be taken.

103 cp. ind.

They shall further report the facts and circumstances in their opinion useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land owners on such proposed route, and state which of them require compensation, the probable amount in their opinion to which such party may be entitled, and any other matter which they may deem pertinent. They shall endeavor to locate a route whereon the grade at any one point shall not exceed six degrees.

A map or diagram of the route with courses and distances shall be returned with their report, and if neither of them be a Surveyor, one may be employed. A statement of the number of days each viewer and the Surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

On the Petitions of C. L. Lambert & others and J. S. Hay & others for the establishment of a Public Road:-

101 cty

And appearing to the Court that the reports of the viewers, James M. Weaver, S. H. Miller and Adam Bear heretofore made to this Court, upon the petitions of the said parties are imperfect in this following particulars, On the petition of C. L. Lambert & others, they fail to report

1st. What will be a just compensation to the land-owners along the route reported, for the land actually taken, the law in all cases allowing the value of the land taken, when damages are claimed, without regard to the advantages that may be derived by the land owners from the estab-

-lishment of the road, peculiar advantages only to be considered in connection with peculiar disadvantages 2nd. They fail to report what in their opinion will be the cost of opening the road in accordance with the diagram accompanying said report.

On the petition of J. S. Fry & others, they fail to report: 1st As to compensation of land-owners, as in the report of E. L. Lambert & others just referred to; and do not state the names of the land-owners who claim damages. 2nd. They fail to report as to the probable cost of opening the road in accordance with the diagram returned with their report.

It is, therefore ordered that both reports be recommitted to the said viewers, with instructions to go along the said routes again, and make amended reports at the next term of this Court, covering the defects set forth in their said reports, as set forth in this order.

Upon the Petition of J. D. Pennybacker & others, for the establishment of a Public Road from Edom down Linville's Creek to the road leading from Isaac Acker's to Bowers's Station, on the B. & O. R. R.

It is ordered that the report and amended report of Henry Pulse, Jacob F. Neff and Emanuel Sipe viewers appointed by this Court in this matter, be, and they are hereby recommitted to said viewers with instructions to assess, and report in accordance to law, and report to the Court at its next term, the probable damages to the land-owners on route No. 2, on the Bowers's Station end of said proposed road, from the point at which said route diverges from the route No. 1, and in all particulars to comply with the original order entered upon which they acted in viewing and locating the said routes, so far as it related to route No. 2.

c. & D. 1 + 2 copy

It is further ordered that the report of D. A. Beatwole John W. Roleton, of D. James Baker, Silum Sellers and J. W. Roleton Commissioners, heretofore returned to this Court be recommitted to them, with instructions to go again upon the lands of William S. Perry and William Chapman, through which the route for the proposed road passes, on Saturday the 13th. day of May 1876, and after being duly sworn, as provided for in S. 9 Chapter 56 of the Code of 1873, and after viewing the land and hearing such proper evidence as may be offered, they shall ascertain what will be a just compensation to each of the said land-owners for the said land proposed to be taken, and for the damages to the residue of each of the said tracts, beyond the peculiar benefits to be derived in respect to said residues, should the road be opened as proposed, and as located by report of viewers heretofore made to this Court, and leave is hereby given the said Commissioners to withdraw from the papers of this cause, (the same to be returned with their report,) the diagram returned with the report of said viewers, in order that they may ascertain the courses and distances and exact location of said proposed road.

c. & D. 1 + 1 copy

They will report in accordance with the above instructions upon both routes (Nos 1 & 2) laid down in diagram through the lands of the said William S Perry.

They shall comply in the discharge of their duties in all respects with the provisions of Sections 9 & 10 of Ch. 56 of the Code of Virginia

of 1873, and make return forthwith of their report, and the certificate of the Justice before whom they qualified, to this Court.

In the matter of the Petition of J. D. Pennybacker & others for a Road leading from Edom to the road leading from Isaac Ackers to Cowiers Station on the B. & O. Railroad,

This day came the parties by their Attorneys, and thereupon Isaac Wenger, one of the land-owners along the proposed route of the proposed road moved the Court to appoint five disinterested freeholders to ascertain what will be a just compensation to him for the land of his proposed to be taken for the said proposed road, from the lands of D. L. Brenneman to the lands of Mrs. J. D Pennybacker, and for the damages to the residue of the tract beyond the peculiar benefits to be derived from said road - but the Court overruled said motion, and refused to appoint said freeholders, it appearing to the Court that said Isaac Wenger was summoned to appear at the January term 1876, of this Court, to shew cause against the opening of the road, and that he was present on the day of that term to which he was summoned - but understood from the Judge of the Court that the case was not to be taken up that day, it then being nearly night, and did not then employ any counsel, or in any way make it known to the Court at any time that he desired the appointment of Commissioners, and that during the term the case was called, and Commissioners appointed at the instance of all parties requiring it.

Henry J. Showalter moved the Court to appoint five disinterested freeholders to ascertain what will be a just compensation to him for the damages to his lands in accordance with law, from the establishment of the proposed road, which motion the Court overruled, and the Court refused to appoint said freeholders, it appearing to the Court that the said Showalter had been summoned to the January Term 1876, to show cause against the opening of the road, and that the case was called at that term, and Commissioners appointed at the instance of all parties desiring the same, and that the said Showalter was not present either in person or attorney, and expressed no such desire.

And thereupon the said Isaac Wenger, Henry J. Showalter & others moved the Court to quash the Report of the viewers Pulse, Neff & Sipe, filed at the former term of this Court on the ground that it does not respond to the order of the Court, but the Court refused to quash the report, and directed that the same be recommitted to the said viewers, with instructions to assess the damages on route No. 2, as directed by the former order, and report to this Court at its next term; to which action of the Court, in refusing to quash said report, and in recommitting said report instead of quashing the same, said Isaac Wenger, H. J. Showalter & others excepted.

"Wm. H. Blattenbuck, &c., Pltffs,
Strother Sheets, Deft. } upon a Rule to try the right of Property, &c

Memo:- Upon the trial of this cause, the Defendant by counsel, excepted

to the opinion of the Court in overruling the motion to dismiss the case for want of proper parties to the record, and tendered his bill of exceptions which he prays may be signed, sealed and enrolled and made a part of the record in this cause, which is accordingly done, and is in the words & figures following to-wit:- Wm. H. McClattenbuck &c. vs. Strother Sheets here insert 1st Bill of Exceptions.

Memo:- After the jury had rendered a verdict and before judgment was entered by the Court, the Defendant excepted to the opinion of the Court in overruling his motion to set aside the verdict of the jury and grant him a new trial, and tendered his bill of exceptions, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words and figures following to-wit: Wm. H. McClattenbuck, &c vs Strother Sheets- here insert 2d Bill of Exceptions.

Memo:- After overruling the Defendants motion for a new trial, the defendant moved in arrest of judgment for errors appearing on the record, which motion the County Court overruled, and thereupon the Defendant excepted, and tendered his bill of exceptions, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words and figures following to-wit:- Wm. H. McClattenbuck, &c. vs Strother Sheets- here insert 3d Bill of Exceptions

Memo:- After the Court overruled the motion for arrest of judgment, the Court proceeded to enter an order correcting the record in the words & figures following to-wit: (here insert order) and then the Court proceeded to enter up judgment in the words & figures following to-wit: (here insert judgment) to which action of Court in entering the order correcting the record and in entering judgment, the Defendant excepted, and tendered his Bill of Exceptions, which he prays may be signed, sealed and enrolled and made part of the record in this cause, ~~xxxx~~ which is accordingly done, and is in the words & figures, following to-wit:- Wm. H. McClattenbuck &c vs Strother Sheets" here insert 4th Bill of Exceptions.

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

Chas. T. O'Ferrall.

In Vacation, - May 3, 1876.

The Clerk of the County Court is hereby directed to issue a Venire Facias, directed to the Sheriff of Rockingham County, commanding him to summon a Special Grand Jury for the May Term next of said County Court, to appear at the Court-House thereof, on the 1st day of said term at 10 o'clock, A. M., Given under my hand this 3d day of May 1876.

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

Teste, L. J. Logan, Clerk. 3

Monday, May 15, 1876.

At a County Court held in and for the County of Rockingham at the Court-House thereof, on Monday May 15, 1876.

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

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

Bargain & Sale,	John Showalter, &c, Heirs of Jno. Showalter	to James M. Foley,
" "	Nancy Kolsinger,	" Alexander & Silas J. Kolsinger,
" "	Andrew J. Kolsinger & wife,	" Nancy Kolsinger,
" "	William D. Rodgers & wife,	" John H. Showalter & wife,
" "	John H. Showalter & wife,	" Lydia, Elizabeth & Adaline Showalter,
" "	Marion Long & wife	" Jack R. Wilson,
" "	Thomas Lamptkins & wife	" Sally Koontz,
" "	H. H. Russell & wife, &c,	" Malinda Garber, wife of D. J. Garber,
Power of Attorney.	John F. Barger & wife,	" Benjamin H. Mantz,
Bargain & Sale,	Mattie Dovel & John H. Dovel,	" William P. Carpenter,
" "	Franklin Lickey & wife,	" Dewitt C. Rehard,
" "	Alexander Kolsinger & wife & others	" Joseph Wampler,
Trust Deed,	George M. Hoover	" Mary Hoover,
Bargain & Sale,	Samuel B. Good, Comm'r,	" Michael Whitmore, Geo. Airey, &c,
" "	Jacob Spitzer & wife,	" Elizabeth Kline,
" "	Peter W. Whitmore & wife,	" David Bailey,
Trust Deed.	Jacob W. Cool & wife,	" Reuben Huffman,
Bargain & Sale,	Frederick C. Kline,	" David C. Kline,
" "	E. & D. F. Coffman,	" Isaac Swanger,
" "	John P. Brock & wife,	" Same,
" "	Peter Bloser & wife & others	" Jacob Byerly, (old deed)
" "	Albert C. Fishback & wife,	" Jacob Shaluk,
" "	John G. Coates & wife,	" William Gallaugh,
" "	Christopher Reyer's Exr.	" Samuel Branson,
" "	A. M. Newman, Comm'r,	" Samuel R. Allebaugh,
" "	John Ackerman & wife	" Mary Bear,
Release Deed,	Saunders Lewis, Trustee,	" Emily Hollingsworth,
Bargain & Sale,	Emily Hollingsworth, &c,	" John E. Roller,
" "	John E. Roller,	" Joseph B. Loose,
Trust Deed,	Abraham Alger & wife,	" Danville Eastham, Trustee for J. W. Boleton, &c,
Bargain & Sale,	Michael Ward, wife &c,	" Wm. H. Long,
" "	Jacob Triplett & wife,	" Jacob Stover,
" "	Jacob K. Mauzy & wife,	" Wm. H. Spitzer,
" "	B. G. Patterson, Comm'r,	" Wm. H. Spitzer,
" "	Wm. Thomas & wife,	" John T. Pinnell,
" "	Mary E. Cole, &c,	" Henry C. D. Haubert,
" "	Wm. Cravens,	" Margaret Baxter, (old deed.)
Trust Deed.	S. M. Hammer,	" J. A. Harman, Trustee, &c,

Trust Deed,	Wm. C. Soule & wife,	to Lucy Pomeroy, Trustee, &c,
Bargain & Sale,	John C. Woodson, Commr.	" Andrew B. Strickler (old deed.)
Homestead Deed,	Ludwig Reinsch,	
Article of Agreement,	Moses Poms,	" Peter O Reed,
Bargain & Sale,	Jacob Senger & wife,	to Samuel K. Myers
Trust Deed,	J. L. Heiskell,	" W. B. Warren, Trustee for J. H. Lowman,
Bargain & Sale,	Wm. B. Yancey & wife, &c,	" A. J. Smith
" "	A. B. Strickler, Commr	" John N. Armentrout,
Mechanics Lien,	Peter Guyer,	" W. E. Lemley,

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

Appraisement & Sale Bill of Personal Property of Martin Garber, dec'd;
Sale Bill of L. C. Myers Property, by Charles A. Yancey, Trustee,

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On the motion of John R. Jones, Commissioner of the Revenue for Central District, Henry Heatwole appeared in Court, and qualified as his assistant, by taking the several oaths prescribed by Law.

Isaac Lohr, Surveyor of Road Precinct No. 30, Plains District and Wm. D. Carpenter, Surveyor of Road Precinct, No. 29, Ashby District, having this day returned their Reports to the Court, for reasons appearing to the Court, It is ordered that the Rules awarded against them at the last term of the Court for their failure to report as required by Law at the March Term be discharged.

Peter H. Kiblinger, guard. &c Pltff vs J. N. Blose, Defft. Upon a Petition.
E. Royer, Pltff vs Harriet Longley, Defft. " " Lien Notice.
Wy. Shacklett, surv'g, &c, Pltff vs A. M. Brewer, C. R. C. &c. Defts = Notice.
ordered, that those causes be placed upon the Court's Docket.

Daniel Huffman's Exors.
vs
Wm. Sandy.

} Upon a Notice to appoint a Trustee in the stead of Wm. D. Grout, dec'd Trustee in a certain Trust Deed.

It appearing to the Court that the Defendant has had due notice of this motion, and not appearing to defend the same, on motion of the Plaintiffs, the Court doth appoint N. W. Newman, Trustee in a certain Trust Deed, executed by said defendant to Wm. D. Grout, as Trustee (who is now deceased, as it appears to the Court) to secure Daniel Huffman, in the sum of Five Hundred dollars, in the place of said Wm. D. Grout.

Philander Herring, Foreman, S. J. Jones, Wm. Linaweaver, Robert F. Weaver, Israel Kaplinger, John Lincoln, Robert Cox, John Liverthorn, M. J. Moyerhoeffer & S. N. Firebaugh, were sworn and impaneled a Special Grand Jury, in and for the body of the County of Rockingham, and having received their charge from the Court, retired to their room to consider of their presentments, and after sometime returned into Court and made the following presentments, viz:- An indictment

cmm.

against Conrad Eaton, Alfred Eaton & Joseph Davis, for disturbing a religious congregation, A true Bill, P. Herring, foreman,— Anv indictment against D.W. Rinehart & A. W. Rinehart, for maliciously causing bodily injury, with intent to maim, disfigure, disable & Kill, A true Bill, P. Herring, foreman,— Anv indictment against Robert Smith, for Buggery, A true Bill, P. Herring, foreman,— Anv Indictment against Eliza Ann Campbell, for burning a Barn, and for being accessory thereto, A true Bill P. Herring, foreman;— and having completed the business before them, were discharged from further attendance upon this Court.

And it is ordered that Ins per Process be issued against the Defendants.

It is ordered that the following-named Grand Jurors be each allowed

cap[itals] o.

the sum of One dollar, for their services at this Term of the Court, and that the same be certified to the Treasurer of this County, for payment, viz:— Philander Herring, S. J. Jones, Wm. Linaweaver, Robt. F. Hoover, Israel Kaplinger, John Lincoln, Robert Cox, John Cruncleton, W. J. Moyer, Joseph D. & N. Firebaugh.

The Commonwealth,

Joseph D. Shreckhise. } Indictment for selling (intoxicating) drinks on Sunday. No. 3.

This day came as well the Attorney for the Commonwealth, as the Defendant, by counsel, and Defendant pleaded "not guilty," and thereupon came the following Jury, to-wit:— R. A. Gibbons, Michael Thomas, A. H. Curry, John A. Sites, Wm. F. Bowers, A. N. Long, B. F. Armentrout, E. H. Bowers, W. H. Stinespring, J. S. Entwiler, Benjamin Simmons and John Linaweaver, who being elected, tried and sworn, well and truly to try the issue joined, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired to their room to consider of their verdict, and after some time returned into Court, and upon their oaths do say "we the Jury find the Defendant not guilty, R. A. Gibbons, foreman," and thereupon it is considered by the Court that the Defendant go hence without day, &c.,

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Same,

Daniel Fisher. } Upon an Indictment for selling Liquor to a Minor. (No. 1.)

This day came as well the Attorney for the Commonwealth as the Defendant, by Counsel, and the Defendant pleaded "not guilty," and thereupon came the following Jury, to-wit:— R. A. Gibbons, Michael Thomas, A. H. Curry, John A. Sites, James P. McLeod, A. N. Long, B. F. Armentrout, E. H. Bowers, W. H. Stinespring, J. S. Entwiler, Benjamin Simmons & John Linaweaver, who being elected, tried & sworn, well and truly to try the issue joined, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired to their room to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant not guilty, W. H. Stinespring, foreman," and thereupon it is considered by the Court that the Defendant go hence without day, &c,

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Same, } Upon an Indictment for selling Liquor to a
Same, } Minor. (No. 2.)

This day came the Attorney for the Commonwealth and entered

a "Nolle Prosequi", it is therefore considered by the Court that this cause be dismissed, and the Defendant go hence without day, &c.

Commonwealth,
vs
J. W. Rhinehart & I. N. Rhinehart, } Upon an Indictment for Felony.

This day the Defendants appeared in Court in discharge of their recognizance entered into before Joseph Funkhouser & Jonathan Bowers, Justices of the Peace for this County, for their appearance at this term of the Court to answer an Indictment of the Grand Jury, and the Grand Jury at this term having found an Indictment against them "for maliciously causing bodily injury, with intent to maim, disfigure, disable & Kill," and being thereof arraigned, pleaded "not guilty," and upon their arraignment elected to be tried separately. On motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, their trial is continued until next term of the Court. And thereupon the Defendants moved the Court to grant them bail, which motion the Court doth sustain and fixed the penalty of their bonds, (to be taken separately) in the sum of $1000.00 each for themselves and their surety. Thereupon J. W. Rhinehart, together with Susan Rhinehart, his surety, (who justified as to her sufficiency) entered into and acknowledged in open Court a bond in the penalty of $1.000 00 each, conditioned that the said J. W. Rhinehart do make his personal appearance before the Judge of this Court, on the first day of the next June Term thereof, to answer said Indictment, and not depart thence without leave of the Court, and I. N. Rhinehart, together with Susan Rhinehart, his surety, (who justified as to her sufficiency,) entered into and acknowledged in open Court, a bond in the penalty of $1.000 00 each, conditioned that the said I. N. Rhinehart do make his personal appearance before the Judge of this Court, on the first day of the next June Term thereof, to answer said Indictment, and not depart thence without leave of the Court, the benefit of the Homestead exemption being waived as to both these obligations.

Same,
vs
Eliza Ann Campbell. } Indictment for Felony.

The prisoner, Eliza Ann Campbell, who stands indicted for a felony, by her committed, was this day again led to the bar of the Court, in custody of the Jailor of this County, and being thereof arraigned, and upon her arraignment, by counsel, demurred to the Indictment, which demurrer the Court overruled, and thereupon she pleaded "not guilty". And the Court doth fix upon Friday next, May 19, 1876, as the day for her trial, and doth direct the Clerk of this Court to issue a Venire Facias directed to the Sheriff of this County, commanding him to summon 24 Veniremen to appear here on Friday next, May 19, 1876, for the trial of said Eliza Ann Campbell, and thereupon she was remanded to Jail.

Same,
vs
Robert Smith } Indictment for Buggery.

The prisoner, Robert Smith, who stands indicted for a felony

by him committed, was this day led to the bar of the Court in custody of the Jailor of this County, and being there arraigned, pleaded "not guilty," and the Court doth fix upon Monday next, May 22, 1876, as the day for his trial, and doth direct the Clerk of this Court to issue a Venire Facias directed to the Sheriff of this County, commanding him to summon 24 Veniremen to appear here at 10 o'clock, A. M. on Monday, May 22, 1876, for the trial of said Robert Smith, and thereupon he was remanded to Jail.

This day, Wm. Lambert, Frank. P. Bixey, Jno. B. Taylor, B. M. Rice, D. L. Seuger, S. S. Byrd, George Kline, Rau. D. Leuchen & Samuel Inma, appeared in Court and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $100. to be levied of their respective goods & chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition, that they do make their personal appearance before this Court on Friday next May 19, 1876, as witnesses in behalf of the Commonwealth vs Eliza Ann Campbell, charged with felony.

The Court doth award Rules against J. B. Earthand & Linnofield Lee, returnable to the first day of the next term, for their failure to appear at this Term of the Court as Petit Jurors, when duly summoned.

1 & 2 cap.

The writing purporting to be the last Will and Testament of David Kline dec'd, was this day presented in Court, and being proven by the oaths of Jacob Kline and J. J. Bowman two of the subscribing witnesses thereto, was admitted to probate; And thereupon, upon the motion of David C. Kline, who made oath thereto according to law, the Executor therein named, he appeared in Court, and together with Abraham Neff, Jacob Kline, B. F. Strickler, John S. Kline, Samuel Smucker, Isaac Miller and Crawford Zirkel, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $30.000 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining a probat of said will in due form.

And the Court doth appoint Daniel Zigler, David Zigler, Wm. S. Thompson and John W. Driver to appraise the Estate of said David Kline, dec'd, any three of whom may act, after first being duly sworn.

cap'd rd.

The writing purporting to be the last will and testament of William Gullihugh, was this day presented in Court, and being proven by the oaths of Henry Whisler & Abraham Yeam, the two subscribing witnesses thereto, was admitted to probate; And thereupon, upon the motion of Sarah Gullihugh, the Executrix therein named, who made oath thereto according to law, she appeared in Court, and entered into and acknowledged a bond in the penalty of $500. (without security, as provided in the will,) conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted her for obtaining a probat. of said will in due form.

The writing purporting to be the last will and testament of David Stanphley, was this day presented in Court, and it appearing that the at-

testing witnesses thereto had departed this life, the signatures of two of them was proven, viz: the signatures of John Kline by John Zigler and the signature of Daniel Yount by Abraham Sager, and said will admitted to probate, and thereupon Solomon Garber, the Executor therein-named, who made oath thereto according to law, appeared in Court, and together with Abraham Sager, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $10.000 cc conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining a probat of said will in due form.

And the Court doth appoint Joel Flory, Daniel Bowman & Christian Selick, to appraise the Estate of said David Stamphley, any three of whom may act, after first being duly sworn.

The writing purporting to be the last will and testament of John A. Keagy, was this day presented in Court, and being proven by, G. D. Ward and Adam Pifer, jr, ------: the subscribing witnesses thereto, was admitted to probate, and thereupon, upon the motion of Jacob Keagy, the Executor therein-named, he appeared in Court, and together with Abram Heatwole and John E. Roller, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $4000cc conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining a probat of said will in due form.

And the Court doth appoint John A. Craun, John M. Sherman, James Huffman and Harvey Lite to appraise the Estate of said John A. Keagy, any three of whom may act, after first being duly sworn

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On the motion of Josiah Bowers & David Bowers, who made oath thereto according to law, they appeared in Court, and together with Isaac Funk and James Steele, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2400cc conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted them for obtaining letters of administration in due form, upon the Estate of Philip Bowers, dec'd.

And the Court doth appoint Pierson Metzel, Abram Myers, William Stoltz, and Abel Dove to appraise the Estate of said Philip Bowers, any three of whom may act, after first being duly sworn.

On the motion of B. A. Myers, who made oath thereto according to law, he appeared in Court, and together with Samuel H. Myers, A. J. Myers & Samuel Driver, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3.600cc, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Catharine Myers, dec'd.

And the Court doth appoint Wm. Carpenter, Lewis Pence, Emanuel Roller, S. C. Whitescarver, & Jacob Garber to appraise the Estate of said Catharine Myers, any three of whom may act, after first being duly sworn.

On the motion of Jos. A. Mitchell & John C. Sprinkel, who made oath thereto according to law, they appeared in Court, and together with Jacob F. Neff & Benjamin Trumbo, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2500.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted them for obtaining letters of administration in due form, upon the Estate of Abraham Brenneman, jr.,

This order at last date at a late day of this Term. page 297.

And the Court doth appoint Hugh Caplinger, David Mulvey, James W. Fuck, & Joshua Fuck, to appraise the Estate of said Abraham Brenneman, jr., any three of whom may act, after first being duly sworn,

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On the motion of Dmcilla E. Heevener & William Heevener infant children & heirs of Wm. Heevener, dec'd., they appeared in Court, being over 14 years of age, and made choice of G. W. Miller, as their guardian, and thereupon the said G. W. Miller appeared in Court, and together with Abraham Heevener, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $250.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

Isaac Finks, who was, on the 29th. day of April 1876, duly commissioned by the Governor of Virginia, a Notary Public in and for the County of Rockingham, for the term of four years from said date, this day appeared in Court, and together with Josiah Sowders, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $500.00, conditioned for the faithful execution of the duties of his office, (waiving the benefit of the Homestead exemption. Which bond is ordered to be recorded by the Clerk of this Court, who is also directed to transmit a copy thereof, and a copy of this order to the Auditor of Public Accounts. And thereupon the said Isaac Finks took the several oaths prescribed by law,

cert. of ord. to Auditor, June 5/76 d.L.c.c.

Emma Shifflett, an infant over 14 years of age, this day appeared in Court, and made choice of Peter Bloser as her guardian, and thereupon the said Peter Bloser appeared in Court, and together with Abraham Bloser, jr, his surety, (who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of $150.00, conditioned according to law, waiving the benefit of the Homestead exemption, and qualified as said guardian.

Upon the application of L. J. Brock, and from evidence introduced that the said applicant is a person of sobriety and good character, that the place of business is suitable and convenient, It is ordered that (Ordinary) License, together with Merchants Retail Liquor License be granted him at his place of business at Yellow Massanutten Springs, for the year ending April 30, 1877, the receipt of the Treasurer of this County, for the amount of the License Tax, being presented in Court.

cert'd d.

J. M. McCauley, S. P. H. Miller & Adam Bear, viewers appointed to view the route for Road in which E. L. Lauck &c. and J. L. Frye &c are petitioners,

Inst @ Jamaica Craftsmen
for $70 - with kit from
Service Supply

290 A

This day presented their amended Reports in Court, in pursuance of an order made at last term,

Henry Pulse &c, viewers, & D. A. Heatwole, &c, Commrs. appointed at last term to view and report upon the route of the Road in which J. D. Pennybacker &c are petitioners, this day presented their Reports in Court.

J. W. Bowen, &c, viewers appointed at a former term of this Court to view and report upon the route of the Road, in which L. W. Maity &c, are petitioners, this day returned their Report into Court.

Commonwealth,
J. S. Sheckhise. } On Indictment for misdemeanor, No. 1,

Same,
vs
Same. } On Indictment for misdemeanor, No. 2,

&
Same,
vs
Same. } On Indictment for misdemeanor, No. 4,

This day came as well the Attorney for the Commonwealth as the defendant by counsel, and the defendant filed his plea of "not guilty," to each of the above Indictments, and on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, the trial of these causes is continued until Thursday next, May 18th. 1876.

Diener & Smith vs Jones & Bro. upon rug. vs Heiler & Gassman,
Ordered, That this cause be placed upon the Court's Docket.

R. N. Gibbons & Wm. G. Bowen are excused, for reasons appearing to the Court, from further attendance upon this Session of the Court as Petit Jurors.

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, May 16, 1876.

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

G. W. Grim, Appellant,
vs
Madison Mikel, Appellee. } Upon an Appeal.

On the motion of G. W. Grim, this cause which was stricken from the Docket at the March Term last of this Court, under the seven years rule, is for reasons appearing to the Court, re-instated.

dism'd. A Rule is awarded against Joseph Click, a Petit Juror at this Term of the Courts for his failure to appear on this day of the Court, returnable to Monday next.

E. N. Roulston, Sheriff of Rockingham Co. & as such Admr. of Jonathan Peale, dec'd. Pltff,
vs
O. F. A. Pinkey, late C. R. C. & Peter Keile & M. J. Moyerhoeffer, his sureties, Defts. } Upon a motion.

This day came again the parties by their attorneys, and the Court having heard the evidence and argument of counsel, is of opinion, and doth order that the plaintiff recover of the defendants, the sum of Five dollars, with interest thereon from the 27th. day of January 1861, until paid, and his costs in this behalf expended.

cp'd. & d. From evidence introduced, it appears to the Court that an error was made in the allowance at the April Term last of this Court to Michael Thomas, Surveyor of Road Precinct, No. 36 Plains District, It is ordered that the additional sum of $3.00 be allowed said Thomas - for ten 1/2 days, and that the same be certified to the Treasurer of this County, for payment.

P. Laymans Admr. Pltff.
vs
A. Flook, &c, Defts. } Notice.

D. V. Ruckman, Pltff,
vs
I. N. McHall, Deft, } Att;

On motion of the Plaintiffs, these causes are stricken from the Docket.

N. Dreyfous, Pltff
vs
I. Hirschorn, Deft. } Notice,

On motion of the Clerk of this Court, this cause is stricken from the Docket, for want of security for costs.

Sands, Small & Co, Pltff
vs
J. W. Liggett, gar. of J. A. Keller, Deft. } Upon Sug'n.

Ordered, that this cause be dismissed, by consent of parties, at the costs of the Defendant, J. W. Liggett.

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

Chas. D. O'Ferrall,

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Wednesday, May 17, 1876.—

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

Commonwealth,
vs
Wm. H. Raesche, } Upon an Indictment for misdemeanor for lewd & lascivious association, &c,

This day came as well the attorney for the Commonwealth as the Defendant by counsel, and the Defendant demurred to the Indictment, and the demurrer being argued, and fully considered by the Court, the Court doth sustain the demurrer. It is therefore considered by the Court that the Indictment be dismissed, and that the defendant go hence without day, &c.

Same,
vs
Flora Miller, } Upon an Indictment for misdemeanor. (For lewd & lascivious association, &c.

This day came the Atty. for the Commonwealth and entered a "nolle prosequi". It is therefore considered by the Court that the Indictment be dismissed, and that the Defendant go hence without day, &c.

Josie M. Gaither and Eliza A. Gaither infant children of Geo. D. Gaither, dec'd, ~~who also appeared in Court~~, (being over the age of 14 years) ~~and~~ made choice of A. C. Koontz, as their guardian, and thereupon the said A. C. Koontz appeared in Court, and together with Robert Koontz, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $700.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian. (before Joseph Swift Rhoades, Justice of the Peace as certified to this Court & said Justice the Court doth appoint him as said Guardian)

On the motion of A. C. Koontz, the Court doth appoint him as the guardian of Stuart T. A. Gaither, infant of Geo D. Gaither, dec'd, under the age of 14 years, and thereupon the said A. C. Koontz appeared in Court, and together with Robert Koontz, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $350.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

On motion of G. W. Mauzy, the Estate of Jacob Boyer, dec'd, is committed to D. B. Bolton, Sheriff of this County, for administration, it appearing to the Court that he has been dead for more than three months.

Daniel B. Reid, who was on the 20th day of Sept. 1875, by notice of that date, required thereto, by J. W. Bruffy & Wm. C. Harrison, sureties upon a bond heretofore executed by him in this Court, as guardian of the infant children of Adam Layman, dec'd, appeared in Court, and it being shown to the Court that at three of said infant Heirs for whom said Reid was guardian, have attained their majority, and that two of them, Ida E. J. & Wm. H. J. R. Layman, are still under age, thereupon said

said Daniel B. Reid renewed his bond as said guardian, in the penalty of $1200.00 together with, Peter P. Reid, Rebecca Reed and John E. Roller as his sureties, (who justified as to their sufficiency,) said bond entered into and acknowledged in open Court, by said Daniel B. Reid and his said sureties, conditioned according to law (waiving the benefit of the Homestead exemption,

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Samuel Barley, Pltff

vs

Jacob Waggy, gar. of J. J. Garber, Deft. } Upon the suggn.

Upon the call of this case it appeared that the Judge of this Court had been engaged as counsel for the defendant, and he declined to sit upon the trial thereof, thereupon, by consent of parties, the decision of the case was submitted to Robert Johnston, Esq. a practicing Attorney in this Court, and the Court having fully heard the evidence and argument of counsel is, of opinion that the Fieri Facias of the Plaintiff against J. J. Garber - one for $28.00 with interest thereon from Janry. 18, 1868 tite paid & $1.78 costs: the other for $21.86 with interest thereon from Octo. 15, 1870, tite paid & $1.78 costs, are liens upon the funds due the Defendant Garber in the hands of Jacob Waggy, the garnishee, which appears in evidence to be the sum of $70.00 as of date Sept. 1, 1871. It is therefore considered by the Court that the Plaintiff recover of the Defendant Jacob Waggy, the sum of $70.00 with interest thereon from Sept. 1. 1871, tite paid.

Ann Price, Pltff

vs

Ephraim Wenger, surety of J. R. Rogler, late S. R. C. Deft. } Upon a notice for money collected by J. C. Ammon, late Dep. upon a Fieri Facias on a D. Bond against Dy. Miller, Jacob Miller & Jno. C. Walker, & not paid over according to law.

This day came again the parties by their Attorneys, the Defendant having filed his Bill of defence in conformity to leave granted him at the last term of this Court, and thereupon came the following jury, to-wit:- Michael Thomas, J. S. Sutcliffe, John W. Thomas, A. W. Long, Joseph Leiphart, John A. Sites, C. H. Bowers, H. H. Stinespring, Benjamin Shumbo, Charles Eshleman, N. W. Curry, & John Linaweaver, 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 sixty-one dollars and eighty-four cents, with six per cents. interest from January 1, 1869, until paid, John W. Thomas, foreman, It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $161.84, with six per cent interest thereon, per annum, from the 1st. day of January 1869, till paid, and her costs by her in this behalf expended.

John L. Lewis Pltff vs Isaac Mongold, Deft. M. & D.

Ordered, that the trial of this cause be continued until next term.

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday May 18, 1876:-

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

J. N. Bruffy &c, Pltffs,
vs
Daniel B. Reid, guard. &c, Defts. } Upon a Notice to execute new Bond.

A new Bond having been executed by D. B. Reid guardian, It ordered that this cause be dismissed

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On the motion of Daniel Hall, Frederick Hatfield & John Kephart, It is ordered that they be relieved from the payment of Capitation Tax and County, Parish Levies for the year 1875, on account of bodily infirmity, rendering them unable to pay. c'p'd.

A. J. Whitmore, &c, Pltff
vs
D. H. Dice, Defts. } Upon a Rule.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, is of opinion and doth consider that the Plaintiffs recover of the Defendant their costs by them expended in an Appeal from a Justice of the Peace, whose judgment was reversed at the March Term of this Court, and the Defendant has leave to withdraw the bonds in these cases.

Isaac Garber = Upon a Petition to erect gate across a Road
Philip Strickler = Same

Ordered That these causes be placed upon the Court's Docket, as of the first day of this Term.

On the motion of Samuel Goode, and it appearing to the Court that he is a proper person to have the privilege to sell religious Books, It is ordered that one of the Commissioners of the Revenue of this County, do issue him a License to sell Religious Books, upon the payment of One cent Tax. c'p'd

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On motion of Allen D. Glattenbuck & John Baker, and by reason of the return made by Thompson Steele, late D. C. upon the order of this Court, made at the last term, in the case of Wm. D. Glattenbuck, &c, vs Strother Sheets, &c, a Rule is awarded against said Strother Sheets & George P. Buntner returnable next Saturday, requiring them to show cause why they shall not be attached and fined for their contempt of the said order of this Court, and for obstructing the said officer in the discharge of his duties as such officer, under the order aforesaid. 1 Rule & 2 copies issd

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A. C. Long, Admr. of Jesse Garrier,
vs
J. A. Mckenley, } Upon a warrant.

It appearing to the Court that the amount of Principal money involved in this case is under $20.00, and that it has been improperly removed to this Court, It is ordered to be remanded to the Justice's Court, from which it was removed.

Commonwealth, vs J. S. Sheckhise, Upon a misdemeanor. No. 1.
Same, vs Same, Same, " 2.
Same vs Same, Same, " 4.

For reasons appearing to the Court, the trial of these causes is continued until the next term, and a Rule is awarded against Benj. Eubliage for his failure to appear on this day of the term, as a witness on behalf of the Commonwealth.

Martha A. Ryle,
vs
Robert P. Embank, &c. } A Notice upon a forthcoming Bond for Rent.

This day came the parties, and the evidence and the argument of counsel being heard by the Court, (neither party requiring a jury,) on consideration whereof, It is considered that the Plaintiff take nothing by her motion, and that the defendant go thereof without day, and recover of the Plaintiff his costs here expended.

Jacob P. Sluyter, Appellant,
vs
Moyerhoeffer & Sawley, Appellees. } Upon an Appeal from a Justice of the Peace

This day came again the parties, by counsel, and it appearing to the Court that the Appellant Jacob P. Sluyter, by his writing to the Court, which is filed with the papers of this cause this day, has agreed to pay the Appellees the sum of $10.00 and costs, It is therefore considered by the Court that the Appellees recover of the Appellant, the sum of $10.00 with interest thereon from May 18, 1876, till paid, and their costs by them in this behalf expended.

This day came J. A. Loeweubach who alleges that he is aggrieved by an entry in the Land Book, made by J. R. Jones, Assessor of the Revenue for Central Township in said County in the year 1875, whereby he is charged twice with $10.92 taxes for the year 1875, on a house and lot containing 1/2 Acre, described as lying on German Street, in the town of Harrisonburg, and thereupon the said J. A. Loeweubach moved the Court to exonerate him from the payment of $10.92 part of the taxes so erroneously charged against him for said year, which motion was defended by John Paul, the attorney for the Commonwealth for said County, and the said J. R. Jones, the Assessor who made the Assessment was examined as a witness touching the application.

And it appearing that said book, in which said erroneous entry has been made, was certified by the Clerk of the County Court of this County, on the day of 1875, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that the said J. A. Loeweubach is twice charged on the Land Books for Central Township for 1875 with $10.92 tax on $1200 worth of Real Estate, 1/2 Acre on German St. in Harrisonburg, Va. and that, as to one charge, it is erroneous.

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. A. Loeweubach is erroneously

c.p.d. & d.f.d.

charged on said book, with taxes amounting to $10.92, whereupon it is ordered, that the said J. A. Loeuenbach be exonerated from the payment of $10.92 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him, of which amount $6.00 is State & $4.92 County Tax.

This day came J. H. Armentrout, who alleges that he is aggrieved by an entry in the Property Book, made by John N. Thomas, Assessor of the Revenue for Plains Township in said County, for the year 1875, whereby he is charged with $6.48 Taxes for the year 1875 on $600.00 in Bonds, thereupon the said J. H. Armentrout moved the Court to exonerate him from the payment of $6.48 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 John N. Thomas the Assessor who made the Assessment was examined as a wit- cc/pd 4-4 pd
-ness touching the application.

And it appearing that said book, in which said erroneous entry has been made, was certified by the Clerk of the County Court of this County on the day of 1875, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that the said $600.00 in Bonds above assessed to J. H. Armentrout in 1875 had been invested by him in Real Estate in the year 1874, and said Real Estate taxed for the year 1875. 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. H. Armentrout is erroneously charged on said Book with taxes amounting to $6.48 upon the said $600.00 of Bonds. Whereupon, it is ordered that the said J. H. Armentrout be exonerated from the payment of $6.48 taxes so erroneously charged, if not already paid, and if paid, that it be refunded to him, $3.00 of which is State Tax & $3.48 County Tax.

Henry Shacklett, surv. &c. Pltff
J. R. Roogle's Admr. Defts. } Upon a Notice.

By consent of parties, this cause is dismissed agreed.

It appearing to the Court that the order entered on the first day of this term of the Court, granting letters of administration to P. A. Mitchell & John L. Sprinkel, upon the Estate of Abraham Brenneman jr. is incorrect in this, - that the order was made from a memorandum furnished as "Admrs of Abraham Brenneman, jr," when it should have been shown that it was upon the Estate of Abraham Brenneman, Sr." It is considered by the Court that the order granting said letters of administration upon the Estate of said Abraham Brenneman jr, be set aside and the bond executed by P. A. Mitchell & John L. Sprinkel as Admrs. with Jacob H. Neff & Benjamin Strumbo, as his securities, in the penalty of $2500 on said first day of this term, be vacated, and that a copy of this order be served upon said P. A. Mitchell & John L. Sprinkel, at once.

Commonwealth,
J. W. Rhinehart. } Upon an Indictment for Assault & Battery.

It appearing to the Court that this cause is improperly on the Court's Docket at this term of the Court, it not having as yet been certified from the Circuit Court, It is ordered that the same be stricken from the Docket.

George W. Shaver, Appellant
Jacob C. Rhodes, Appellee. } Upon an Appeal

Ordered That this cause be continued at costs of the Appellee.

Newton Moore, Appellant
J. & S. Mantz, Appellees } Upon an Appeal.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, is of opinion and doth reverse the judgment of the Justice of the Peace; It is therefore considered by the Court that the judgment of the Justice of the Peace be reversed, and that the Appellant recover of the Appellees, his costs by him in this behalf expended.

John D. Pennybacker, Appellant
Elizabeth Moyers, Extx. of Geo. K. Moyers, dec'd. Appellee. } Upon an Appeal.

This day came again the parties by their attorneys, and the Court having fully heard the evidence and argument of counsel, is of opinion and doth reverse the judgment of the Justice of the Peace; It is therefore considered by the Court that the judgment of the Justice of the Peace be reversed, and that the Appellant recover of the Appellee his costs by him in this behalf expended.

Rives Saturn, Appellant,
B. Piper, Appellee, } Upon an Appeal.

On motion of the Appellant, this cause is dismissed.

A. J. Hall, upon application for License at Broadway - Motion.

Ordered that this cause be dismissed, he having withdrawn his application.

Ordered, That the following-named jurors be each allowed the sum of One Dollar, for their services at this term of the Court, upon the trial of Jno. S. Shreckhise, on Indictment No. 3, for misdemeanor & upon trial of Daniel Fisher, on Indictment No. 1, for misdemeanor, the defendants being found "not guilty," viz:- R. A. Gyldebone, Michael Thomas, D. W. Curry, John N. Sites, Wm. F. Bowers, Jno P. McLeod, A. H. Long, B. F. Armentrout, C. H. Lowers, W. H. Stinespring, J. S. Entsminger, Benjamin Grimbo & John Linaweaver, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

cert'd.

cert. to Aud of Pub. Accts $12.00

Ordered, That the following-named jurors be allowed the sums opposite their names for their services at this term of the Court as

Petit Jurors, which is ordered to be certified to the Treasurer of this County, for payment, viz:-

c a/c'd.	Michael Thomas,	$3.00 ✓	W. H. Curry,	$2.00 ✓	John A. Sites,	$3.00 c a/c'd.
	James P. McLeod,	3.00 ✓	A. W. Long,	3.00 ✓	B. F. Armentrout,	3.00 ✓
	C. W. Somers,	3.00 ✓	H. H. Stinespring,	3.00 ✓	J. S. Fitzwilen,	3.00 ✓
	Benj. Immel,	3.00 ✓	John Linaweaver,	2.00 ✓	Charles Eshman,	3.00 ✓
	Joseph Click,	3.00 ✓	John N. Thomas,	2.00 ✓	John Pence,	1.00 ✓

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

Chas. T. O'Ferrall.

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

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

Joseph Hawkins, for the use of Wm. Sanders, Pltff
vs.
Mary M. Hawkins Exx. &c. of Noah Hawkins, Deft. } Upon a Sug.

On motion of the Plaintiff, by counsel, this cause is ordered to be placed upon the Court's Docket, as of yesterday, the 4th day of this term.

Peter F. Kiblinger, guard &c. Pltff
vs.
J. W. Bloze, Deft. } Upon a motion.

Upon the calling of this cause, the non-residence of the Plaintiff was suggested, and a Rule for security for costs is awarded against him.

Under the provisions of an Act passed at the last session of the General Assembly of Virginia, entitled an "Act to Keep in repair and work the Roads in the Counties of Rockingham, Shenandoah & Page;" the Court doth appoint the following Road Commissioners, for the several Districts in this County, to discharge the duties of their office until their successors are duly elected and qualified to enter upon the discharge of the duties of their office, viz:- For Central District:- D. A. Keatooke; Ashby District, John H. Moore; Stonewall District, S. P. H. Miller; Linville District, Jacob Moyers and Plains District, Henry Neff; but before they shall enter upon the discharge of the duties of their offices, they shall give bond with good personal security in the sum of two hundred dollars, conditioned according to law.

Jacob Moyers who was this day appointed by the Judge of this Court, Commissioner of Roads for Linville District in this County, to serve as such until his successor is duly elected and qualified to enter upon the discharge of the duties of his office, this day appeared in Court,

and together with A. L. Maupin, 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 (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court, And thereupon the said Jacob Moyers took the several oaths prescribed by Law.

On motion of the Defendant, a Rule is awarded against Thos. D. Mowry, Sheriff of Augusta County, returnable to 1st day of the next term, to shew cause if any he can, for his failure to execute a Subpoena in her behalf ad. the Commonwealth, upon Ephraim Garner, to this 4th day of this term of the Court.

Calvert, Roller & Grim, Pltffs.
vs.
Catharine Bowman, per John Bowman, p. Agt. } Upon a warrant.

This day came again the parties by counsel, and the Court having fully heard the same, is of opinion that this cause be dismissed without prejudice to the Plaintiffs; It is therefore considered by the Court that this cause be dismissed, and that the Defendant recover of the Plaintiffs her costs by her in this behalf expended. And the Plaintiff has leave to withdraw the Note filed in the papers, by leaving an attested copy thereof, with the papers of the cause.

The following accounts against the County of Rockingham, presented by Surveyors of Road Precincts, for working Roads, &c, being sworn to, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment, out of the Levy for 1875, viz:-

cd/ced. Isaac Lohr, Plains Dist. teams $2.50 - scef, $1.00 $3.50
cd/ced. Harvey Archeart, " " " 19.50 - scef 3.00 22.50
cd/ced. Abraham Flory Ashby " " 4.00 - scef .50 4.50
cd/ced. P. H. Dice, " " for summoning hands & for teams over fines collected, $2.17
and said Dice is ordered to turn over to the Treasurer to the credit of the Road fund, any fines hereafter received by him.
cd/ced. & d. A. S. Rosenberger, Plains Dist. scef $1.00 - teams $4.00, Powder, &c 62¢ Tools $8.25 $13.87
and said Rosenberger is ordered to turn over to the Road Board of Plains District the tools purchased by him for his Road, viz:- 2 Picks, a Rammer & Scraper & 2 Sledges - Cast steel faced.

Dr J. G. Minor this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.00 for services rendered upon the body of Celia Taylor cold, found dead on the farm of John A. Herring in this County, which was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment, said services being rendered at the request of Jos. Byrd, a Justice of the Peace, as certified to this Court, by the said Justice.

cd/d. Wm. H. Blakemore, Deputy Sheriff of this County this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $5.93 for arresting Eliza A Campbell, charged with felony, summoning witnesses, mileage in conveying prisoner to Jail, & pay of guard and for convey-

-ance and toll, which being sworn to by said Deputy Sheriff, and the grand, Geo. C. McLeod, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

The Commonwealth, } Upon an Indictment for Felony.
Eliza Ann (alias) Campbell.

The prisoner, Eliza Ann Campbell, who stands indicted for a felony by her committed, was this day again led to the bar of the Court, in custody of the Jailor of this County, and the Veniremen summoned for her trial, twenty being called, of whom appeared, viz:- John A. Easley, John D. Wood, Moses E. Carrier, A. B. Armentrout, G. W. Effinger, Herod Homan, John M. Sterne, C. R. Brannen, Wm. H. Reubush, Joseph Rhodes, Wm. Sigler, John W. Bell, C. G. Jennings, Peter T. Cannon, Timothy O'Roark, E. P. Myers, Charles S. White, J. W. Payne, Robt. F. Kelleaver & J. K. Hamsberger; and the said Veniremen were examined by the Court, and a panel of sixteen were found to be duly qualified and free from exceptions, viz:- John A. Easley, John D. Wood, Moses E. Carrier, A. B. Armentrout, George W. Effinger, Herod Homan, John M. Sterne, C. R. Brannen, Wm. H. Reubush, Joseph Rhodes, Wm. Sigler, C. G. Jennings, J. W. Payne, Timothy O'Roark, E. P. Myers and Charles S. White, and the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- George W. Effinger, C. R. Brannen, Wm. Sigler and C. G. Jennings, the remaining twelve persons of said panel, viz:- John A. Easley, John D. Wood, Moses E. Carrier, A. B. Armentrout, Herod Homan, John M. Sterne, Wm. H. Reubush, Joseph Rhodes, J. W. Payne, Timothy O'Roark, E. P. Myers and Charles S. White thereby constituting the jury, who being so elected, tried and sworn, well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and placed in charge of D. H. Rolston Sheriff of this County and Levi S. Byrd, his deputy to whom was administered an oath, "that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to jail.

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

Chas. S. O'Donald.

At a County Court continued and held in and for the County of Rockingham, at the Courts House thereof, on Saturday, May 20, 1876.

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

This day came B. G. Patterson, Executor of the Estate of Ann Davisson, dec'd, who alleges that said Estate is aggrieved by an entry in the Land Book, made by J. R. Jones, Assessor of the Revenue for Central Township, in said County, in the year 1875, whereby he is charged with $18.20 taxes for the year 1875, on a House & Lot situated in the town of Harrisonburg, Rockingham County, and thereupon the said B. G. Patterson, Exor. as aforesaid, moved the Court to exonerate him from the payment of $18.20 all of the taxes so erroneously charged against him as the Executor as aforesaid for said year, which motion was defended by John Paul, the Attorney for the Commonwealth for said County, and the said J. R. Jones Assessor, who made the assessment was examined as a witness touching the application.

c. o. d. d.

And it appearing that said book in which said alleged erroneous entry has been made, was certified by the Clerk of the County Court of this County, on the day of 1875, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that B. G. Patterson, Exor. as aforesaid, had sold said House and Lot to one John L. Lewis, in the latter part of the year 1874, and at the same time made a Deed therefor to said Lewis, and it further appearing that a transfer of said House & Lot had been properly made upon the Land Book, of said Lot to said Lewis, in January 1875, and that said Lewis was charged with $18.20 tax on said House & Lot for the year 1875, and has paid the same, and that the Assessor had failed to drop the name of Ann Davisson's Estate from the said book, all which the Court certifies as facts proven upon the application aforesaid. On consideration whereof, and from such facts so proved, the Court is satisfied that the said Estate of Ann Davisson is erroneously charged on said book, with taxes amounting to $18.20, whereupon, It is ordered that the said B. G. Patterson, Exor. of the Estate of Ann Davisson, be exonerated from the payment of $18.20 the taxes so erroneously charged, if not paid, and if already paid, that it be refunded to him, $10.80 of which is State Tax and $8.20 County Tax, and that the Assessor of the Revenue strike from the Land Book of said Township the Assessment aforesaid against the Estate of said Ann Davidson,

Wm. H. Clatterbuck, &c,
Strother Sheets & Geo. P. Bustner. } Upon a Rule

Ordered that this cause be docketed, and continued until Monday next.

c. o. d. d.

George Kanacase, Surveyor of Road Precinct No. 18, Ashby Dist. this day presented in Court an Account against the County of Rockingham, on this 2nd Report which being sworn to, was examined and allowed by the Court and ordered to be certified to the Assessor of this County for payment out of the Levy for the year 1875, viz:- Self $10.00 Team $4.00 = Total $8.00

On the motion of Lucretia Cromer, widow of John W. Cromer, & for reasons appearing to the Court, the powers of S.R. Allebaugh, late Sheriff of Rockingham County, and as such Administrator of the Estate of said John W. Cromer, are hereby revoked.

On the motion of Lucretia Cromer, widow of John W. Cromer, dec'd, Emanuel W. Cromer, who made oath thereto according to Law, appeared in Court, and together with Wm. P. McCall, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1600.00 conditioned according to Law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration, de bonis non, in due form, upon the Estate of said John W. Cromer, dec'd.

And the Court doth appoint John W. Polston, of D, Isaac Deaver, Frederick Wampler and Silas Hunton, to appraise the Estate of said John W. Cromer, any three of whom may act, after first being duly sworn.

On the application of B.G. Patterson, it appearing to the Court that the Report of Survey and Plat of A.C. Bear, Surveyor of Rockingham County of a Tract or lot of Land containing (Eleven Poles) situated in the Corporation of Harrisonburg, Rockingham County, and assessed upon the Land Books of this County, to Malinda Hall's Estate, and sold by the Treasurer of Rockingham County as delinquent land on the 15th day of December 1873, to said B.G. Patterson, for the non-payment of Taxes for the year 1871 to the County, by the certificate of S.R. Allebaugh, Treasurer of Rockingham County is made in conformity to law; It is ordered that the certificate of said Survey & Plat be recorded in the Clerk's Office of this County.

Abraham Bloser, this day presented in Court an Account against the County of Rockingham, amounting to $16.25 for 2½ days' services as Surveyor on Road from Valley Turnpike to Spader's Church (Dec. 14, 1875 & April 11, 1876.) which being sworn to was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of Levy for the year 1876. c.a.d. & d.

On the motion of Elicous Michael, named as the Executor of the last will and testament of Peter Haynes dec'd, who declines to qualify as the said Executor, and who represents himself to be a devisee under said will, the Court doth appoint J.B. Eastham as Administrator the Estate of said Peter Haynes, with the will annexed, and thereupon the said J.B. Eastham, who made oath thereto according to Law appeared in Court, and together with Elicous Michael & George W. Kedrick, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $200 conditioned according to Law, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of the said Peter Haynes, dec'd, And the Court doth appoint George W. Kedrick, Henry Rice and John Pickering to appraise the Estate of the said Peter Haynes, after first being duly sworn.

John W. Moore, who was, on the 19th day of May 1874 appointed by the Judge of this Court, as Commissioner of Roads for Ashby District, to serve as such for a term his successor is elected and duly qualified to enter upon the discharge of the duties of his office, this day appeared in Court, and together with John Cronenhour, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $200 &c, conditioned for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court, And thereupon the said John W. Moore took the several oaths prescribed by law.

B. M. Rice, Andrew Loch, A. J. Taylor, Julia A. Jarvis, Elizabeth Cowdyshell, David Kniseley, Wm. Matheny, John Minnick, Andrew Long, Wm. Beard, J. W. Lowry, A. J. Shakespeare, and Ephraim Garner, witnesses summoned in behalf of Eliza Ann Campbell ads. The Commonwealth, this day appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia, for the use of the Commonwealth, in the sum of $50.00 each, to be levied of their respective goods and chattels, lands and tenements, yet, upon this condition, that they do each make their personal appearance before the Judge of this Court, on Monday morning next, as witnesses as aforesaid, and not depart thence, without leave of the Court.

On the motion of Harrison Bateman, a creditor thereof, the Estate of Rob Rippetoe, dec'd, is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months.

The Commonwealth,
vs
Eliza Ann Campbell. } Upon an Indictment for Felony.

The prisoner, Eliza Ann Campbell, was this day again led to the bar of the Court in custody of the Jailor of this County, and thereupon came the Jury sworn and impannelled on yesterday for her trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until Monday morning next, at 9 o'clock, and thereupon they were placed in charge of D. H. Roleton, Sheriff of this County and D. A. Bear, his Deputy, to whom was administered an oath "that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, on Monday morning next at 9 o'clock. So keep you God." And thereupon, the prisoner was remanded to Jail.

Mary Taylor, a witness summoned in behalf of The Commonwealth vs. Eliza Ann Campbell, this day appeared in Court, and acknowledged herself indebted to the Commonwealth of Virginia, for the use of the Commonwealth, in the sum of $50.00 to be levied of her goods and chattels, lands and tenements, yet, upon this condition, that she does make her personal appearance before the Judge of this Court, on Monday morning next at 9 o'clock as a witness as aforesaid, and not depart thence without leave of Court.

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 Henry Carpenter, Admr. of John Pence,
" " " " " Wm. A. Houff " " Elizabeth Albright,
" " " " " Wm. H. Airhart " " John Airhart,
" " " " " Geo. Schuisman, Executor of Geo. H. Schuisman,
" " " " " D. M. Hollar, " " David Hollar,
" " " " " J. L. Williamson & D. L. Hunkel " " J. D. Williamson, jr.
" " " " " Abm. Shank, guard. of Elizabeth Snowalter, &c.
" " " " " A. C. Long, " " Sarah Palmer,
" " " " " same " " Abraham Palmer,
" " " " " George Schuisman, Trustee for Mrs. M. A. Buckley,
" " " " " same, " " Mrs. Henrietta Schuisman,
" " " " " Daniel Frank, " " David Yaeger,

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

Chas. J. O'Donnell,

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, May 22nd 1876.

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

Weiller & Bro.,
Jno C Woodson's Adm. } Upon a motion to determine the validity of a Levy.

This day came as well the Plaintiffs as the Defendant, by their attorneys, and upon motion of the Attorney for the Plaintiffs to the Court to determine the legality & sufficiency of a Levy of Plaintiffs Execution for $ with interest from the day of 18, till paid & $ Costs against Johnle Woodson, made in the lifetime of John C. Woodson upon the Law Library of Johnle Woodson, in the Law Office of Woodson & Compton in Harrisonburg, The Court doth adjudge the said Levy valid as between the Plaintiffs in this execution & the Defendant Granville Eastham, Adm. of said Woodson,

W. H. Clatterbuck, & C.,
Strother Sheets, & C., } Upon a Rule against Strother Sheets and George P. Buntner.

This day came again the parties, and thereupon the said Strother Sheets and George P. Buntner appeared and filed their answers to the rule heretofore awarded against them in this cause, upon the return made to this Court by Thompson Steele, Constable of Rockingham County, the officer in whose hands the executions of the plaintiffs were, and thereupon the Court proceeded to hear the cause, and it appearing to the Court that the said officer, holding these executions, together with a copy of the final order made in this cause, at the last term, has demanded the wheat in controversy of Strother Sheets, and the said Sheets has failed to deliver it, and it further appearing that the said Sheets has hauled the said wheat to the Mill of George P. Buntner, and has had the same ground into flour, and the said flour from that wheat is now in said mill in barrels, and can readily be delivered, and the said Sheets not having delivered to this flour, the proceeds of the wheat levied on, to the said officer, and not expressing a willingness now to deliver it, the Court doth order that the said Sheets be committed to the Jail of this County, and there confined until he deliver the said flour and purge himself of his contempt of the order of this Court, and it is further ordered that he do pay to the Plaintiffs their costs expended in this behalf upon the rule aforesaid. The rule against Buntner is discharged.

Wm. H. Clatterbuck, & C.,
Strother Sheets. } Upon a Rule for contempt of Court.

This day Strother Sheets appeared in Court in custody of the Jailor of this County, and having delivered the flour, the product of the wheat in controversy, and purged himself of the contempt by him offered to the Court, in refusing to obey the order of the Court at its last term. It is ordered that he be discharged from custody, and the Rule is dismissed.

This day, Anna Bear, infant of John Bear, dec'd, over the age of 14 years, appeared in Court, and made choice of Wm. D. Hopkins as her guardian, and thereupon Wm. D. Hopkins appeared in Court, and together with L. G. Hopkins, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $250.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

The Commonwealth
vs
Eliza Ann Campbell, } Upon an Indictment for Felony.

This day the prisoner was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon again came the jury empannelled on Friday last, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning, at 9 o'clock, and placed in charge of S. H. Rolston, Sheriff of this County, and D. M. Bear, his deputy, to whom was administered an oath "that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning, at 9 o'clock. So help you God." And, thereupon the prisoner was remanded to Jail.

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

Chas. O'Neall.

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

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

Wm. Beard, this day presented an Account against the County of Rockingham, amounting to the sum of $4.50 for viewing Road from Robinson's to Dry River as Commr. ($3.00 1 day) and for surveying same (1 day $3.50) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of the Levy for 1876.

cd/wd.

John W. H. Allemong, this day presented two Accounts against the County of Rockingham, amounting (one to $3.86 for plank to buried bridge, furnished J. M. Kennedy, Road Surveyor, the other to $10.27 for one horse Scraper for George Ranacofe Road Surveyor and 285 fat Sumlers for Kennedy, Road Surveyor, = total $14.13 which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1876.

cd/d.

S P H. Miller, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $5.00 for 2 days services as Commr. on Road on E. L. Lambert Petition - one day on Road Petition of J. S. Fry - one day on Road Petition of J. B. Eastham, &c, & one day on Road Petition of J. N. Frazier, $1 each, 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 1876.

cd/d.

J. M. Weaver, this day presented in Court an Account against the County of Rockingham, amounting to the sum of $4.00 for 2 days services as Commr. on Road on E. L. Lambert Petition - one day on Road Petition of J. S. Fry - one day, on Road Petition of J B Eastham, &c, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

The Court doth hereby appoint George J. Kisling as Commissioner of Roads for Central District, in the stead of D. A. Beatsole, appointed at a former day of this term of the Court, who declines to qualify; and thereupon the said George J. Kisling appeared in Court, and together with George G. Grattan, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Hundred Dollars, conditioned, for the faithful execution of the duties of his office, (with the benefit of the Homestead exemption waived,) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said George J. Kisling took the several oaths prescribed by Law.

to serve as such until his successor is duly elected & qualified to enter upon the discharge of the duties of his office,

The Court doth hereby appoint George G. Strayer as Commissioner of Roads for Stonewall District, in the stead of S. P. H. Miller, appointed at a former day of this term of the Court, who declines to qualify, to serve as such until his successor is duly elected & 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 B. F. Thomas his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Two Hundred Dollars, conditioned for the faithful execution of the duties of his office, (with the benefit of the

Homestead exemption waived) which bond is ordered to be recorded by the Clerk of this Court. And thereupon the said George G. Strayer took the several oaths prescribed by Law.

On motion of Mary Walker, colored, It is ordered that the Estate of Howard Walker, late of the County of Rockingham, be committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that said Howard Walker died more than three months before the sitting of this Court, and no one having applied for letters of administration on said Estate.

cap'd. Nelson Andrew, Special Constable of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $3.22 for arresting John Taylor, charged with felony, mileage & toll, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

cap'd. James H. Roaff, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $.75 cents, for assisting Nelson Andrew, Special Constable, in the arrest of John Taylor, charged with felony, which being sworn to by James H. Roaff, and also by Nelson Andrew in Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

The Commonwealth,
vs
Eliza Ann Campbell, } Upon an Indictment for Felony.

This day, Eliza Ann Campbell, the prisoner, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon came the Jury sworn and impannelled on Thursday last, for her trial, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 8 o'clock, and placed in charge of D. H. Rolston, Sheriff of this County & D. N. Bear, his deputy, to whom was administered an oath "that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 8 o'clock, So help you God." And thereupon the prisoner was remanded to Jail.

Ordered, That Court be adjourned until to-morrow morning at 8 o'clock.

Chas. L. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court House thereof, on Wednesday, May 24, 1876.-

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

Application of P H Dice & others for establishment of a Public Road near the residence of Samuel E. Long, to pass through the lands of said Long & others to town of Bridgewater,

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

On the motion of Stephen J. Yew, it is ordered that he be relieved from the payment of Capitation Tax and County & Parish Levies, on account of bodily infirmity, rendering him unable to pay.

c a/d.

On the Petition of P. H. Dice & others, for the establishment of a Public Road, from a point on the Public road running by the residence of Samuel E. Long, at or near said residence, to the town of Bridgewater, through the lands of Samuel E. Long, David Yarley, J. H. F. Allemong and P. Herring, this day filed, the Court doth appoint Joseph S. Lowe, John A. Herring, jr. and Hiram Coffman, viewers, to view the ground and report to this Court, at its next term, as follows:-

1 + 3 c a/pts.

First: The conveniences and inconveniences that will result, as well to individuals as the public, if such road shall be established as proposed, and especially whether any yard, garden, orchard or any part thereof, will have to be taken.

Second:- The facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road.

Third: The names of all the land owners on said route, and which of them require compensation.

Fourth:- The probable amount in their opinion, to which each of such parties may be entitled.

Fifth: The probable cost of making the road, and any other matter which they may deem pertinent. They shall not locate any route, on which there may be a grade at any one point, exceeding six degrees, and shall endeavor to locate a route, which shall not exceed five degrees, at any one point.

A map and diagram of the route, with courses and distances shall be returned with their report, for which purpose, if neither one of the viewers be a Surveyor, one shall be procured.

A statement of the time actually employed by them and the Surveyor, in executing this order shall be appended to their report, and sworn to before a Justice of the Peace, or other officer authorized to administer oaths, who shall append his certificate thereto.

At a Circuit Court continued and held in and for the County of Rockingham, at the Court House thereof, on Saturday, January 29th 1876.-

Wm. C. Gaines, Plff in Error,
vs
Nelson Wenton, Deft. in Error,
} Upon a Supersedeas to a judgment of the County Court of Rockingham County

This day came the parties by their Attorneys.

and the transcript of the record and petition accompanying the same, having been seen and inspected by the Court, after hearing the arguments of counsel, is of opinion that the judgment of the County Court is erroneous, and ought to be reversed, and annulled. It is therefore considered by the Court that the said judgment be and the same is hereby overruled and annulled, and that the Plaintiff in Error recover against the Defendant in Error, his costs by him expended in the prosecution of his said writ of Supersedeas here.

And this Court proceeding to render such judgment as the said County Court ought to have rendered, It is considered by the Court that the action of the Plaintiff in the Court below be dismissed, and that the Defendant in the said Court recover against the Plaintiff his costs by him about his defence in the said County Court expended

Attest

J. H. Shue, C. C. C. R. C.

On motion of the Plaintiff in Error he has leave to sue out Execution against the Defendant in Error, for his costs by him in this behalf expended in this Court.

At a Circuit Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday January 24, 1876.-

Levi Shaver, Plff in Error,
L. H. Taylor, Defft. in Error. } Upon a Supersedeas to a judgment of the County Court of Rockingham rendered.

This day came the parties by their Attorneys, and the transcript of the record being seen and inspected by the Court, the Court, after hearing the argument of counsel is of opinion that the judgment of said County Court is erroneous, because not sustained by the evidence. It is therefore considered by the Court, that the said judgment be and the same is hereby reversed and annulled, and that the Plaintiff in Error, recover against the Defendant in Error his costs by him expended in the prosecution of his writ aforesaid here. And this Court proceeding to render such judgment as said County Court ought to have rendered, It is further considered that the Defendants in the Court below recover against the Plaintiff in said Court, their costs by them about their defence in said County Court expended.

Attest,

J. H. Shue, C. C. C. R. C.

On motion of the Plaintiff in Error, he has leave to sue out Execution against the Defendant in Error, for his costs in this behalf expended in this Court.

At a Circuit Court continued and held in and for the County Court of Rockingham, at the Court-House thereof, on Saturday, Sept. 18, 1875.-

W. J. McGahey, W. H. Kedrick & Geo. W. Mauzy, Plaintiffs,
John P. Brock, Defft. } Upon a Supersedeas.

The transcript of the record in this case having been seen and inspected by the Court, and the argument of counsel being heard, the Court is of opinion that there is no error in the judgment com-

plained of. It is therefore considered by the Court, that the said judgment be affirmed, and that the Defendant in error recover against the Plaintiff in error, his costs by him about his defence in that behalf expended, which is ordered to be certified to the County Court of Rockingham.

Attest,

J. N. Shue, Clerk.

It appearing to the Court that Execution was issued before this judgment was certified to this Court, and that the same has been satisfied, It is ordered that no further Execution issue thereon.

C. S. Heyward, Jailor of this County, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $73.30 for receiving, dieting &c. sundry Prisoners from July 4. to May 7. 1876, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c/p/d+d.

On the motion of Joseph A. Mitchell & John C. Sprinkel, who made oath thereto according to Law, they appeared in Court, and together with Daniel Brenneman and S. K. Allebaugh, their sureties (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $2500.00, conditioned according to Law, (waiving the benefit of the Homestead exemption,) a certificate is granted them for obtaining letters of administration in due form, upon the Estate of Abraham Brenneman, Senior.

And the Court doth appoint Hugh Caplinger, David Mulvey, James H. Funk & Joshua Funk, to appraise the Estate of said Abraham Brenneman, Senior, any three of whom may act, after first being duly sworn.

H. Dreyfous, Pltff.
&
I. Heisch & Son, Deft. } Upon

For reasons appearing to the Court, the order entered in this cause, at a former day of this term of the Court, dismissing the cause from the Docket for want of security for costs, is hereby set aside.

The Commonwealth
&
Robert Smith. } Indictment for Buggery.

The prisoner, Robert Smith, was this day again led to the bar of the Court, in custody of the Jailor thereof, who stands indicted for a felony committed by him, and the Veniremen summoned for his trial being called, twenty-one of whom appeared, viz:- John M. Carpenter, Samuel Driver, John S. Funk, John M. Mellhom, C. H. Ramsberger, James P. McLeod, Henry Pitting, John M. Cannon, Reuben M. Zirkel, J. H. Bacon, E. S. Peale, A. D. Brunk, B. N. Stephens, Rudolph Myers, Harvey J. Rosenberger, John M. Baldwin, Henry Pulse, John Lincoln, Jesse L. Rowcock, Samuel Bailey, John C. Sprinkel, and the said Veniremen were examined by the Court, and a panel of sixteen were formed to be duly qualified and free from exceptions, viz:- John M. Carpenter, Samuel Driver, John S. Funk, John M. Mellhom,

C. W. Hannaberger, James P. McLeod, Henry Wittig, John W. Earmon, Reuben M. Zirkel, J. W. Basore, E. S. Peale, A. D. Brunk, R. A. Stephens, Rudolph Myers, Harvey J. Rosenberger and John W. Baldwin, and the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- John W. Leasure, Samuel Driver, James P. McLeod and E. S. Peale, the remaining twelve persons of said panel, viz:- John A. Brunk, John W. Mellhorn, C. W. Hannaberger, Henry Wittig, John W. Earmon, Reuben M. Zirkel, J. W. Basore, A. D. Brunk, R. A. Stephens, Rudolph Myers, Harvey J. Rosenberger & John W. Baldwin, thereby constituting the jury who being so elected tried and sworn well and truly to try and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence; and having fully heard the evidence and argument of counsel, retired to their room to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the jury, find the prisoner, Rob. Smith, not guilty" John W. Mellhorn, foreman. It is therefore considered by the Court that the prisoner, Robert Smith be discharged from custody, and go hence without day, &c. And thereupon the jury was discharged.

Ordered, That John A. Brunk, John W. Mellhorn, C. W. Hannaberger, Henry Wittig, John W. Earmon, Reuben M. Zirkel, J. W. Basore, A. D. Brunk, R. A. Stephens, Rudolph Myers, Harvey J. Rosenberger & John W. Baldwin, be each allowed the sum of One Dollar, for their services as Veniremen, 1 day, upon the trial of Robert Smith, charged with felony, of which he was acquitted, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

cap'd. & d.

cert. to Aud. of Pub. Accts. A.L.S.C.C.

For reasons appearing to the Court, the Rules awarded against Jas. P. McLeod and J. W. Basore, on Monday last, for their failure to appear on that day, as Veniremen in case of Robert Smith charged with felony, are discharged.

The Commonwealth,
Eliza Ann Campbell, } Upon an Indictment for Felony.

This day, the prisoner, Eliza Ann Campbell, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon again came the jury sworn and impannaled on Friday last, for her trial, 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." Elwood Homan, foreman. It is therefore considered by the Court that the prisoner, Eliza Ann Campbell be discharged from custody, and go hence without day, &c. And thereupon the jury was discharged.

Ordered, That John A. Eagler, John D. Wood, Mosey E. Carrier, A. B. Armentrout, Elwood Homan, John W. Steme, Wm. H. Reubush, Joseph Rhodes, J. W. Payne, Timothy O'Roark, E. P. Myers and Charles F. White be each allowed the sum of Six Dollars, for their services as Veniremen, 6 days, upon the trial of Eliza Ann Campbell, charged with felony, of which she was ac-

cap'd. & d.

cert. to Aud. of Pub. Accts. A.L.C.C.

granted, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

It is ordered by the Court, 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 in two cases of Felony, to-wit:- Commonwealth vs Eliza Ann Campbell and same vs Robert Smith, at this term of the Court.

c/p. D. o d.

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham at the Court-House thereof, on Thursday, May 25, 1876:-

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

On the application of Wm. H. Buntner, It appearing to the Court that the Report of Survey and Plat of A. G Bear, Surveyor of Rockingham County, of a tract of Land containing One Acre, & thirty-eight and two-eleventh poles, (A. 1. 0 R. 30 8/11 P.) situated near Keezletown, Rockingham County, adjoining the Lands of Struther Sheets & others, and assessed upon the Land books of this County, to Henry M. Lofland, and sold by the Treasurer of Rockingham County as delinquent Land on the 15th day of December 1873, to said Wm. H. Buntner, for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. B. Allebaugh, Treasurer of Rockingham County, are made according to law, It is ordered that the said certificate and said Survey & Plat be recorded in the Clerk's Office of the County Court of this County.

J

Deed made.

On the application of Henry Smith, Assignee of Henry Aff, It appearing to the Court that the report of Survey and Plat of A. G Bear, Surveyor of Rockingham County, of a tract of Land, containing One Hundred & ninety four Acres (A 166 2/3) situated on Dinnis's Creek, Brock's Gap, Rockingham County, Va., adjoining the lands of Anderson Runion & others, and assessed upon the Land books of said County to Wm. J. D. & J. Smith, and sold by the Treasurer of Rockingham County as delinquent Land on the 15th day of December 1873, to Henry Aff, for the non-payment of Taxes for the year 1871 as appears to the Court, by the certificate of S. B. Allebaugh, Treasurer of Rockingham County, which certificate was, on the 3d day of November 1875, assigned for value by said Henry Aff to the said Henry Smith, are made according to law, It is ordered that the said certificate, and survey and plat be recorded in the Clerk's Office of the County Court of this County.

Ann Price,

Ephraim Wenger, surety, &c. } Upon a Notice for money collected by Y.C. Summon, Sheriff &c. & not paid over.

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 at this term, and the judgment of the Court thereupon, and grant her a new trial, which motion, on consideration, the Court doth sustain; It is therefore considered by the Court that the verdict of the jury & the judgment of the Court entered thereupon be set aside, and a new trial is awarded the Plaintiff, upon the payment of costs of this trial.

Mrs. M.C. Lupton, Proprietress of the "Revere House," this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $166.00 for Board of Witnesses (12) in case of the Commonwealth against Eliza Ann Campbell, charged with felony, of which she was acquitted, 5½ days each @ $1 each - which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

cert'd.

Martha A. Kyle,
P.P. Embank &c. } On a motion.

Memorandum,- On the trial of this motion, the Plaintiff excepted to an opinion of the Court given upon the trial, and tendered her Bill of Exceptions, which was signed, sealed and enrolled by the Court, and ordered to be made part of the record in this cause, which is in the words and figures following, to-wit - "Martha A. Kyle & P.P. Embank, &c. - on a motion, &c."

P.P. Shifflett &c,
D.D. Dovel's Adm'r. } Upon a motion to execute new bond, &c.

It appearing to the Court that the powers of W. W. Shuler Adm'r, &c. of D.D. Dovel, dec'd., have been heretofore revoked by the failure of the said Administrator to comply with the order of the Court, entered at the February Term 1876, and that the purposes of this motion have been subserved, It is ordered that the same be stricken from the docket, without costs being awarded either party thereto.

Jamison Dovel
& } On motion.
same.

On motion of Plaintiff, by counsel, this cause is discontinued

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

Chas. S. O'Ferrall.

In Vacation June 9th 1876.

The Clerk of the County Court is hereby directed to issue a Venire Facias, directed to the Sheriff of Rockingham County Commanding him to Summon a Special Grand Jury for the ~~June~~ Term next of the said County Court, to appear at the Court House thereof, on the 1st day of said Term at 10. O'Clock A M Given under my hand this 9th day of June 1876.

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

Teste, J. T. Logan, Clerk,

In Vacation.

Before the Judge of the County Court of Rockingham, this 12th day of June 1876.

Henry Neff, who was at the May Term 1876, of the County Court of Rockingham, appointed by the Judge thereof, Commissioner of Roads for Plains District in said County, to serve as such until his successor is elected and qualified according to law, to enter upon the discharge of his duties, personally appeared before me, Judge as aforesaid, in Vacation, on the day above-mentioned, and together with S. R. Allebaugh as his surety, (who justified as to his sufficiency,) waiving the benefit of the Homestead exemption, entered into and acknowledged a bond in the penalty of $200.00, conditioned according to law, and thereupon qualified by taking the various oaths prescribed by law.

All of which is hereby certified to the Clerk of the said County Court, together with the said bond.

Chas. T. O'Ferrall
Judge Co. Court

Teste, J. T. Logan, Clerk,

Monday, June 19, 1876.

At a County Court held in and for the County of Rockingham at the Court-House thereof, on Monday June 19, 1876.

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 May Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Trust Deed,	Joseph S. Strayer,	to B. G. Patterson, Trustee for Samia Conner.
Bargain & Sale.	Wm. B. Compton, Commr.	" Gideon B. Reed,
" "	Henry Stroup & wife,	" John Turner,
" "	Henry Empsenhiler & wife,	" Crawford Zirkel,
" "	Frederick W. Brunk, & wife,	" Christian Good,
" "	Jacob C. Harrison & wife,	" Simon Miller,
" "	Noah Andes & wife,	" Samuel & John L. Driver,
Mechanics Lien.	Fahrney & May,	as James A. Alexander Sheriff, &c wife,
Bargain & Sale.	Dorothy Crist,	to Wm. A. Wise,
" "	Abraham Garber, Commr,	" John M. Garber & Peter Fahrney,
" "	George Wise	" Geo. Aikhart, Augustus Wise, &c Trustees,
" "	Daniel Sluss & wife & Mrs. Mary Baker,	" David M. Landis,
" "	Philip Holsinger & wife, &c,	" Frederick Wine
" "	Lewis Strickler & wife,	" Mayborne J. Zirkel,
" "	John G. Winfield & wife, &c,	" Abagail Bowman,
" "	John L. Coates & wife,	" Henry Whisler,
" "	Wm. D. Rodgers & wife,	" Wm. P. Gilkeson & wife,
Homestead Deed.	Peter Rader,	Claim of Homestead,
Trust Deed.	Ephraim Wenger,	" A. M. Newman, Trustee for A. B. Strickler,
" "	Daniel B Reed & wife, &c,	" J. F. Logan, Trustee for John E. Roller,
Release Deed.	John Kenney's Exor.	" Charles E. Haas,
Bargain & Sale.	same,	" Joseph Ney,
" "	Benjamin E. Long & wife,	" Jacob L. Silcott,
" "	Peter H. Long & wife, &c,	" Harrison Bowman,
" "	Gabriel Heatwole, Exor. of John Whitmore,	" Joel Flory,
" "	Madison Green,	" Virginia Standard,
" "	Brice H. Catlett, Trustee for Ann M. Catlett	" B. G. Patterson,
" "	Warren S. Lusty, Commr. &c,	" same,
" "	J. S. Harnsberger, Commr. &c,	" Lizzie M. Skinner,
" "	Andrew C. Strickler & wife,	" Samuel R. Sterling,
" "	John Shuma & wife,	" George Kanaga,
" "	Chas. A. Yancey & J. W. Mauzy, Trustees of B. L. Y. &c,	" Virginia Barickhoff, wife of Jas. Barickhoff,
" "	Charles A. Yancey, Commr. &c,	" Wm. B. Yancey,
" "	Wm. B. Yancey & wife,	" Charles A. Yancey,
" "	James D. Barickhoff & wife,	" Wm. B. & Chas. A. Yancey,
Trust Deed,	Giles A. Jackson,	" B. G. Patterson, Trustee for G. Eastham,
" "	Benjamin E. Long,	" Charles A. Sprinkel, Trustee,
Bargain & Sale.	Francis C. Devier,	" David Kisey,
" "	P. Noth Strayer & wife,	" George G. & F. S. Strayer,

Bargain & Sale.	George L. Burner & wife,	to Jacob L. Burner, Albert Burner, &c,
" "	John L. Fueton & wife,	" John M. Saufley,
Trust Deed.	Abraham N. Deihl,	" Wm. D. Maiden, Trustee for Hy. Hickee,
Bargain & Sale.	Joseph B. Myers & wife,	" Jacob Baxter,
" "	A. M. Newman, acty. Trustee for A. Kaufman,	" John Harper,
" "	Robert Johnston, Commr. &c.,	" H. D. Maynard,
Trust Deed.	H. D. Maynard & wife,	" Geo. J. Grattan, Trustee for Jno. D. Wise,
Power of Attorney.	Samuel Stoner,	" Wm. L. Abbott,
Trust Deed.	Noah Simmers,	" Michael Baecre, Trustee for Baecre & Shearer,
Bargain & Sale.	Isaac Rinnier & widow & Heirs,	" Samuel Eaton, jr.,
" "	Ed. S. Conrad, Commr. &c.,	" George F. Hessler,
" "	Wm. Sellers, G. W. Yancey, &c.,	" Timothy Funk, A. B. Berger, School Trustees,
" "	Bryan Pincheart,	" Isaac Yenger,
" "	Solomon Shifflett & wife,	" Lindsey Williams,
Lis Pendens.	Henry S. Imle, Exr. of Isaac Imle, dec'd,	" Wm. C. Imle & Bro.,
Bargain & Sale.	John Kennedy, Exr.,	" S. C. Reamer,
Trust Deed.	S. C. Reamer,	" B. G. Patterson, Trustee for John Kennedy, Exr.
Bargain & Sale.	D. A. Pleaker,	" Samuel Pleaker,
" "	J. D. Logan, Clerk of the Cir. Ct. of Rockingham,	" B. G. Patterson,
Trust Deed.	George M. Armentrout & wife,	" John Paul, Trustee for Philip Miller,
Bargain & Sale.	B. N. Myers & wife,	" Catharine Myers,
" "	George W. Dull & wife,	" Bernard Harris,
" "	Daniel D. Dovel & Adam A. Kline,	" George W. Shuler,
" "	same,	" Wm. L. Rite,
" "	J. N. Loewenbach & wife & his Trustee,	" James F. Lowman,
" "	Robert Johnston, Commr.	" Thomas M. Rite,
" "	A. B. Smith & wife & Phila Bradley & wife,	" Ransom Sellers,
" "	Henry B. Jones & wife,	" Abraham N. Printing,
" "	Daniel F. Good & wife,	" Albert L. Fishback,
" "	Albert L. Fishback & wife,	" Jacob Triplett,
" "	Robert Cummings & wife,	" Rev. L. V. Reed,
" "	John C. Keller, Commr. &c,	" George W. Yancey,
" "	Wm. B. Compton, Commr. &c,	" Lewis Rebard,
" "	B. G. Patterson, Commr. &c,	" C. F. Jennings,
" "	same,	" Fannie C. Martin,
" "	Benj. F. Mowbray & wife,	" John P. Good,
" "	Emanuel Suter & wife,	" same,
" "	Benjamin Keever & wife,	" Emanuel Keever,
Power of Attorney.	John Maitz,	" Michael J. Maitz,
Bargain & Sale.	John C. Keller, Trustee for Jas. M. Lotz & wife,	" Lyon M. Harrison,
" "	Peter Ritchie & wife,	" Sarah Miller, Trustee for John Levi Smith & Wife,
Sale Bill	John Allen,	" H. D. Lenty, Trustee for L. J. & B. Wise,
Bargain & Sale.	John Lewis & wife,	" Benjamin Calvin Lewis,
" "	George J. Grattan, Commr. &c,	" Frederick Armentrout,

For reasons appearing to the Court, the Rule awarded at the last term of this Court against Lunsfield Lee, for his failure to appear at said Term as a Petit Juror, when duly summoned, is discharged, said Lee appearing in Court, and answering said Rule.

Same order as to J. B. Eastham, et.

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 Account of Milton M. Taylor, Exor. of Lt. Kisler, dec'd;
" " " " Peter Lemmel, Admr. of Peter Baker, dec'd
" " " " Peter Shaver & John Rudisill, trustees for John E. Shaver,
" " " " Wm. A. Sifer, Admr. of George Sifer,
" " " " Benjamin Homer, Receiver of Geo. Sifer. Ent (Law)

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

Appraisement & Sale Bill of Personal Property of Elizabeth Simmerer, dec'd
" " " " " same " John Huffman, dec'd
" " " " same, " Raphael Myers, dec'd
" " " " same, " D. G. Lawson, dec'd
" " " " same, " Mary Bowman, dec'd
" " " " same, " John J. Yorker, dec'd

exp'd. On the motion of Building McGuire, It is ordered that he be relieved from the payment of Capitation Tax and Levy and Parish Levies for the year 1876 on account of bodily infirmity, rendering him unable to pay.

cap'd. On motion of Henry Barnett, same ordered for the year 1876.

On the motion of J. R. Rose, the Court doth appoint C. W. Lane, as Assistant of said J. R. Rose, Commissioner of the Revenue for Stonewall District, and thereupon said Lane appeared in Court and qualified by taking the several oaths prescribed by Law.

C. [illegible] Mowery, Admr. &c. vs. Wm. Bowers, dec'd;

C. A. Keleton, S. R. Wise & Rachel Admrs. of Rachel Bowers, dec'd } Appeal in Attachment

Rudolph Myers & E. H. Cromer, Admrs. of Joseph Bowers, dec'd; } Ejectment

Orson Riley vs. Jo Thelia VanPelt, &c,

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

The writing purporting to be the last will and testament of Samuel Earnest, dec'd, together with a codicil thereto attached, was this day presented in Court and duly proven by the oaths of D. M. Funkhouser & N. P. Eiler, two of the witnesses subscribing witness to said will and codicil, was admitted to probate, and thereupon, on the motion of George A. Cromer, the Executor therein named, he appeared in Court, and entered into and acknowledged a bond in the penalty of $1000 G, conditioned according to Law, without security, as provided in said will, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining a probate of said will in due form.

And the Court do hereby appoint Wm. R. Eiler, N. P. Eiler & Wm. Kauffman, disinterested, to appraise the Estate of said Samuel Earnest, with first having duly sworn, any three of whom may act.

Clerk Com. Court of Oak Precinct to Com. Dist. Court this day presented in lieu an account against the County of Rockingham amounting to $12.00 for warrants & bonds, which being examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Treasury for the year 1875.

Order on application to establish a public road, leading from or near Wm Mauk's Store to the nearest point on the Keezletown Road.

The Report of J. M. Lewis, Thomas Moore and S. R. McCaughey, viewers appointed at the April Term, 1876 of this Court having been filed at the present term, said Report covering the establishment of said proposed road, It is ordered that the following land owners along the route of said proposed road, to-wit:- Col. Wm Mauk, Jacob Mauk, John Strickler, John Smith, P.F. Armentrout, Conrad Long, Wm. D. Bailey, A. J. Brock and James D. White be summoned to appear at the next term of this Court, to shew cause, if any they can, why said road should not be established according the report of said viewers.

Commonwealth, } Indictment No 1 for selling
vs. } Liquor to a minor.
F. S. Shacklette }

Commonwealth, } Upon an Indictment
vs. } No 2 for selling
F. S. Shacklette } Liquor to a Minor.

This day came again the said the Attorney for the Commonwealth, as for the Commonwealth and the Defendant by his attorney and the attorney entered a "nolle prosequi" in the two foregoing named causes, It is therefore considered by the Court that the Indictments No. 1 & 2 be dismissed, and the Defendant go hence without day, &c.

Commonwealth, } Upon an Indictment, for Keeping a disorderly
vs. } House (No. 4)
F. S. Shacklette }

This day came again as well the Attorney for the Commonwealth, as the Defendant by his counsel, and thereupon came the following jury, to-wit:- Wm. McClintuff, Thos. L. Williamson, S. S. Anders, S. S. Fishback, H. P. Lambert, Geo. B. Gilmore, Sheff. McCoy, Reuben L. Berlin, D. B. Armentrout, L. W. Carrier, M. M. Richcreek & A. P. Eiler, who being elected, tried and sworn, well and truly to try 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 and assess the fine One Dollar; It is therefore considered by the Court that the Commonwealth recover of the Defendant the sum of One Dollar fine, and the costs by him in this behalf expended.

Ordered, That Wm. McClintuff, Thos. L. Williamson, S. S. Anders, S. S. Fishback, H. P. Lambert, Geo. B. Gilmore, Sheff. McCoy, Reuben L. Berlin, D. B. Armentrout, L. W. Carrier, M. M. Richcreek & A. P. Eiler, be each allowed the sum of One dollar for their services at this term of the Court (one day) upon the trial of F. S. Shacklette for misdemeanor (Indictment No. 4) of which he was convicted, and that the same be paid by the Treasurer of this County, and credited to the Auditor of Public Accounts.

Dr. J. B. Webb this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.00 for visit and examination of Albert Whitt, suspected of Lunacy, which being received and examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment, Joseph Bryant, B. M. Rice & L. C. Whitescarver three Justices of the Peace, having certified to the Court that said visit and examination was made under a summons issued by them to said Dr. J. B. Webb.

cf'd.

Upon the application of the Rawley Springs Company, and from evidence introduced it "its May Term last, it its May Term last, that the applicants are persons of respectable character, that the place is suitable and convenient, it a License be granted a License be granted it "it" to keep an Ordinary, to their place of business their place of business "Rawley Springs" from June 19, 1876 to August of the Levy Court of this County for the ensuing year and entered into bond

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The Commonwealth

vs. Upon an Indictment Upon an Indictment for Felony

J. W. Pinehurst

Upon the Defendant came the Defendants each in person and in Court, his recognizance entered into at the last Term for this Term of the Court, and for reasons appearing to the Court continued until the first day of this Term of the Court, and J. W. Pinehurst at the next Term of the Court, said J. W. Pinehurst appeared in person and by Counsel, and the Court is advised that it is without jurisdiction of the offence charged in the Indictment, and that the same cannot be conducted at this Term of the Court, and the Defendant is discharged from his recognizance entered into at the last Term of the Court, and the Defendant is ordered to be remanded to the Jail of Rockingham County, and the Sheriff of said County is directed to take the said J. W. Pinehurst into his custody and safely keep him until he shall be discharged by due course of law.

The Commonwealth,
vs. } Upon an Indictment for Felony.
J. W. Pinehurst,

On the calling of this case for trial the Defendant, J. W. Pinehurst, appeared in person and by Counsel, and the Commonwealth's Attorney, and the Court is advised that it is without jurisdiction of the offence charged in the Indictment, and that the same cannot be conducted at this Term of the Court, and the Defendant is discharged from his recognizance entered into at the last Term of the Court, and the Defendant is ordered to be remanded to the Jail of Rockingham County, and the Sheriff of said County is directed to take the said J. W. Pinehurst into his custody and safely keep him until he shall be discharged by due course of law.

S. R. Mellvaine, Carter, E. H. Keeler appeared for the Commonwealth, and Messrs. H. H. Taylor, J. Long, Wm. H. Whittaker, and Poole and Lee for the Defendants, and the Attorney's Respective Counties, were severally and respectively sworn and empanelled as Special Grand Jury in and for the body of the County of Rockingham, and having received their charge from the Court, retired to their room to consider of their presentments, and after some time returned into Court, and made the following presentment, viz:- An Indictment against Noah Smith, for shooting with intent to maim, disfigure, disable and kill. A true Bill. S. R. Mellvaine, foreman, and not having completed their business for them were adjourned over until to-morrow morning at 10 o'clock.

The Commonwealth,
vs. } upon an Indictment for Felony.
Noah Smith,

The Defendant, Noah Smith, who was on this day indicted for a

felony by him committed, appeared in Court in discharge of his recognizance entered into before R. H. Harrison, a Justice of the Peace, and being duly arraigned, pleaded "not guilty" and thereupon Thursday next June 22, 1876 was fixed on the day for his trial, and the Clerk of this Court is directed to issue a Venire Facias to the Sheriff of this County, commanding him to summon 24 Freeholders to appear here on said 22nd day of June 1876 for the trial of said Noah Smith, charged with felony.

And on motion of the Defendant the Court doth grant him bail in the sum of $250.00 for himself and $250.00 for his security, and thereupon the said Noah Smith and W. L. Seely, his security, acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $250.00 to be levied of their respective goods and chattels, lands and tenements, yet upon this condition, that the said Noah Smith do make his personal appearance before this Court on Thursday next, June 22, 1876, to answer said indictment this day found against him by the Grand Jury, and not depart thence, without leave of the Court.

E. D. Ragan, John Frazier, David Crawford, Jane Frazier, Amanda Alexander, Lewis Alexander and Peter Blackburn, this day appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $50.00 to be levied of their respective goods and chattels, lands and tenements, yet, upon this condition, (to the use of the Commonwealth) that they do each make their personal appearance before this Court on Thursday next, June 22, 1876, as witness Commonwealth against the use of the Commonwealth against Noah Smith, this day and not depart thereupon, yet upon this use without leave of the Court.

At a Court held in and for the County of Rockingham on the 8th day June 1876

J. W. Price, Esq.

The Commonwealth, Defendant in Error, thereupon to be in Court

John Frazier, David Crawford, Jane Frazier, Amanda Alexander, Lewis Alexander and Peter Blackburn, Defendants in Error.

Judgment of the last Rockingham County Court having been reversed by this Court, it is ordered that the cause (the said County in error) be remanded thereto for further proceedings to be had therein, and that the Clerk of this Court certify the same to the said County Court of Rockingham County.

A copy,

Teste,

D. A. Shue, C. C. C. A.

It is ordered, that the foregoing cause be placed upon the Docket, and the trial of the same is continued generally until the next term of this Court.

Commonwealth,

vs. } Upon an Indictment for Misdemeanor

Conrad Eaton, &c.

For reasons appearing to the Court, on motion of the Defendant this cause is continued until next term.

Of a Circuit Court as it used and held in and for the County of Rockingham at the Court House thereof, on Saturday May 29, 1852.

Baltimore & Ohio Railroad Company, Plff. in Error,
vs. } Writ of Supersedeas
Ludwig Heisch, Deft. in Error.

This day came the parties by their Attorneys, and the transcript of the record of the Judgment complained of in the petition of the Plaintiff in Error having been read and inspected by the Court, it seems to the Court that there is error in the judgment complained of, for which the same should be reversed and annulled. It is therefore considered by the Court that the judgment of the County Court complained of be set aside and annulled, and that the Plaintiff in Error recover of the Defendant in Error its costs in this behalf expended. And the Court proceeding to render such judgment as the County Court ought to have rendered, is of opinion that the County Court had no jurisdiction to try the case, and the same be dismissed, and that the Baltimore and Ohio Railroad Company recover against Ludwig Heisch its costs.

A Copy,
Teste
J. W. Shue Clk. C. C.

On motion of the Plaintiff, in Error, this cause is dismissed, and it has leave to sue out Execution against the Defendant in Error for its costs by it in this behalf expended in this Court.

The Court doth award a Rule against Michael Whitmer, returnable to next term for his failure to appear at this term of the Court as a Grand (not to issue) Juror, as he was duly summoned.

The Court doth award Rules against S. N. Cutler, John P. Swank, C. J. Swan (Witnesses) acre and Daniel Brenneman, returnable to the next term of this Court, for their failure to appear at this term of the Court, as Petit Jurors, as they were duly summoned.

John L. Lewis, Plff. }
vs. } M. E. & D.
Israel Mongold, Deft. }

Ordered, That this cause be continued until next term.

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, June 20, 1876.

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

On motion of Philip Strickler - to erect a gate.

On the motion of Philip Strickler, and it appearing to the Court that notice of this application has been duly posted according to law, and evidence being heard, permission is granted him to erect a gate at or near his Mill on the Public Road, running from the Harrisonburg and Timberville Road to Strickler's Mill.

On motion of Isaac Yoder, - to erect a gate.

On motion of Isaac Yoder, and it appearing to the Court that notice of this application has been duly posted according to law, and evidence being heard, permission is granted him to erect a gate near the intersection of Strickler's Mill Road with the Harrisonburg & Timberville Road, on the Public Road, running from the Harrisonburg & Timberville Road to Strickler's Mill.

The Estate of Rob Kippetoe having been committed to the Sheriff of Rockingham County at a former term of this Court, on motion of said Sheriff as Administrator, the Court doth appoint Sebastian Kautman, Wm. Scott, Martin Altaffer, S. Mussay & Henry R. Harnsberger, to appraise the Estate of said Kippetoe, any three of whom may act, after first being duly sworn.

Joseph Hawkins, for use of Wm. Landes,
@
Wm. M. Hawkins' Exor.
} Upon a sug.

This day came the Defendants Benjamin Hawkins, Exor. of Mary M. Hawkins, dec'd, and made answer in writing to the suggestion served upon him under the execution of Joseph Hawkins for the use of Williams Landes @ Noah Hawkins, and it appearing to the Court that under the will of the said decedent, Noah Hawkins is entitled to a pecuniary legacy of $500. and interest under the will of said decedent, after the payment of the debts of the estate, and that the Estate of said decedent is in the hands of said Executor, It is ordered that the said Executor do pay to the Plaintiff, whatever amount may be found due to the said Noah Hawkins upon a proper settlement of said estate, and leave is given the Plaintiff to prosecute a suit to enforce his rights under this order.

Samuel Baker, Road Surveyor for Precinct No. 41, Ashby District, this day presented in Court an account against the County of Rockingham for $2.25 balance for teams & waiting in hands, 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 1875.

Allen Marshall Surveyor of Road Precinct No. 21, Stanardsville District this day presented in Court an Account against the County of Rockingham, viz:- for warrant in hands $2.00 - Work on Spring road $6.4 + for tools, powder &c $15.15 - (total $23.55) which being correct, was examine 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 1875.

cert'd

The Grand Jury sworn and impanelled on yesterday this day came into Court, pursuant to their adjournment, and again returned to the Court to consider of their presentments, and after some time retired into Jury room and made the following presentments, viz:- A Presentment against Geo. P. May for forging a check on B. Mc Haney & Co. for $5.00 and one Presentment against Geo. P. May for forging a check on B. Mc Haney & Co. for $10.00 (ten dollars) Whereupon the said Geo. P. May was brought to the bar of the Court and the said presentments being read to him, he was discharged from further attendance upon this Court.

Ordered, That C. R. Mc Clenaghan, C. L. Wise, Samuel Yancey, E. T. Dingus, H. C. Foltz, H. G. May, Wm. N. Whitacre, Edwin Mason, Eugene S. Lewis & Josiah Sheets, Jr. each be allowed the sum of Two Dollars for their services as Jurors at this Term of the Court, as by Statute provided.

cert'd.

On the motion of Mary Yancey, widow of B. M. Yancey, deceased, who in Court, and relinquishing her right to administer upon the Estate of her Husband, It is ordered that the Estate of said B. M. Yancey be committed to L. H. Nicholas, Sheriff of this County, for administration, it appearing to the Court that more than three months have elapsed since his death.

Commonwealth,
vs. } Upon an Indictment for Forgery No. 1.
Geo. P. May,

The prisoner, who at this day was in the bar of the Court in custody of the Jailor of this County, who stands indicted for a felony by him committed, and being thereof arraigned, pleaded "not guilty" and thereupon Friday the 4th June 23rd 1876 was fixed on as the day for his trial, and the Clerk of this Court is directed to issue a Venire to the Sheriff of this County, commanding him to summon 24 persons to appear here on said 23rd day of June 1876 for the trial of said Geo. P. May, charged with felony, and thereupon he was remanded to Jail.

Same
vs. } Upon an Indictment for Forgery No. 2.
Same.

The prisoner, Geo. P. May, was this day led to the bar of the Court, in custody of the Jailor of this County, who stands indicted for a felony by him committed, and being thereof arraigned, pleaded "not guilty" and thereupon he was remanded to Jail.

D. W. Lavore, W. A. Evans, Geo. M. Hoover and John O. Earle, this day appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $100.00, to be levied of their respective goods and chattels, lands and tenements, for the use of the Commonwealth, yet upon this condition that they and each do make their personal appearance before the Judge of this Court on Friday morning next, June 23, 1876 as witnesses in behalf of the Commonwealth against Jas. P. May, and not depart thence without leave of the Court.

E. S. Peale, Pltff
vs
James Steele, Deft. } Appeal

It appearing to the Court that all matters in controversy between the parties have been adjusted, It is ordered that this cause be dismissed agreed

Supt. of the Poor, Pltff
vs
Patrick Sullivan, Deft. } Upon Bastardy

Ordered, That this cause be dismissed

John Harris Exor.
vs
Geo. W. Grady. } Upon a warrant

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

John C. Brock,	vs	Reuben Layman	Att
Franklin Lickey,	"	James Steele,	notice
Jacob Dinkel,	"	Wm. H. Rodgers,	notice
Franklin Whitmore Adm.	"	James Mc Dorman,	"
John D. Sprinkel	"	Jacob Shoupe Adm.	Sug.
Wm. Sandy for &c,	"	Peter Wile,	"
First Nat. Bk of Hbg.	"	L. R. Jones & Co,	"
Reed, murray &c,	"	M. J. Carrier, &c,	"
Henry Foner,	"	Philip Koontz,	notice
J. B. Devier use of J. A. Lowenbach,	"	A. K. Devier,	Sug.
Geo. W. Landis for &c,	"	Wm. P. Bloce,	"
A. N. Dair,	"	Richard Coliveen,	"
Jacob Dinkel,	"	James Steele,	notice
C. P. Eletcher,	"	Daniel Stouffer,	Att
J. A. Harrison,	"	James Steele,	notice
O. P. Koiphenstine &c,	"	J. C. Offutt,	Att
D. Pennybaker,	"	Wm. F. Pennybaker,	notice
John Hoke,	"	Wm. B. Yancey, for &c,	Sug.
A. St. C. Sprinkel Adm.	"	J. R. Alleback, J. P. &c,	Testim.
Henry E. Sipe,	"	E. L. Lambert, for &c of Larkin &c,	Sug.
Sallie Palmer,	"	Wm. Crawford, for &c of Mary Miller,	"
Wm. Rubinsky,	"	Delilah Gutwiler Adm.	"
Richard Coliveen for Wm.	"	J. R. Alleback, late J. P. &c,	"

Benjn. Swingle, Gent. &c. vs. T. J. Robinson, Sheriff
Alfred Price " Elkton Manufacturing Co. "
James Moore " Giles Aylor, "

Ordered, That the foregoing named causes be continued once more until the next term of this Court.

Ordered, That this Court be adjourned until Thursday 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 June 22d 1876.

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

On motion of Isaac Ritenour, of the McGaheysville District, it is ordered
cap. for good reason shown to the Court, that he be relieved from working
roads for one year.

On motion of George Bayley's Admr. It is ordered that the Estate of
/ Neil Rogers be committed to D. A. Roleton, Sheriff of this County, for
administration, it appearing to the Court that he has been dead more
than three months, and there being no administration

On motion of Catharine Spitzer's Admr. It is ordered that the Estate of
/ Henry Wentz, be committed to D. A. Roleton, Sheriff of this County, for
administration, it appearing to the Court that he has been dead more
than three months, there being no administration

L. H. Ott, Coroner of this County, this day presented in Court an Account
against the Commonwealth of Virginia, amounting to the sum of
cap. Sd. $11.50, for holding Inquest on unknown infant, near Harrisonburg, Jury
of 6 Jurors, Constables fees & expenses of burial, &c, 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.

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cap. On the Petition of C. H. Conner & others, for the establishment of a Public
Road of the width of 25 feet, from the junction of the Dinwiddie Mill Road
and the Swift Run Pike, near Joseph Beatsoles to Bowman's School House, on
the Timberville Road,

The Court doth appoint John D. Moore, Miriam Huffman and
Joseph L. Lonce, viewers, to view the ground and report to this Court at
its next term, as follows:-

1st. The conveniences and inconveniences that will result, as well to indi-
viduals as the Public, if such road shall be established as proposed,
and especially whether any yard, garden or orchard, or any part thereof,
will have to be taken.

Will of Saml H. Levin

× × ×

2d After the payment of all my just debts and funeral expenses I give all my Estate Real & personal to my Exrs to be disposed of as follows, My sons Chas. H. John F. & Saml H. having already had their portions of my Estate the balance thereof I devise to the rest of

2nd- The character of the ground, with reference to its adaptation to a good road-bed, and all other facts and circumstances, in their opinion, useful in enabling the Court to determine the expediency of establishing said road,

3d- The probable cost of opening the said road, the names of the land-owners on said route, which of them require compensation, and the probable amount in their opinion, to which each may be entitled, and any matter they may deem pertinent. They shall not locate any route on which there is a grade at any one point exceeding six degrees, and shall endeavor to locate a route on which the grade does not exceed five degrees at any one point.

A map or diagram of said route shall be returned with their report, and in the event neither of them be a Surveyor, they are hereby authorized to procure one.

They shall append to their report a statement of the time employed by each of them, and the Surveyor in executing this order, which shall be sworn to before an officer authorized to administer oaths, who shall append his certificate thereto.

Strict compliance with each and every requirement of this order is hereby enjoined upon said viewers, and in the event their report is defective, no allowance will be made them for their services.

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c.of C. On the Petition of J. B. Eastham & others, for the establishment of a Public Road from near Morris Run, on the Lick Ford, passing through the lands of A. H. Ritley, Rolerick Cook & others to the Wacamatten Road, near a pine field, belonging to John B. Sumner.

The Court doth appoint George L. Strayer, Joseph A. Kite and Ira H. Hardesberger, viewers, to view the ground, and to report to this Court at its next term as follows:-

1st- The conveniences and inconveniences that will result, as well to individuals as the public, if such road shall be established as proposed, and especially whether any yard, garden or orchard, or any part thereof will have to be taken.

2d- The character of the ground, with reference to its adaptation to a good road-bed, and all other facts and circumstances, in their opinion useful in enabling the Court to determine the expediency of establishing said road.

3d- The probable cost of opening the said road, the names of the land-owners on said route, which of them require compensation, and the probable amount in their opinion, to which each may be entitled, and any matter they may deem pertinent. They shall not locate any route on which there is a grade at any one point exceeding six degrees, and shall endeavor to locate a route on which the grade does not exceed five degrees at any one point. A map or diagram of said route shall be returned with their report, and in the event neither of them be a Surveyor, they are hereby authorized to procure one.

They shall append to their report a statement of the time employed by each of them and by the Surveyor in executing this order, which shall be sworn to before an officer authorized to administer oaths, who shall append his certificate thereto. Strict compliance with each and

very requirement of this order is hereby enjoined upon said witness, and in the event this report is defective, no allowance will be made them for their services.

Commonwealth, } Upon an Indictment for Felony.
vs.
Noah Smith.

The defendant, Noah Smith, who stands indicted for a Felony by him committed, this day appeared in Court in discharge of his recognizance entered into on the first day of this term of the Court and the Commonwealth summoned for his Trial being called, nineteen of whom appeared, viz:- A. J. Byrd, A. M. Black, M. B. Childress, Wm. W. Hooke, D. L. Rosenberger, Geo. D. Harrison, John R. Smale, Julius J. Marty, W. J. Dearing, M. M. Farmer, Thomas M. Willis, Joseph L. Hammer, E. A. Hay, R. R. Fletcher, Samuel A. Simmerer, A. M. Peale, and the Prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- E. A. Hay, R. R. Fletcher, Samuel A. Simmerer and A. M. Peale, the remaining twelve persons of said panel, viz:- A. J. Byrd, A. M. Black, M. B. Childress, Wm. W. Hooke, D. L. Rosenberger, Geo. D. Harrison, John R. Smale, Julius J. Marty, W. J. Dearing, M. M. Farmer, Thomas M. Willis and Joseph L. Hammer, thereby constituting the Jury, who being elected, tried and sworn well and truly to try, and true deliverance make between the Commonwealth and the Prisoner at the bar, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court and upon their oaths do say "we the Jury find the defendant guilty of Grand Larceny and ascertain his Fine at Twenty five Dollars" A. J. Byrd, Foreman. And thereupon the Prisoners were discharged. And it being enquired of the defendant if anything he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the Commonwealth of Virginia, recover of the said defendant, Noah Smith, the sum of $25.00 the amount of Fine by the Jury in their verdict ascertained, and the costs by him in this behalf expended. And it is further considered by the Court that the said defendant Noah Smith be imprisoned in the Jail of this County for the period of twenty four hours, and thereafter until he do pay the amount of Fine assessed against him and costs.

And thereupon the said Noah Smith was remanded to Jail.

Ordered, that A. J. Byrd, A. M. Black, M. B. Childress, Wm. W. Hooke, D. L. Rosenberger, Geo. D. Harrison, John R. Smale, Julius J. Marty, W. J. Dearing, M. M. Farmer, Thomas M. Willis and Joseph L. Hammer, be each allowed the sum of One Dollar for their services at this term of the Court,

cr'd c. & certificate and of Clerk
L. N. C.

one day as Commissioner upon the trial of said Bank Case, marked on the Docket, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

Commissioners Cert. Ord.

On the application of Simon Miller, it appearing to the Court that the Report of Survey & Plat of A. L. Bear, Surveyor of Rockingham County, of a Tract of Land containing Three Hundred and eighty three Acres, situated in Rockingham County, adjoining Miller & Co. Big Spring and Joseph Mauzy's survey, and acceed upon the Land Books of this County to Albert G. Mauzy's Estate, and sold by the Treasurer of this County as delinquent Land on the 15th day of December 1873, to said Simon Miller, for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. R. Allebaugh, Treasurer of Rockingham County, are made according to law, It is ordered that the said certificate and said Survey & Plat be recorded in the Clerk's office of the County Court of this County.

Emanuel H. Cromer & Rudolph Myers, Admrs. with the will annexed of Joseph Cromer, dec'd; vs. John Reilley and Athelia VanPelt } In Ejectment.

This day came the Plaintiffs by their Attorneys and filed their declaration in Ejectment in this cause, with proof of the service of notice to the defendants, and on motion of the plaintiffs, a rule is awarded against the defendants to appear and plead, and the Court doth prescribe the time within which the same shall be done, between this and the 2nd day of the next term of this Court, and on their further motion, the order entered on the first day of this term is set aside, it appearing to the Court that notice of the filing of the declaration was to the 3rd day of the term, instead of the first day. The Court entertaining a doubt as to jurisdiction in this case, without deciding the question, holds it over for consideration to the next term.

Rules accepted.

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

Chas. L. O'Donnell.

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

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

Dr. F. H. Neff, this day presented in Court, an Account against the
cap'd. Commonwealth of Virginia, amounting to the sum of $10.00, for making a post-mortem examination and autopsy of the body of an unknown infant, (colored,) found in Reed's pond, near Harrisonburg, Rockingham County, 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.

Dr. Wm. A. Nice, this day presented in Court, an Account against the Commonwealth of Virginia, amounting to the sum of $10.00 for assist-
cap'd. -ing Dr. Neff, in making post-mortem examination and autopsy of child found in Reed's pond, (by order of the Coroner,) 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.

Staples & Kent this day presented in Court an Account against the County of Rockingham, amounting to the sum of $16.00 for 3 Loads of
cap'd. Manure for Court-House yard, which being examined, was allowed by the Court, and ordered to be certified to the Examiners of this County for payment, out of the Levy for the year 1876.

Common.

Ex Indictment for Indictment for Forgery.
George P.

ge P. Way, late of the ge P. Way, late of the County of Rocking-
-ham, stands charged by three com- felony by three committed, was this day
-ugain led to the custody of the Jailor in custody of the Jailor thereof, and the
Veniremen; Trial being called, Trial being called, fifteen of whom ap-
-peared, viz:- S. Myers, S. H. Dutrow, S. H. Dutrow, James Bailey, Geo.
H. Hedrick, Jr. Dutrow, Henry Dutrow, Henry A. Harnsberger, G. W.
Strother, Wm. M. Lofe, David Wm. M. Lofe, David Suter, Christopher Miller,
Abraham Lee, and the said Peter, and the said Veniremen were ex-
-amined by the Court, viz:- S. H. Myers, Sworn, viz:- S. H. Myers, S. H. Dutrow, James Bailey,
Geo. H. Hedrick, Jr. Sworn, Henry A. Harnsberger, Patterson Keezee, John W. Nice,
David Suter, Christopher Miller, Abraham Lee, jr. & Jake Rinker were found
to be duly qualified and free from exceptions, and thereupon the Court
ordered the Sheriff to summon Seven additional Veniremen, from a
list furnished by the Court, to appear here forthwith, and the Veniremen
so summoned, viz:- B. F. Miller, B. E. Long, Henry Shacklett, J. H. Conbeer, E. Wisbert,
Isaac Gassman, & A. G. Sherfey appeared and were examined by the
Court, four of whom were found to be duly qualified and free from exce-
-ptions, viz:- Henry Shacklett, Isaac Gassman, A. G. Sherfey, B. F. Miller, and
a Panel of sixteen being thus completed, the prisoner was informed a-
-gain arraigned, and having stricken therefrom the names of four of the
Jurors so elected, viz:- S. H. Myers, S. H. Dutrow, Abraham Lee, jr.
& Henry Shacklett, the remaining twelve persons of said Panel, upon

B. F. Miller, A. W. Dutrow, James Baker, Geo. W. Hedrick, Wm. B. Harnsberger, Pattenson Greiner, John M. Life, David Suter, Christopher Miller, Jake Kiser, Jacob Jarsman and A. G. Shanfey, thereby constituting the Jury, who being so elected, tried and sworn, well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the Jury, find the prisoner guilty in manner and form as charged in the Indictment, and ascertain the term of his confinement in the Penitentiary at two years, and recommend the prisoner to Executive clemency," N. B. Harnsberger, foreman. And thereupon the Jury was discharged, and the prisoner remanded to Jail.

Ordered, That B. F. Miller, A. W. Dutrow, James Baker, Geo. W. Hedrick, Wm. B. Harnsberger, Pattenson Greiner, John M. Life, David Suter, Christopher Miller, Jake Kiser, Jacob Jarsman and A. G. Shanfey, be each allowed the sum of One Dollar for their services at this term of this Court, (one day) in the trial of George P. May, charged with felony, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

cap: ... 1.0 certified to Auditor of Pub. Accts. A. P. A. c. c.

It is ordered by the Court, that it be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for Rockingham County, is entitled to the sum of Twenty Dollars for prosecuting one two cases of felony, at this term of the Court, to-wit: Commonwealth against Noah Smith and same against George P. May.

cap. 2 d.

Ordered, That Rules be awarded against the following-named Petitioners, returnable to 1st day of the next term of this Court, for their failure to appear at this term of the Court for the trial of Geo. P. May, charged with felony, to which duly summoned, viz: James Pegoone, Wm. W. Baugher, Horace Kaplinger, A. A. Cox, W. W. Washington & P. B. Bowman.

106 cap. and

Mrs. M. C. Lupton, Proprietress of the "Revere House," this day presented in Court an account against the Commonwealth of Virginia amounting to the sum of $16.00 for board of Petitioners in case of Noah Smith, charged with felony, which being sworn to, was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts for payment.

cap. 2 d.

Mrs. M. C. Lupton, Proprietress of the "Revere House," this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $16.00 for board of Petitioners in case of George P. May, charged with felony, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap. 2 d.

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

Chas. T. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Saturday June 24th 1876:-

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

It is ordered by the Court, that it be certified to the Auditor of Public Accounts, that John Paul, Attorney for the Commonwealth for Rockingham County, is entitled to the sum of Five Dollars for prosecuting in the case of misdemeanor, to conviction, at this term of the Court, viz:- Commonwealth against Joseph D. Threekeltice, on Indictment No. 4.

cufd. o.d.

Commonwealth,
George P. May. } Upon an Indictment for Forgery.

This day the prisoner George P. May, was again led to the bar of the Court in custody of the Jailor of the same, whereupon he moved the Court by his counsel, to set aside the verdict of the Jury rendered on yesterday, and grant him a new trial, which motion, on consideration, the Court doth overrule; and it being enquired of the prisoner if anything he had or knew to say, why the Court should not now proceed to pronounce judgment against him according to law and nothing being offered or alleged in delay of judgment, It is considered by the Court that the said George P. May be imprisoned in the public Jail and Penitentiary House of this Commonwealth for the term of two years, the period by the Jurors in their verdict ascertained, in hard labor. And the Sheriff of this County, is ordered, as soon as possible after the adjournment of this Court, to remove and convey the said George P. May from the Jail of this Court to the public Jail and penitentiary House of this Commonwealth, there to be kept imprisoned, and treated in the manner directed by law, for the term aforesaid.

And thereupon the prisoner moved the Court by his counsel, for a suspension of the execution of the judgement of this Court for the period of thirty days, which motion, on consideration, the Court doth sustain; and thereupon the prisoner was remanded to Jail.

Memo:- Be it remembered that the prisoner by his counsel, moved the Court to set aside the verdict of the Jury and grant him a new trial, which motion the Court overruled, and the prisoner thereupon excepted to the opinion of the Court in refusing to set aside the verdict of the Jury and grant him a new trial, and tendered his bill of Exceptions thereto, which he prays may be signed, sealed and enrolled, and made a part of the record, which is accordingly done, and is in the words & figures following, to wit: "Commonwealth vs George P. May" &c &c.

Ordered, That all causes not otherwise disposed of, be continued until next term.

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

Chas. T. O'Ferrall.

At a County Court held in and for the County of Rockingham, at the Court-House thereof, on Monday, July 17, 1876.

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 June Term thereof, which List being seen and inspected by the Court, is ordered to be spread upon the Minutes, and is as follows, viz:-

Bargain & Sale.	Jacob Long & wife,	to Abram C. Long & others, Church's Trustees,
Homestead Deed.	Wm. H. Byerly,	
Bargain & Sale.	Chas. J. O'Ferrall, Commr;	" Henry Davis,
" "	Geo. W. Berlin, Commr.	" Robert Gentry,
" "	Robert Gentry & wife,	" David Rhodes,
" "	James C. Keltzel & wife,	" Samuel Weaver,
" "	John D. Armentrout & wife,	" John Zigler,
" "	George G. Grattan, Commr.	" Diana Martz,
" "	Elizabeth Brenner,	" Isaac Burhart,
" "	Henry Moyers & wife,	" Samuel Moyers,
Trust Deed.	Chas. T. Acker & wife,	" A. L. Mauzy, Trustee,
Bargain & Sale.	Robert Cummings & wife,	" Peter Acker,
" "	William Sandy & wife,	" Daniel Kauffman,
" "	Peter F. Carman & wife,	" William B. Canty,
" "	A. M. Newman, Commr.	" R. H. Harrison,
" "	J. N. Loewenbach & wife & his Trustee,	" Warren S. Canty,
" "	Ezekiel Lamb,	" Solomon Shifflett,
Deed of Release.	J. S. Harnsberger,	" Joseph T. Logan,
Bargain & Sale.	R. A. Gray & wife & Mrs. Gray, trustees,	" Garrett King,
" "	Jonas N. Loewenbach & wife	" W. T. H. Minor (old deed re-recorded.)
" "	W. T. H. Minor,	" Joseph T. Logan,
Trust Deed.	C. W. Clatterbuck,	" J. C. Staples, Trustee,
Bargain & Sale.	R. A. Gray & wife & Mrs. Gray, trustees,	" R. C. & A. J. Douglas.
Power of Atty.	S. Jane Myers & Mary C. Myers,	" Joseph T. Logan,
Trust Deed.	A. J. & R. C. Douglas & wives,	" Joseph T. Logan, Trustee,
Bargain & Sale.	Joseph V. Bolton & wife,	" Samuel Whitmore,
" "	Chas. A. Yancey, Commr.	" Jannie V. Yancey,
" "	Rebecca Foxman & others,	" Henry Maphis
" "	Thornton Green & wife,	" William Johnson,

The Appraisement Bill of the Personal Estate of Mahala Shifflett, dec'd, was this day presented in Court, and no exceptions being taken 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 of this Court 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 John Zigler, Exor. of John Kline, dec'd.

Settlement of the Account of Wm. Jeff. Adm. of Eleanor Wise, dec'd;
" " " " " A. A. Wilson, Adm. of Sarah Mcbaugh, dec'd;
" " " " " Abm. Bloker, " " Anna & Abm. Bloker, dec'd;
" " " " " Geo. W. Shoonetta, " " L. A. Meyerhoeffer, dec'd;
" " " " " J. N. Wilson, " " Jane Rogers, dec'd;
" " " " " Jacob S. Sellers, guard of P. Wm. Shaver,
" " " " " N. S. Rosenberger, " " Delilah N. Hensley,
" " " " " Lewis Driver, " " Susan A. Driver,
" " " " " Solomon Wise " " Catharine Seeger, &c;

Henry Shacklett, surv. &c,
John H. Long's Adm'r. } Upon a motion.

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

For reasons appearing to the Court, the Rules awarded at last term of the Court against Jno. M. Bayhey, Israel Lapsley, A. A. Kelp, A. D. Washington & P. C. Bowman, for their failure to appear as Witnesses in case of The Commonwealth & Geo. P. May, were discharged.

For reasons appearing to the Court, the Rules awarded against J. W. Butler and Daniel Brenneman, at the last term of the Court, for their failure to appear as Petit Jurors, were discharged.

On the motion of Joseph M. Rhodes, Appraiser of Ashby District, J. M. Rhodes appeared in Court, and qualified as such Assistant, by taking the several oaths prescribed by Law.

On the motion of Wm. N. Robinson, It is ordered that he be relieved from the Payment of Capitation Tax and County and Parish Levies for the year 1876, on account of bodily infirmity, rendering him unable to pay. ent'd.

The Commonwealth
vs. } Upon an Indictment for felony.
S. W. & L. N. Pineheart.

Upon the calling of this cause, the Defendants each appeared in Court, in discharge of their recognizances entered into at the last term of the Court, and on motion of the Commonwealth and for reasons appearing to the Court, this trial is continued until the next term; and thereupon the said S. W. Pineheart and L. N. Pineheart for themselves and Susan Pineheart as surety for each of them, acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $1.000 Cy (waiving the benefit of the Homestead exemption) 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 S. W. Pineheart and L. N. Pineheart do each make their personal appearance before this Court on the first day of the August Term next, to answer said Indictment, and not to depart thence, without leave of the Court.

The Commonwealth,
vs
J. W. Rinehart. } Upon an Indictment for Assault & Battery.

This day came again 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, the trial of this cause is continued until next term, at the Defendants costs.

Aaron Shutters, Abraham Hoover, A. D. Armentrout, Thomas H. Willis, Wm. F. Bowers, Milton Pence, J. B. Nicholas, John Lover, J. G. H. Miller, Patterson Burgess, James P. McLeod, Peter Paul, L. C. Hopkins, Stothe J. Jones, Wm. Swanscauer and Edwin Mason were sworn and impaneled a Grand Jury, in and for the body of the County of Rockingham, and having received their charge from the Court, retired to their room, to consider of their presentments, and after some time returned into Court, and made the following presentment, viz:- An Indictment against Wm. R. Dout alias Wm. R. Eddins, for Petit Larceny, a true Bill, Aaron Shutters, foreman; and having completed the business before them, were discharged from further attendance upon this Court.

Ordered, That Aaron Shutters & others this day impaneled as Grand Jurors, be each allowed the sum of One Dollar for their services at this term of the Court, which is ordered to be certified to the Treasurer of this County for payment.

c/f'd & d.

Commonwealth,
vs
Wm. R. Dout alias Wm. R. Eddins. } Indictment for Petit Larceny.

This day, the prisoner, Allen R. Dout alias Wm. R. Eddins, late of the County of Rockingham, who stands indictment for Petit Larceny, was led to the bar in custody of the Jailor of this Court, and the Defendant pleaded "guilty" to the Indictment, and the cause was submitted to the Court, and having fully considered the same, the Court is of opinion that the Defendant be imprisoned in the Jail of this County for the period of 10 days, and receive 20 stripes, to be given him this day and to on the day he is released from imprisonment, and thereupon the prisoner was remanded to Jail.

The Commonwealth,
vs
Conrad Eaton, &c., } Upon an Indictment for disturbing a religious congregation.

This day came as well the Attorney for the Commonwealth as the Defendants, Conrad Eaton & Abel Eaton, by counsel, who filed their plea of not guilty, and thereupon came the following jury to-wit:- R. N. Mooney, M. J. Marty, John G. Moore, Allen C. Grandel, Eymon S. Wise, A. C. Walker, S. J. Yates, D. L. Rosenberger, J. L. Kerlin, P. D. Byerly, A. S. Rosenberger, & J. C. Heltzel, who being elected tried and sworn well and truly to try the issue joined, and a true verdict render ac-

cording to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Defendant, Abel Eaton "not guilty" - we the Jury find Conrad Eaton guilty, and assess his fine at ($35) thirty-five dollars, R. M. Mooney, foreman. It is therefore considered by the Court that the Defendant Abel Eaton be discharged, and go hence without day, and that a writ of Capias ad Audiendum Judicium be awarded against Conrad Eaton, to be directed to the Sheriff of this County, returnable forthwith, commanding him to take the said Conrad Eaton, and him safely keep, so as to have him before this Court as soon as may be, to shew if anything he has to say or know, why the Court should not then proceed to pronounce judgment against him according to law.

Ordered, That R. M. Mooney, M. J. Marty, John G. Moore, Wm. C. Gaudd, Leynis S. Wise, A. C. Walker, J. J. Yates, D. L. Rosenheyer, J. L. Kerlin, P. D. Ryerly, A. S. Rosenheyer & J. C. Keltzel, be each allowed the sum of one dollar for their services at this term of the Court, upon the trial of Conrad Eaton for misdemeanor, of which he was convicted, and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts.

cp'd & d. cut. to Aud.

The Commonwealth
vs.
John P. Swank. } Upon a Rule for failure to attend as a Petit Juror at June Term, 1876.

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

John Milne & others - On a Road Petition.

On motion of the Petitioners, this cause is dismissed.

The Commonwealth,
vs.
Geo. P. May, } Upon an Indictment for Felony - No. 2.

This day came the Attorney for the Commonwealth and entered a Nolle Prosequi in this cause. It is therefore considered by the Court that the same be dismissed, and that the defendant go hence without day.

Upon the Petition of J. B. Eastham & others for the establishment of a Road from Boone's Run or Lick Ford to Massanutten Road,

The viewers appointed at last term of the Court, this day returned their Report & Survey, which are ordered to be filed,

Upon the Petition of E. H. Conner & others for the establishment of a Road from Simmons' Mill Road & Shun Pike, near Joseph Heatwole's to Bowman's School-House, on the Tenleytown Road,

The viewers appointed at the last term of the Court, this day returned their Report & Survey, which are ordered to be filed.

The following Road claims were this day presented in Court by C. B. Stephens late Road Surveyor in Stonewall Dist. in this County, and being sworn to, were examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment, viz:- (out of Levy for 1875)

cap'd. To Albert Leap, plough team, one day, $2.00
cap'd. & d. " A. Wyant, 2 days' hauling, with two horses @ $2. 4.00

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

Chas. J. O'Ferrall.

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

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

L. F. Gaither, Special Constable of this County, this day presented in Court an account against the Commonwealth of Virginia, amounting to the sum of $5.80 for costs before Wm. D. Maiden, a justice of the Peace in case of the Commonwealth against Wm. K. Dout alias Wm. R. Eddins, charged with felony and for boarding and lodging prisoner and conveying same to Jail, which was sworn to, and was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cap'd. & d.

Upon the application of C. H. Dice & others, for the establishment of a public road, running by the residence of Samuel E. Long to the town of Bridgewater

The Report of Joseph D. Loose, John A. Herring, jr., and Hiram Coffman, viewers appointed at the May Term 1876, of this Court, having been filed at this term, said report favoring the establishment of said proposed road, It is ordered that the following land-owners along the route of said proposed road, to-wit:- Samuel E. Long, Daniel Garber, J. W. F. Allemong, C. Herring and the Bridgewater Woolen Manufacturing Company be summoned to appear at the next term of this Court to shew cause, if any they can why said Road should not be established in accordance with said Report.

125 cap's incl.

Upon the application of R. A. Gibbons, for the establishment of a Public road from the Rockingham Turnpike near the top of the Blue Ridge Mountain through the lands of John Long, James Maiden, R. A. Gibbons, &c, to some point on R. A Gibbons' mountain farm,

12½ cap's incl.

The Court doth appoint G. G. Strayer, J. D. Kite and C. H. Harnsberger viewers, to view the ground, and report to this Court, at its next term: first, the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any

part thereof will have to be taken.
2nd- They shall further report the facts and circumstances in their opinion useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land owners on such route, and state which of them require compensations; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

Any defect in the action or report of the viewers will debar them from receiving pay for their services.

Upon the application of James W. Carrickhoff & others, for the establishment of a public road on the east side of the Shenandoah river, beginning at River Bank Bridge, and terminating at some point on the Simmons Gap Road, near the Leland Ford,

The Court doth appoint N. G. Strayer, James M. Weaver and G. W. Mauzy, viewers, to view the ground, and report to this Court, at its next term, first: the conveniences and inconveniences that will result, as well to individuals as to the public, if such road should be established as proposed, and especially whether any yard, garden, orchard, or any part thereof will have to be taken. 143 cf min.

2nd- They shall further report the facts and circumstances in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on such route, and state which of them require compensation; the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned, with their report. A statement of the number of days each viewer and surveyor was employed in executing this order, shall be appended to the report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same.

Any defect in the action or report of the viewers will debar them from receiving pay for their services.

G. F. Mauck, this day, presented in Court, an Account against the County of Rockingham, amounting to the sum of Six Dollars for repairing Hand rails, window blinds, changing & fitting windows, in Court House, which being sworn to, was examined & allowed

and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1876.

Ann Price, Pltff.

vs

Ephraim Wenger, surety of John R Koogler, late Sheriff of Rockingham County, } Upon a motion for money collected by J. C. Ammon, Deputy for J. R Koogler, late S.R.C. & not paid over.

This day, came again the parties by their attorneys, and thereupon came the following Jury, to-wit:- Lewis P. Ott, A. L. Paul, Adolph Price, Joseph Snell, G. M. Effinger, C. R Gibbs, J. A. Showalter, Allen Braithwaite, G. A. Gay, G. M. Wayne, John M. Kuffman & H. H. Washington, who being elected, tried and sworn well and truly to try the issue joined, and a true verdict render according to the evidence, and not having time fully to hear the evidence and arguments of counsel, were adjourned until to-morrow morning at 10 o'clock.

Franklin Lisley Pltff
vs
James Steele deft. } Upon a motion

A. A. Stair, Pltff.
vs
Richard Robinson, deft. } Upon a Sug.

1 ct c/y & postage.

1 ct c/y rec'd.

In these two causes, the Court doth award Rules against the Plaintiffs, returnable to the next term of this Court, to shew cause why they should not prosecute their suits.

J. B. Devier, use of J. A. Loewenbach, } Sugn
vs
A. K. Devier } Upon a Sugn

M. Harvey Effinger, for &c,
vs
John Flory, gar. of A. Koontz, pi } Upon a Sugn

Ordered, That these causes, by consent of parties, be removed to the Circuit Court of this County for trial.

Geo. M. Landis, for &c,
vs
Wm. P. Bloce, } Upon a sug.

On motion of the Plaintiff, a Rule is awarded against Robert Painter, returnable to the next term of this Court, requiring him to appear and answer the suggestion which has been returned duly executed upon him.

Henry E. Sipe,
vs
E. L Lamlech, gar. of Larkins, &c. } Upon a sugn

Ordered that this cause be dismissed, and the Court doth consider that the Plaintiff recover of the defts. Larkins &c, his costs by him in this behalf expended.

Richard Robinson, for Wm,
vs
S. R. Allebaugh, late, S. R. C. } Upon a Notice

Ordered, That this cause be continued until the next term at the cost of the Defendants,

Simon Miller. Application to perfect Tax Title.

All matters in this cause, having been determined at the last term of this Court, it is ordered that the same be dismissed.

Emanuel Royer,
vs
Harriet Longley. } Upon a Notice.

Ordered, that this cause be continued generally until the next term of this Court.

The Appraisement and Sale Bills of the Personal Property of the Estate of John D. Payne, dec'd, were this day presented in Court, and no exceptions being taken thereto, are ordered to be recorded.

On the application of J. D. Lindsay, It appearing to the Court that the Report of Survey & Plat of A. G. Bear, Surveyor of Rockingham County of a Lot of Land in the town of Bridgewater, containing 22 square poles, known as the "Koontz" Lot, lying near North River, west side of Main St. Lot No. 1, and assessed upon the Land Books of this County to John Koontz, and sold by the Treasurer of this County as delinquent land on the 15th day of December 1873, to said J. D. Lindsay for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. R. Allebaugh, Treasurer of Rockingham County, are made according to law; It is ordered that the said certificate and said Survey & Plat be recorded in the Clerk's office of the County Court of this County.

On the application of J. D. Lindsay, It appearing to the Court that the Report of Survey & Plat of A. G. Bear, Surveyor of Rockingham County of a Lot of Land in the town of Bridgewater, containing One acre & one & 4/5th poles, known as the "Silcott" Lot, and adjoining lands of Bowman, Click, Lanty & Kyle, and assessed upon the Land Books of this County to John Silcott's Estate, and sold by the Treasurer of this County as delinquent land on the 15th day of December 1873, to said J. D. Lindsay for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. R. Allebaugh, Treasurer of Rockingham County, are made according to law; It is ordered that the said certificate and said Survey & Plat be recorded in the Clerk's office of the County Court of this County.

Joseph Bowman's Adm'r.
vs
John Reilley & Arthelia Burbeck. } Ac. Ejectment.

The defendants in this cause appeared by counsel, and moved the Court to dismiss this cause on the ground that the Court has no jurisdiction in this case, and further asked leave to file a demurrer to plaintiff's declaration & plea of "not guilty" in the event said motion shall be overruled; and the consideration of said motion the cause is continued until a later day of this term.

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, at the Court-House thereof, on Wednesday, July 19, 1876.

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

It appearing to the Court that the Rev Wm. Carter is a regularly ordained Minister in the Baptist Church, and authorized to celebrate the Rites of Matrimony, on his motion, he appeared in Court, and together with W. S. Autry and B. L. Patterson, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00, conditioned according to law, (waiving the benefit of the Homestead exemption) and thereupon he qualified accordingly.

Benjamin Crawford, Pltff.
R. F. Robinson, Deft } In Detinue.

The parties, in this cause, by their Attorneys mutually submit all matters in difference between them in this suit to the final determination of Jacob Funkhouser and Peter Paul, and agree that their award, or the award of such person as they shall choose as umpire thereupon, shall be made the judgment of the Court. And the same is ordered accordingly.

It appearing to the Court that the Rev. Robert D. Roller is a regularly ordained Minister in the Protestant Episcopal Church of the United States, and authorized to celebrate the Rites of Matrimony, on his motion, he appeared in Court, and together with John E. Roller, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1500.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and thereupon he qualified accordingly.

Ann Price, Pltff,
Ephraim Wenger, Deft } Upon a motion for money collected by Gn. Sc. Summon, Late Sheriff, and not paid over.
surety of J. B. Kooglely late Sh'ff.

This day came again the parties by their Attorneys, and thereupon again came the Jury sworn and impaneled on yesterday for the trial of this cause, and 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 in the sum of $1161.84 Principal

and $3.28 Costs, with interest from the 27th. of April 1860, subject to a credit of $8.27 - G W. Effinger, Foreman.

The Defendant by counsel, moved the Court for an arrest of judgment, which motion, on consideration, the Court overruled, and the ruling of the Court was excepted to by Defendants counsel

The Defendant, by counsel, thereupon moved the Court to set aside the verdict of the Jury and grant him a new trial, which motion, on consideration, the Court overruled, and the ruling of the Court was excepted to by Defendants counsel.

It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $161.84 Principal & $3.28 Costs, with interest thereon from the 27th. day of April 1860, till paid, subject to a credit of $8.27, as of April 27, 1860 and her costs by her in this behalf expended.

D. H. Rolston, Pltff.
vs
A J. Wall, Deft } Upon a warrant.

This day came the parties by their Attorneys, and thereupon came the following Jury, to-wit:- Wm. Ott, R. C Paul, Adolph Wise, Joseph Snell, G. W. Effinger, C R. Gibbs, J. A. Showalter, Albert Braithwaite, G. A Gay, G. W. Rhyne, John W. Huffman & A. A. Washington, who being elected, tried and sworn well and truly to try, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 10 o'clock

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John Bowers's Exor Pltffs
vs
George W. Grady, Deft. } Upon a warrant.

Ordered, that this cause be dismissed, and it is considered by the Court that the Plaintiffs recover of the Defendant their costs by them in this behalf expended.

Peter Boyers, Admr. Pltff.
vs
Jacob Boyers Admr. Deft. } Upon a Notice.

Ordered, That this cause be continued generally until next term,

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G W Grim, Appellant,
vs
Madison Mikel, Appellee. } On an Appeal.

Ordered, That this cause be dismissed without costs to either party, awarded.

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

Chas. D. O'Donnell.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Thursday, July 20, 1876.

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

W. B. Hamaberger, surv'g. &c, Pltff,
vs
S. B. Allebaugh, &c, gar'n of G. W. Hogan, Defts } Upon a Sug'n.

Ordered, That this cause be continued until the next term of the Court, and on motion of petitioner J. W. Zirkel by counsel, S. B. Allebaugh is required to attend and answer this Suggestion on Record.

Nancy McDorman & Samuel McDorman, Appellants
vs
J. P. Roleton, Adm'r. of R. M. Kyle, dec'd, Appellee } Upon an Appeal from a Justice.

This day came again the parties, by their Attorneys, and the cause was submitted to the Court, and having fully heard and considered the cause, the Court doth reverse the judgment of the Justice of the Peace; It is therefore considered by the Court that that the Appellants, Nancy McDorman, &c, recover of the Estate of the Appellee in the hands of his Adm'r. J. P. Roleton, to be administered their costs, by them in this behalf expended.

George W. Shaver, Appellant,
vs
Jacob C. Rhodes, Appellee. } Upon an Appeal from a Justice of the Peace.

This day came again the parties by their Attorneys, and the cause was submitted to the Court, and having fully heard and considered the cause, the Court doth affirm the judgment of the Justice of the Peace; It is therefore considered by the Court that the Appellee Jacob C. Rhodes recover of George W. Shaver the Appellant and George W. Showalter his surety, the sum of $16.50 and $1.45 costs before the Justice, together with 10 per cent. damages on the aggregate amount from the 31st. day of March 1866, till paid, and his costs by him in this behalf expended.

S. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $161.00 for receiving, releasing, boarding and dieting various prisoners, from March 31, 1876 to July 7, 1876, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment.

c/f'd & d.

S. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $103.10 for board and nursing Wm. Spitzer, a lunatic, confined in the Jail of this County, from Feby. 1, 1876 to June 30, 1876, - 151 days @ 60¢ per day, and clothing for same 5/12ths of a year @ $30.00 per year, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts

c/f'd & d.

for payment. And the Court further certifies that the Jailor aforesaid proved to the Court that, immediately after the commitment of the lunatic, and at least once in every two months thereafter, application was made to the boards of directors of both asylums for admission, and that such application was refused for want of room, to the date hereof, and that the said lunatic has been denied admission to those Institutions, "for want of room."

Upon the application of J. S. Shickel, J. C. Miller & others for a change in the Public Road, known as the Dayton & Dry River Road, commencing on the land of John D. Long and ending at the Dry River Road, Mr. Shickels Summit,

John D. Moore, Commissioner of Roads for Ashby District having endorsed his approval of the same on the foregoing petition, for change in the Dayton & Dry River Road, the Court doth appoint J. S. Loose, Peter Paul and B. M. Rice

10 cts/pd. ind as viewers to report upon said proposed change in said Road,

The said viewers shall give at least 5 days notice before the time of meeting, of the time and place, when and where, in some public manner in the vicinage of said road. The viewers, before proceeding to discharge their duties, shall be severally sworn by the Commissioner of Roads, or some other person authorized to administer oaths, to perform their duties impartially and to the best of their judgment. If they decide that there is public necessity for the change, they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property, and also as far as practicable to be agreeable to the petitioners. They shall assess the damage done to land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of the County Court, giving the names of the land-owners entitled to damages; but in no case shall any yard, garden, orchard, or any part thereof, be taken, without the consent of the owner or owners thereof.

Ordered That it be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for this County is

cs/pd. entitled to the sum of Ten Dollars, for prosecuting in two cases of misdemeanor, to conviction, at this term of the Court, viz:- Commonwealth against Conrad Eaton, and Commonwealth against Wm. R. Doub alias Wm. R Eddins.

Ann Price Pltff

vs

Ephraim Wenger, surety of J. R. Koogler, S. R. C. } Upon a motion, &c,

Memo:- Upon the trial of this cause the Defendant, by counsel, excepted to various opinions of the Court, and filed his five bills of Exceptions thereto, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause which is accordingly done, and are in the words & figures following, to-wit "Ann Price vs Ephraim Wenger, &c. &c, (here insert Bills of Exceptions.)

D. H. Rolston, Pltff
N. J. Wall. Deft } Upon a warrant

This day came again the parties by their Attorneys, and thereupon came again the Jury sworn and impaneled on yesterday for the trial of this cause, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after sometime returned into Court, and upon their oaths do say "We the Jury find for the Plaintiff, and assess his damages at $35.00, with interest from July 20, 1876, J. M. Huffman, foreman. And thereupon, the Defendant by counsel moved the Court to set aside the verdict of the Jury and grant him a new trial, which motion on consideration the Court overruled, to which action of the Court in overruling his said motion, the Defendant by counsel, excepted.

It is therefore considered by the Court that the Plaintiff recover of the Defendant the sum of $35.00 damages, with interest thereon from July 20, 1876, till paid, and his costs, by him in this behalf expended.

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 July 21, 1876.

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

Peter F. Kiblinger, guard. &c. Pltff,
J. W. Bloce, Deft. } Upon a motion

Ordered, That this cause be dismissed for want of security for costs, on motion of the Defendant.

Ordered That the following-named jurors be each allowed the sums opposite their names for their services at this term of the Court as Petit Jurors, which is ordered to be certified to the Treasurer of this County, for payment, viz:-

Wm. Ott,	$2.00	Joseph Snell,	$3.00	J. A. Showalter,	$3.00
R. C. Paul,	3.00	G. M. Effinger,	3.00	Albert Braithwaite	3.00
Adolph Wise,	3.00	C. R. Gibbs,	3.00	G. A. Gay,	3.00
G. M. Wynne	3.00	Jno. M. Huffman	3.00	N. H. Washington	3.00
Lewis P. Ott	2.00				

Commonwealth vs. John P. Swank, Upon a Rule.

It appearing to the Court that the Rule awarded against John P. Swank, at the last term of the Court for his failure

to appear as a Petit Juror has been returned duly executed, and he being solemnly called, came not, the Court doth adjudge him in contempt of the Court, and doth impose upon him a fine of $5.00 upon him for said contempt, and the costs of said Rule

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Ann Price Pltff.
Ephraim Wenger, Surety &c. } Upon a Motion

On motion of the Defendant, by counsel, issuance of Execution on this judgment is suspended for the period of thirty days upon the execution before the Clerk of this Court, of a bond in the penalty of $600.00 with good personal security, conditioned according to law.

D. H. Roleton, Pltff.
A. J. Wall, Deft. } Upon a warrant.

Memo:- Upon the trial of this cause, the Defendant, by counsel, excepted to opinions of the Court, and filed his two bills of exceptions thereto, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and are in the words and figures following to-wit:- D. H. Roleton vs A. J. Wall, &c. &c (here insert bills of Exceptions.

On the motion of Elizabeth Seal and Mary Nicholas, the Estate of John Koontz is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months, and no administration having been had upon his said Estate.

certified

On the motion of the same, the same order as to the Estate of Peter Koontz.

certified

On the motion of the same, the same order as to the Estate of Catharine Koontz.

certified

On the motion of W. G. Jones, Adm. of F. W. Shipman, dec'd, the same order as to the Estate of Robert Steele, dec'd

certified

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

Chas. L. O'Donnell.

Monday, August 21, 1876.

At a County Court held in and for the County of Rockingham, at the Court House thereof, on Monday, August 21, 1876.

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

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

Bargain & Sale,	George M. Berlin, Commr.	to	John P. Rock,
" "	James M. Brunner & wife,	"	Charles M Rush,
" "	Ezekiel Lam,	"	Charles F. Lam,
" "	same,	"	Augus F. Lam,
" "	Joseph T. Logan, Clerk of County Court,	"	Simon Miller,
" "	Samuel S. Miller & wife & G. H. Berlin,	"	Paul C. Bowman, Trustee for Ella C. Bowman,
" "	Cyrus Rhodes & wife,	"	John F. Rimel,
" "	same,	"	William Simmers,
" "	Abraham Shank & wife,	"	Samuel F. Shank & wife,
" "	Wm. B. Suntz, Commr.,	"	Jacob Geil,
Deed of Homestead,	Nannetta Royer		
Bargain & Sale,	Aaron N. Wilson & wife,	"	Giles A. Jackson,
" "	John C. Roller, Commr.	"	John A. Moore,
" "	same,	"	Daniel Evers,
" "	G. H. Berlin & others,	"	John Summa,
" "	Mary Miller, (Widow)	"	Jacob Sonafrank,
" "	Reuben Dove,	"	John C. Dove,
" "	R. A. Scott & wife,	"	Mildred Breeden, wife of C. Breeden,
" "	Geo. M. Dull & wife,	"	George D. Dickens,
" "	Joseph D. Bowman & wife,	"	Abner Leonard,
" "	George Kline & wife,	"	same,
" "	Sallie Dovel, widow of Jno. W. Dovel,	"	Lucius C. Dovel & wife & children, &c,
" "	James A. Dovel,	"	Mary A. Dovel,
" "	David Freed & wife,	"	Jacob Armstrong,
Deed of Trust,	Joseph B. Strayer & wife,	"	David F. Kagey, Trustee for Daniel Allen,
Bargain & Sale,	Chrisman R. Brunner & wife,	"	Henry H. Showalter,
" "	Jacob A. Hamsberger,	"	James M. Hamsberger (Widow & children) Trustee for
" "	John C. Roller, Commr. &c,	"	George Riser,
" "	W. C. Conley & wife,	"	Samuel R. Sterling,
" "	J. S. Hamsberger & wife & others,	"	M. L. Harman,
" "	M. L. Harman & wife,	"	Samuel B. Good,
Deed of Water. Right	D. B. Armentrout & wife,	"	A. D. Armentrout,
Bargain & Sale,	John K. Beery & wife,	"	John C. Beery,
" "	Wm. G. Thompson,	"	Vandiver A. See,
" "	Abram D. Armentrout & wife,	"	Cyrus Rhodes,
" "	Jacob Kinsgandner & wife,	"	Samuel H. Moyers,
" "	Sarah Haynes,	"	Elicious Michael,
Trust Deed,	Isaac B. Sheets & wife,	"	John Paul, Trustee for Wm. Hansperger,
Deed of Homestead,	Thomas A. Weaver,		

Trust Deed,	John S. Pinckard,	"	Charles Tahoney, trustee for Mrs. A. Pence,
Bargain & Sale,	Edw. S. Conrad, Commr,	"	Abraham Beam,
" "	J. T. Logan, Clerk of County Court,	"	J. W. Lindsay,
" "	A. M. Newman, Commr. P. B. Roller wife &c,	"	John E. Roller,
" "	L. W. Gambill, Trustee of Jas. Riswan & wife,	"	David Pitt, Trustee for Margaret Pitt,
" "	David Pittington, Trustee Mgt Pittington,	"	Henry Pulse,
" "	George W. Grady & wife,	"	Sarah C. Campbell, &c,
Trust Deed,	Joseph Flick & Chas. R Brannen,	"	J. T. Logan, trustee for "The Baltimore Taylor Co"
Bargain & Sale,	Wm. B. Compton, Commr,	"	Peachy Wilcox.

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

Appraisement & Sale Bill of the Personal Property of Abner Canada, dec'd,
" " " " " " " " " David Kisey, dec'd,
" " " " " " " " " John L. Faught, dec'd,
" " " " " " " " " Philip Sonifers, dec'd,
" " " " " " " " " Adam Leasa, dec'd,

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

Settlement of the Account of D. H. Roleton, S. S. C. & Adm. of Henry Gilmer, dec'd,
" " " " " Peter Swank, Adm. of Peter Acker, dec'd,
" " " " " S. W. Taylor, Exor. of W. L. Vaughen, dec'd,
" " " " " D. F. Keagy, Exor. of J. D. Williamson, Sr. dec'd,
" " " " " Daniel Yount, guard. of W. D. & D. P. Bowman,
" " " " " Abm. Sager, guard. of Mary E. Niswander & Comm. for Lydia S. Niswander,
" " " " " Adam Auder, guard. of John Bowers,
" " " " " Abm. Mohler, guard. of Wm. M. & Fannie E. Kuntzer,
" " " " " John Geil, guard. of Susannah Brenneman,
" " " " " Dan'l. Bowman, guard. of Elizabeth & Jo. Miller,

Asher Sandy, for &c,
vs
Simon Bowman, gar. of Dan'l. Bowman, } Sug'm. A. B. Linck, &c,
vs
C. B. Linck, Agent for &c, } W. E & D.

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

Susan & Kate Taylor,
vs
Commonwealth of Va. } Notice. Henry Shacklett, surv. &c,
vs
Bowman's Exor. Robert } Notice.

William Koontz,
vs
Henry Shacklett, surv. &c. } Notice. Wm. Patterson, &c,
vs
Geo. W. Hamesley, surv. Exor. } Notice.

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

On motion of James F. Bowman, It is ordered that the estate of John C. Coakley, be committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that said Estate has been without administration for more than three months.

On motion of John D. Pennybacker's wife, the Estate of Mrs. Mary L. Lincoln is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that she has been dead more than three months, without administration upon her Estate, and Isaac Wingo, Isaac W. Miller & Isaac Acker are appointed to appraise said Estate, after first being duly sworn.

Commonwealth } For Murder.
vs
Henry Raines

Commonwealth } For murder.
vs
Henry Raines.

This day came again the Attorney for the Commonwealth, and entered Nolle Prosequis in the two foregoing-named Indictments, the said Raines being present in Court; and on motion of the Attorney for the Commonwealth he was remanded to Jail to await the action of the Grand Jury at this term of this Court.

On motion of Christian Suter, the Estate of Rebecca C. Brenner is committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to this Court, that she has been dead more than three months, without administration upon her Estate.

Dr. J. P. Coyner this day presented in Court, an account against the Commonwealth of Virginia, amounting to Five Dollars for medical examinations of Mary J. Taylor, a witness in behalf of the Commonwealth against Eliza Ann Campbell, charged with felony, which having been sworn to before B. Wm. Rice a Justice of the Peace, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

On motion of B. A. Myers, the Court doth appoint him as guardian of Anna C. Myers, aged 5 years, infant child of Raphael Myers, dec'd, and thereupon he appeared in Court, and together with Samuel Driver, his surety, (who is justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $4000, waiving the benefit of the Homestead exemption, and conditioned according to law, and the said B. A. Myers qualified as said guardian.

On motion of A. J. Myers, the Court doth appoint him as guardian of Jacob M. Myers, aged 6 years, infant child of Raphael Myers, dec'd, and thereupon he appeared in Court, and together with Samuel Driver, his surety, (who is justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $4000, conditioned according to law, waiving the benefit of the Homestead exemption, and the said A. J. Myers qualified as said guardian.

On motion of J. P. Zigler, the Court doth appoint him as guardian of Charles L. Myers, aged 8 years, infant child of Raphael Myers, dec'd, and thereupon he appeared in Court, and together with Samuel Zigler, his surety, (who is justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $4000, conditioned according to law, waiving the benefit of the Homestead exemption, and the said J. P. Zigler qualified as said guardian.

On motion of Benjamin Bowman, who made oath thereto according to law, he appeared in Court, and together with Samuel C. Allebaugh, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1400.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of Jacob Bowman, dec'd. And the Court doth appoint Madison Moore, A. L. Long and Simon P. Summers to appraise the Estate of said Jacob Bowman, dec'd., after first being duly sworn,

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Sarah Diehl, widow of Mathias Diehl, this day appeared in Court, and renounced her right to administer upon his Estate, and upon her motion A. M. Diehl and J. H. Diehl, who made oath thereto according to law, appeared in Court, and together with Silas D. Shirey, Elijah Diehl, & Conrad Rodeffer, their sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $3200.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted them for obtaining letters of administration in due form upon the Estate of said Mathias Diehl, dec'd. And the Court doth appoint Peter Showalter, Sr., Elias Beaver, Samuel Beaver & Martin Wampler to appraise the Estate of said Mathias Diehl, any three of whom may act, after first being duly sworn,

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Jacob Diehl, infant of Mathias Diehl, over 14 years, this day appeared in Court, and made choice of Sarah Diehl, as his guardian, and thereupon the said Sarah Diehl appeared in Court, and together with A. M. Diehl, her surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $300.00, conditioned according to law, waiving the benefit of the Homestead exemption, and the said Sarah Diehl qualified as said guardian,

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Mary C. Garber, widow of Isaac M. Garber, dec'd, by her writing, this day produced to the Court, renounced her right to administer upon his Estate, and upon her motion, Samuel Garber, who made oath thereto according to law, appeared in Court, and together with David Driver, his surety, (who justified) as to his sufficiency,) entered into and acknowledged a bond in the penalty of $8.000.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of the said Isaac M. Garber, dec'd.

And the Court doth appoint Henry A. Rife, Daniel Zigler, John Minnick & Jackson Knopp to appraise the Estate of said Isaac M. Garber, any three of whom may act, after first being duly sworn.

On the motion of Mrs. Airey, one of the creditors thereof, the Estate of Maj. L. M. Gaulick is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that he has

been dead more than three months, without administration upon his Estate, and the Court doth appoint Robert L. Paul, Dwight Gatewood and A.J. Nicholas to appraise said Estate, after being duly sworn.

On the motion of William Heusley, who made oath thereto according to law, he appeared in Court, and together with Stephen Heusley & Adam Heusley, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $600.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration in due form upon the Estate of William L. Heusley, dec'd.

And the Court doth appoint Stephen Heusley, Franklin Rucker, Saml Heusley, Adam Heusley & Robert Heusley, to appraise the Estate of the said Wm. L. Heusley, dec'd, any three of whom may act, after first being duly sworn.

On the motion of William Heusley, the Court doth appoint him as guardian for Andrew Heusley and Lucinda Heusley, infant children of Wm. L. Heusley, dec'd, under 14 years; and thereupon he appeared in Court, and together with Adam Heusley and Stephen Heusley, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1.000.00, conditioned according to law, waiving the benefit of the Homestead exemption; and the said William Heusley qualified as said guardian.

On motion of Henry J. Showalter, the order made at the June Term last of this Court, committing the Estate of B.M. Parrott, dec'd, to D.H. Roleton, Sheriff of this County, for administration, is revoked.

On motion of ---------- Henry J. Showalter, who made oath thereto according to law, he appeared in Court, and together with Adam Showalter and Abraham Shank, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $1.000.00, conditioned according to law, waiving the benefit of the Homestead exemption, a certificate is granted him for obtaining letters of administration, de bonis non, in due form upon the Estate of B.M. Parrott, dec'd. And the Court doth appoint David A. Heatwole, Hugh Swope, Daniel Brunk and John Rhodes to appraise the said Estate, any three of whom may act, after first being duly sworn.

M. Lindon Foreman, John T. Wakenight, Wright Gatewood, J.W. Dwyer, Wm. P. Rhodes, L.R. Kieffer, John C. Sprinkel, Stewart Slusser, Joseph C. Sheets and S.T. Fishback, 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 Henry Raines, for murder, a true bill.- M. Lindon, foreman; An Indictment against John Lawson, for Forgery, a true bill, M. Lindon, foreman; An Indictment against John S. Rhinehart, for assault and battery, a true bill, M. Lindon, foreman; and

101 copy.

having completed the business before them, were discharged from further attendance upon this Court.

Ordered, That Mr. Snider, John P. Wakenight, Knight Gatewood J. H. Dwyer, Wm. P. Rhodes, L. R. Kieffer, John C. Sprinkel, Stewart Slusser, Joseph H. Sheets and E. P. Fishback, be each allowed the sum of One Dollar, for their services at this Term of the Court, as Grand Jurors, and that the same be certified to the Treasurer of this County, for payment.

c a/c'd & d.

Ordered, That Rules be awarded against E. J. Sanford and John W. Strickler, returnable to the next term of this Court, for their failure to appear at this Term as Grand Jurors, when duly summoned.

10 2 c a/c.

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 22d 1876.-

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

Ordered That Timothy Grinlan, J. A. Loewenbach, J. N. Hammer, Robert P. Harnsberger, C. H. Somers, N. L. Maupin, J. B. Kratzer and John B. Smith be each allowed the sum of One Dollar, for their services at this term of this Court as Petit Jurors, and that the same be certified to the Treasurer of this County for payment.

one of this
is entitled

Ordered, That Rules be awarded against A. D. Pennybacker, Thomas Powell, John F. Bradburn, James Anderson and John F. Roulhac, returnable to the 1st. day of the next term of this Court, for their failure to appear at this term, when duly summoned, as Petit Jurors.

10 5 c a/c.

On the application of Dr. J. G. Minor, It appearing to the Court that the Report of Survey & Plat of A. C. Bear, Surveyor of Rockingham County, of a lot of land in the town of Bridgewater, containing 7775. $\frac{46}{100}$ ft. or 28 poles, adjoining Minor, McClelland & Snyder, on Main street, and assessed upon the Land Books of this County to Chas. Gabbill's Estate, and sold by the Treasurer of this County, as delinquent land on the 15th. day of December 1873, to said Dr. J. G. Minor, for the non-payment of Taxes for the year 1871, as appears to the Court by the certificate of S. H. Allebaugh, Treasurer of Rockingham County, are made according to law; It is ordered that said certificate and said Survey & Plat be recorded in the Clerk's Office of the County Court of this County.

said made

On application of Simon Miller to perfect Tax Title to delinquent Land in name of John Smith, Nat. Crawford,

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

Susannah & Kate Taylor, } Upon motion to be released from confinement in
vs. } Jail for non-payment of a Fine, (under Sects. 19 & 20
The Commonwealth. } Chap. 203 Code of Va.)

The Plaintiffs in this motion, were this day led to the bar of the Court in custody of the Jailor thereof, and thereupon came as well the Attorney for the Commonwealth, as the Plaintiffs by counsel, and upon the introduction of evidence and argument of counsel, being heard, and the Court having fully heard and considered the Plaintiffs' motion, doth sustain the same; It is therefore considered by the Court that the said Susannah Taylor and Kate Taylor be released from imprisonment for the non-payment of a Fine assessed against each of them at the April term last of this Court, upon an Indictment for misdemeanor.

R. A. Gibbons, &c, — Road Petition,

On motion of the Petitioners, this cause is dismissed.

Commonwealth, } Upon an Indictment for murder.
vs. }
Henry Raines.

Henry Raines, late of the County of Rockingham, who stands indicted for murder, was this day led to the bar of the Court, in custody of the Jailor thereof, and being thereof arraigned, pleaded "not guilty," whereupon, on motion of the Attorney for the Commonwealth, and for reasons appearing to the Court, his trial is continued until the next term of the Court, and thereupon the Prisoner was remanded to Jail.

Be it remembered that Wm. Bryan, James Raines, Jamie Myrtle, John Garrison, R. A. Scott, C. Kaufman, Wm. Perry, Thomas Ferrell, Squire Walker, Wash. Gillum, Samuel Rice, John Johnson, John D. Scott, Newton Dearing, Richard Austin, Samuel Downey, Mrs. Melda Austin, Mrs. Caroline Mace, & Miss Maggie Mace, witnesses summoned in behalf of the Commonwealth vs. Henry Raines, charged with murder, this day appeared in Court, and acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of One 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 they each do make their personal appearance before the Judge of this Court, on the 2nd. day of the September Term next, being Tuesday, September 19, 1876, as witnesses in behalf of the Commonwealth vs. said Henry Raines, and not depart thence without leave of the Court.

Be it remembered that John Peter, Lawrence Crawford, Samuel Spradling, Jesse S. Bocock, James Weaver, G. M. Dull, Edmond Barker, Eugene Devine, Marshall Jones, Robert Shufflett, Wm. Morris, Thomas C. McCauley, Wm. Peters, Isabella Patterson, Eliza Ann Marshall, Allen Patterson, John M. Breeden, Wm.

Burkett, Westley Sipe and Abner Brown, witnesses summoned in behalf of Henry Raines ads The Commonwealth, this day appeared in Court and acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of One 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 they each do make their personal appearance before the Judge of this Court, on the 2nd. day of the September Term next, being Tuesday, September 19, 1876, as witnesses in behalf of said Henry Raines ads. The Commonwealth, and not depart thence without leave of the Court.

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10 Sci. fa. On motion of the Attorney for the Commonwealth, Rules are awarded against Isaac Long, Wm. S. Downs, Geo. Harris, & James Payne [illegible] returnable to the 2nd. day of September Term next, for their failure to appear at this term of the Court, as witnesses in behalf of the Commonwealth against Henry Raines, when duly summoned.

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10 Sci. fa. ✓
10 Sci. fa. to Aug. ✓ On motion of the Defendants counsel, Rules are awarded against Henry Raines, Oscar Murray, John Morris, Henry Hamsberger, Roxana Smith, C. M. Kemper, J. D. Craig, & Wm Knuckles, Augusta Co., returnable to the 2nd. day of September Term next, for their failure to appear at this term of the Court, as witnesses in behalf of Henry Raines ads. The Commonwealth, when duly summoned.

Commonwealth,
vs
John Lawson. } Upon an Indictment for Forgery.

John Lawson, late of the County of Rockingham, who stands indicted for Forgery, was this day led to the bar of the Court, in custody of the Jailor thereof, and being thereof arraigned, and upon his arraignment by counsel, demurred to the Indictment, which demurrer the Court overruled, and thereupon he pleaded "not guilty". And the Court doth fix upon Friday next, August 25, 1876, as the day for his trial, and thereupon the prisoner was remanded to Jail.

Ordered, That Wm. E. Skelton be allowed the sum of Two Dollars, for two days services in viewing Public road from Frieden's Church to Oakes Creek, under order of the Court, and that the same be certified to the Treasurer of this County for payment, out of the Levy for the year 1876.

On the motion of C. A. Yancey & J. A. Loewenbach, It is ordered that the Ordinary & Retail Liquor Merchants Licenses heretofore granted to C. B. Suck, Agent for Mrs. Suck, for the year ending April 30, 1877, at the "Spotswood" Hotel, in the town of Harrisonburg, be transferred to the said Chas. A. Yancey & J. A. Loewenbach, the written assignment of the said Licenses by the said C. B. Suck, Agent, being produced in Court.

William Bare, Appellant
vs
Commonwealth, Appellee, } Upon a judgment by J. P. Hyde, Mayor &c. of Hbg. Upon a warrant for misdemeanor.

On motion of Appellant, by counsel, this cause is ordered to be placed upon the Court's Docket, and the Court doth fix upon Friday next as the day of trial, and the Appellant being led to the bar of

the Court, in custody of the Jailor thereof, moved the Court, by counsel, to be admitted to bail, which motion, on consideration, the Court doth sustain, and fixes the amount of bail in the sum of $50.00 each for himself and his surety. And thereupon the said Appellant Wm. Bare and J. W. Baliaferro, as his surety, appeared in Court, and each acknowledged themselves to be indebted to the Commonwealth of Virginia, in the sum of $50.00 to be levied of their respective goods and chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that the said Wm. Bare do make his personal appearance before the Judge of this Court on Friday next August 25, 1876, to answer the said misdemeanor, and not depart thence, without leave of the Court.

Ordered, That this Court be adjourned until to-morrow morning at 9 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 Wednesday, August 23. 1876.

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

Commonwealth,
vs
Conrad Eaton,
} Upon a Capias ad. audiendum Judicium.

The Defendant was this day led to the bar of this Court, in custody of the Sheriff of this County, under a Capias ad. audiendum judicium, and by counsel, moved the Court to quash said Capias, upon the ground that the said defendant had no legal service of the summons upon the Indictment, which motion, on consideration, the Court doth sustain; it is therefore considered by the Court that the Defendant be discharged from custody, and that new process do issue against said Conrad Eaton, returnable to the next term of the Court.

1 & c c/y.

Upon the application of James H. Carickhoff & others, for the establishment of a public road, on east side of the Shenandoah river, beginning at River Bank, and terminating at some point on the Linnmon's Gap road, near the Island Ford,

The Report of G. G. Strayer, James M. Weaner & G. W. Mauzy, viewers appointed at the last term of this Court, this day filed their Report favoring the establishment of said road; It is ordered that the following-named land-owners through whose land, the route of the proposed road passes, be summoned to appear at the next term of this Court, to shew cause if any they can, why the proposed road shall not be established according to the Report of said viewers, viz:- Dr. D. M. Sellers, J. J. Wood, L. H. Bowers and Mrs- Maggard.

12 & c c/y.

Asher Sandy, use of J. W. Gordon,
vs
Simon Bowman, gar. of Samuel Bowman, } Upon a Suggestion

✓ It appearing to the Court from evidence introduced that J. W. Gordon has become transferee of the Execution referred to in this suggestion against the Defendant Samuel Bowman, in consideration of the discharge of a certain judgment in favor of said Gordon and against Dorman Dunnavan, assignee of Asher Sandy, the plaintiff in said Execution, and the said Simon Bowman, garnishee as aforesaid appearing in Court, in obedience to the summons returned duly executed upon him, and answered that he is indebted to the said Deft. Samuel Bowman in the sum of $55.48 with interest from this day, It is therefore considered by the Court, that the Plaintiffs Fieri Facias against said Samuel Bowman is a lien upon the said fund in the hands of said Simon Bowman, and that he do recover from him the said Simon Bowman, as garnishee of said Samuel Bowman, the sum of $55.48 with interest thereon from the 23d day of August 1876, till paid, in full satisfaction of the judt. in favor of J. W. Gordon vs Dorman Dunnavan.

The Commonwealth,
vs
J. W. Rineheart & L. Va. Rineheart } Upon an Indictment for Felony.

Upon the calling of this cause, the Defendants each appeared in Court in discharge of their recognizances, entered into at the last term of the Court and for reasons appearing to the Court, their trial is continued until the next term of the Court, and thereupon the said J. W. Rineheart and L. Va Rineheart for themselves and Susan Rineheart, as surety for each of them, acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of $1.000 cs each, (that is to say, L. W. Rineheart & Susan Rineheart, as his surety, each in the sum of $1000 cs and J. W. Rineheart & Susan Rineheart, as his surety, each in the sum of $1.000 cs,) each waiving the benefit of the Homestead exemptions, 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 J. W. Rineheart and L. Va. Rineheart do each make their personal appearance before the Judge of this Court, on the first day of the next term of this Court, to answer said Indictment, and not to depart thence without leave of the Court.

Same,
vs
J. W. Rineheart, } Upon an Indictment for Assault & battery.

This day came again as well the Attorney for the Commonwealth as the Defendant by counsel, and on motion of the defendant, and for reasons appearing to the Court, the trial of this cause is continued until next term, and the Defendant consenting not to move again for a continuance on account of the absence of Frank K. Washington, col'd. a witness in his behalf.

John L. Lewis, Pltff
vs
Isaac Mongold, Deft. } W. E. & D. ✗ ✓

A. B. Irick, &c, Pltffs,
vs
C. B. Luck, Agt. &c, Defts. } W. E. & D.

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

W. B. Hammelbergen, survg. &c, Pltff
vs
S. R. Allebaugh, &c. gar. of G. W. Keegan, Defts. } Upon a Suggestion.

By the consent of parties, the decision of this cause is submitted to the Court, in vacation.

This day came Wm. F. Ryger, Admr. of Alexander Ryger, who alleges that said Estate is aggrieved by an entry in the Land Book, made by John E. Hopkins, Assessor of the Revenue for Stonewall District in said County in the year 1875 — whereby he is charged with $3.37 taxes for the year 1875 on a tract of Land of 156 Acres & 3 roods, described as lying in said District, and thereupon the said Wm. F. Ryger, Admr. as aforesaid moved the Court to exonerate him from the payment of $3.38 part of the taxes so erroneously charged against him as the said Alexander Ryger's Estate, for said year, and reduce the number of Acres to 139¼ Acres, which motion was defended by John Paul, Attorney for the Commonwealth, for said County, and John M. Rof, the successor of said Hopkins the Assessor who made the erroneous 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 1875, and that application for redress against the erroneous entry was made on this day for the first time, and it appearing that the true amount of Land contained in said tract is 139¼ Acres instead of 156 A. & 3 Roods, entered by mistake, all which the Court certifies as facts proven upon the application aforesaid. On consideration whereof, and from such facts as proved, the Court is satisfied that the Estate of said Alexander Ryger is erroneously charged on said book with $3.38 the tax on the land improperly charged to it. It is ordered that the assessment of said tract of 156 A. & 3 roods of land to said Alexander Ryger's Estate be reduced to 139¼ Acres, and that the said Wm. F. Ryger Admr. as aforesaid, be exonerated from the payment of $3.38 the taxes so erroneously charged, if not paid, and if already paid, that it be refunded to him.

Samuel R. Sterling, Treasurer of this County, this day presented in Court, Lists of Delinquents for the non-payment of Capitation & Property Tax and Lists of Real Estate delinquent for non-payment of tax thereon for the year 1875, for the various Districts in this County, also Lists of Improper Assessment of Lands in Central, Stonewall and Lincoln Districts, with the oath of the said Treasurer at the foot thereof thereto subscribed, and accompanied by the written opinion of each of the Assessors in the several Districts aforesaid, touching the propriety of such Lists, and each case contained therein, verified by their oaths thereto annexed, which said Lists, after being examined by the Court, the Court doth order that copies thereof be certified to the Auditor of Public Accounts by the Clerk of this Court.

Lists copied & certified to the Auditor. 1 S.L.c.c.

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

Chas. F. O'Donald.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Friday, August 25, 1876.

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

Wm. Bear, recognized at a former day of this term of the Court, to appear this day, to answer a charge of misdemeanor, upon an Appeal from the judgment of L. P. Hyde, Mayor of the town of Harrisonburg, this day appeared in Court, in discharge of his said recognizance, and for reasons appearing to the Court, this trial is continued until the next term of this Court; and thereupon he, together with L. H. Baliaferro, his surety (who justified as to his sufficiency) acknowledged themselves to be indebted to the Commonwealth of Virginia, each in the sum of Fifty Dollars, to be levied of their respective goods and chattels, lands & tenements, for the use of the Commonwealth, yet upon this condition, that the said Wm. Bear, do make his personal appearance before the Judge of this Court, on the 2nd day of the next term, being Tuesday, Sept. 19, 1876, to answer the said charge of misdemeanor, and not depart thence without leave of the Court.

Commonwealth
John Lawson, } Upon an Indictment for Forgery.

This day the prisoner, John Lawson, late of the County of Rockingham, who stands indicted for a felony by him committed, was again led to the bar of the Court in custody of the Jailor thereof; and thereupon came the Veniremen summoned for the trial of Felony cases at this term of the Court, and said Veniremen being examined by the Court, sixteen of whom were found to be duly qualified and free from exceptions, viz:- Charles T. Asker, Cyrus Pence, John Hagedon, Wm. B. Yancey, Wm. H. Monger, Samuel Showalter, John W. Bolton, of D, Joseph M. Mauck, John H. Moyerhoeffer, Strother May, Milton Pence, George M. Mauck, D. C. Marty, J. Walter Davies, A. B. Lincoln and Daniel N. Fawley, the prisoner was furnished a copy of said panel, and having struck therefrom the names of four persons of said panel, viz:- Charles T. Asker, Wm. B. Yancey, D. C. Marty and A. B Lincoln; the remaining twelve, viz:- Cyrus Pence, John Hagedon, Wm. H. Monger, Samuel Showalter, John W Bolton, of D, Joseph M. Mauck, John H. Moyerhoeffer, Strother May, Milton Pence, George M. Mauck, J. Walter Davies and Daniel N. Fawley, thereby constituting the Jury, who being selected, tried and sworn, well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the Jury find the Defendant guilty in manner and form as charged in the Indictment, and ascertain the term of his confinement in the Penitentiary at two years.- J. Walter Davies, Foreman." And thereupon the Jury was discharged, and the prisoner was remanded to Jail.

The Court doth order that the following named persons summoned, and in attendance upon this term of the Court as Veniremen for the trial of Felony cases, be allowed the sums opposite their names, for their said attendance (being at $1.00 per day,) and that the same be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

R. D. Lushers,	$3.00	B E. Long,	$3.00	Strother May,	$3.00
Cyrus Price,	3.00	John W. Roleton, of D.,	3.00	Wm. M. Whittaker,	3.00
M. L. Bateman,	3.00	John A. Wood,	1.00	Milton Price,	3.00
John Hagedon,	3.00	Joseph M. Mauck,	3.00	Geo. M. Mauck,	3.00
Wm. B. Yancey,	2.00	John S. Lewis,	3.00	Geo. J. Kisling,	3.00
Wm. N. Monger,	3.00	John Eversole,	3.00	D. C Mauzy,	3.00
Samuel Showalter,	3.00	C N. Harper,	3.00	George Logan,	3.00
M. Stewart Slusser,	3.00	John W. Meyerhoffer,	3.00	J. Walter Davies,	3.00
A. B. Lincoln,	3.00	M. A. Fawley,	3.00	Charles D. Acker,	3.00
Jacob F. Hoff,	3.00	Mason M. Turner,	3.00		

cs/Pd & certified to Auditor. 1 P.L.c.c.

The Court doth award Rules against Jacob A. Armentrout, S. H. Harris, A. D. Woodson and Wm. A. Maupin, returnable to the next term of the Court, to shew cause, if any they can, why they should not be fined and attached for their failure to appear at this term as Veniremen for the trial of Felony cases, when duly summoned.

1 to cs/Pd.

J. P. Roleton, late Sheriff of Rockingham County, and as such Administrator of the Estate of Wm. McK. Wartmann, dec'd, late Clerk of the County Court of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $17.50, for fees allowed, under Sec. 31, Chapter 180 of Code of Va, 1873, for the trials of seven cases of Felony, from May Court 1871 to February Court 1872, (inclusive) which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cs/Pd to Adum'r 1 P.L.c.c.

J. P. Logan, Clerk of this Court, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $55.00 for fees allowed under Sec. 31, Chapter 180, of Code of Va. 1873, for the trial of twenty-two cases of Felony, from May Court 1872 to August Court 1876, inclusive, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cs/Pd.

Ordered, That it be certified to the Auditor of Public Accounts, that John Paul, Attorney for the Commonwealth for this County, is entitled to the sum of Ten Dollars, for prosecuting in one case of Felony to conviction at this term of the Court, viz: Commonwealth against John Lawson, for Forgery.

cs/Pd.

Upon the application of P H Dice & others, for the establishment of a public road, running from the residence of Samuel E. Long at or near said residence, to the town of Bridgewater, through the

lands of Samuel E. Long, David Garber, J. W. F. Allemong & P. Henning, filed at the May Term last.

It appearing to the Court that the summons awarded at the last term against the land-owners, has been returned duly executed, and no objections being made to the establishment of the said public road, according to the Report of the viewers, and the Survey returned by them at the last term of this Court, and that the land-owners through whose land said road passes, claim no damages, It is ordered that the road be established according to said Survey as follows. viz. First, through Samuel E. Long's land to the River, thence obliquely across the River, thence S. 31½ W. 29 3/10 p. poles- South 38¼ E. 45 p. S. 48¾ E. 40 p. S. 45¼ E. 41 p. S. 33¾ E. 34 7/10 p. S. 27 E. 26 6/10 p. S. 23½ W. 34 p. S. 74½ E. 22 p. 2 poles curve, thence S. 57½ W. 24 p. S 16 W. 40 6/10 p. S. 37¼ W. 30 p. thence across North River, and across the lands of the Bridgewater Manufacturing Company to their Factory, thence down the River to Bridgewater, and the Court doth direct D. K. Weaver, Road overseer, to open said road.

Ordered, That Court be adjourned until to-morrow Wednesday 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 Saturday August 26. 1876.

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

Ordered, That Court be adjourned until Wednesday 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 Wednesday, August 30, 1876.

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

George W. Mauzy, Admr. of Peter Boyer, dec'd. Plff

D. H. Rolston, S. R. C. & as such Admr. of Jacob Boyer, dec'd Deft. } Upon a Notice for money paid as surety.

This day came again the Plaintiff, by counsel, and the Defendant having had legal notice of this motion, as it appears to the Court, being solemnly called came not, the decision of the cause was 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 $ 96.44 with interest on $85.00~~ part thereof from the 21st day of August 1871 & on $11.44 the residue from the 29th day of August 1871, till paid, and his costs by him in this behalf expended.

On the motion of Wells Heneuer, It is ordered that the Estate of Saml. R Spinkel, be committed to D. H. Roleton, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months, without administration.

On the motion of Dr James H. Harris, who made oath thereto according to law, he appeared in Court, and together with Frank L. Harris, his surety, who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of $400.00 conditioned according to law, (waiving the benefit of the Homestead exemption) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of Dr. George T. Harris, dec'd. And the Court doth appoint B. G. Patterson, Andrew Lewis & Wm. Shands, to appraise the said Estate after first being duly sworn.

Wm. Sandy, for use of Joseph Ketaffer, Plff. } Upon a Rule.

Peter Hile, Sar. of J. C. Argenbright & John Ronhof, Deft.

This day came again the parties, by their Attorneys, and thereupon the Court having heard the evidence in the cause, doth order that the execution of Wm. Sandy for the use of Joseph Ketaffer, versus J. C. Argenbright and John Ronhof, be credited by $54.20 as of the 21st day of August 1871, the balance collected from Peter Hile, on the decree of the Circuit Court, after deducting the part claimed by Effinger & Johnson, as their Attorneys' fee; and that this cause be dismissed at the costs of the judgment debtors.

The Court doth make the following allowances to the viewers & Surveyor, for services on the application of James M. Lanckhoff, &c. for the establishment of a Public Road, and orders that the same be certified to the Treasurer of this County, for payment out of the Levy for the year 1876, viz:

George G. Strayer, viewer, 1 day $1.00 W. D. McGahey, Surveyor for
James M. Weaver " 1 " $1.00 1 day, (allowed to W. D. McGahey [illegible]) $2.50
G. W. Mauzy, " 1 " $1.00

The Court doth make the following allowances to the viewers and Surveyor, (for services) on the application of J. B. Eastham & others, for the establishment of a Public road, and order that the same be certified to the Treasurer of this County, for payment out of the Levy for 1876, viz:-

c.p'd. 6 Wm. Harmsbergen, viewer, 2 days @ $1.00 $ 2.00
Jos. N. Kite, " 2 " " " $ 2.00
George G. Strayer, " 2 " " " $ 2.00
N. C. Bear, Surveyor, 1 " " $ 2.50

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c.p'd. The Court doth allow J. J. Bowman, Surveyor the sum of $7.50 for 3 days' services in locating Road from Martz's Store to Keedletown road, making diagram, &c, and order that the same be certified to the Treasurer of this County for payment, out of the Levy for the year 1876, the same being sworn to before S. C. Williams, N. P.

Wm. Shacklett, surv'g. partner &c, Pltff. } Upon a motion & the deft. as
vs. } surety of Wm. H. Rodeffer, in
J. P. Polston, S. R. C. & as such Adm'r. of Jno. D. Long, dec'd Deft. } bonstatute.

✓ This day came again the parties by their Attorneys, whereupon the evidence being heard, It is considered by the Court, that the Plaintiff recover of the defendant the sum of $19.73. with interest thereon from March 21, 1859, at the rate of six per cent. per annum, till paid, subject to a credit of $4.21 Feby. 21st. 1872, and his costs, by him, in this behalf expended.

Same, Pltff. } Upon like motion
vs.
Samuel M. Bowman, Exr. of Robt. Bowman, dec'd Deft.

✓ This day came again the Plaintiff by his attorney, and it appearing to the Court that the defendant hath had legal notice of this motion, he was solemnly called, but came not, whereupon the evidence of the Plaintiff being heard, It is considered by the Court, that the Plaintiff recover of the defendant $19.73 with interest on the same at the rate of six per cent. per annum, from the 21st. day of March 1859, till paid, subject to a credit of $4.21 as of Feby. 21, 1872 and his costs, by him in this behalf expended.

Upon the application of J. B. Eastham & others, for the establishment of a Public Road from Boon's Run or Lick Ford to Maccamuttun Road,

The Report of Wm. H. Harmsbergen, J. N. Kite & G. G. Strayer the viewers appointed at the June term last of this Court, having been returned and filed at the July term last, favoring the establishment of said Road, It is ordered by the Court, that the following-named land-owners, through whose land, the route of the proposed road takes, be summoned to appear at the next term of this Court to shew cause, if any they can, why the proposed road shall not be established according to the Report of said viewers, viz:- S. H. Kitley, St. Clair D. Kitley, — Draper, Wm. C. Coffman, John B. Simmons and R. B. Cook.

18 c.p's

Upon the application of Abraham Bushong, Isaac Lohr & others, for the establishment of a Public Road, beginning at the County line of Rockingham & Shenandoah, on the lands of George Lohr, sr. & Abm. Bushong, thence in the direction of Pinkneyville to the Plains Mill & Forestville Road,

The Court doth appoint Henry Neff, A. F. Brannen & Alex'd Roman, Commissioners, to view the ground, and report to this Court at its next term, first:- the conveniences and inconveniences that will result, as well 103 cts. to individuals as to the public, if such road shall be established, as proposed, and especially whether any yard, garden, & orchard, or any part thereof, will have to be taken.

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

Any defect in the action or report of the viewers will not debar them from receiving pay for their services.

Ordered, That J. D. Logan, Clerk of this Court, be allowed the sum of Two Hundred and fifty dollars, for public services, for the half year ending June 30, 1876 and that the same be certified to the Treasurer of this County for payment, out of the Levy for the year 1876. 60 cts'd.

On the application of John D. Green, it appearing to the Court that the Report of Survey and Plat of A. C. Bear, Surveyor of Rockingham County, of two tracts of Land, lying in North Mountain, in Rockingham County, one tract containing 6800 Acres- the other containing 1380 Acres, the first assessed on the Land books of this County to John D. Green, Price & Co, the second to John D. Green and Wm. Sadler, and sold by the Treasurer of this County as delinquent lands on the 15th. day of December 1873, to the said John D. Green for the non-payment of Taxes for the year 1871, as appears to the Court by the certificates of J. B. Kelleaugh, Treasurer of Rockingham County, are made according to Law; It is ordered that the said certificates and said Survey & Plat be recorded in the Clerk's office of the County Court of this County. ✓

On the two separate Petitions of E. L. Lambert & others and J. S. Frye & others, for the establishment of a Public Road from River Bank to the Rockingham Turnpike,

The Reports of the viewers heretofore appointed, having been returned and filed, the Court doth award Rules against the following named 1 & 16 cts.

land-owners on said routes, through whose lands, the said proposed public road passes, returnable to the 1st. day of the next term of the Court, viz:- E.L. Lambert, J.C. Houck, E.M. Sellers, J. Peter Sellers, Robert A. Gibbons, Sally Haynes, Ed. Rodgers, George Berry, Anderson Argabright, Wm. F. Devin, Dr. Thomas A. Deaner, Julia A. Hinsborough, W.B. Yancey, E.M. Rector, Jacob S. Fry & George Life, to shew cause, if any they can, why one or either of the routes reported by the viewers in the aforesaid Petitions, should not be established as a public road, should the Court determine to establish either route proposed.

Jacob Bowman
Geo. M. Yancey. } Upon an Appeal.

/ Geo. M. Yancey.

On motion of the Defendant by counsel, this cause is revived in the name of Benjamin Bowman, Admr. of Jacob Bowman, dec'd.

Susan M Baldwin,
Richard Robinson. } Upon an Appeal.

/ Richard Robinson.

By consent of parties, this cause is dismissed agreed, each party to pay their own costs.

Commonwealth,
John Lawson. } Upon an Indictment for Forgery.

The prisoner, John Lawson, 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 of the Court in custody of the Jailor thereof, and by counsel moved the Court to set aside the verdict of the Jury, and grant him a new trial, which motion, on consideration, the Court doth overrule, and thereupon the prisoner by counsel, excepted to the opinion and action of the Court in overruling his said motion; 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 John Lawson be imprisoned in the public jail and penitentiary house of this Commonwealth for the term of two years, (the period by the Jurors in their verdict ascertained,) to hard labor.

And the Sheriff of this County, is ordered, as soon as possible after the adjournment of this Court, to remove and convey the said John Lawson 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~~ is accordingly committed to Jail.

Memo:- Upon the trial of this cause, the prisoner, by counsel, excepted to the opinion of the Court, in overruling his motion to set aside the verdict of the Jury and grant him a new trial, and tendered his bills of exceptions thereto, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words & figures.

following to-wit: "Commonwealth vs John Lawson" &c.

On motion of the prisoner by counsel, the Court doth suspend the execution of its judgment for the period of thirty days. And thereupon, the prisoner was remanded to Jail.

On the motion of Jim a.k.a. Dowel, it appearing to the Court, that three months have elapsed without there being an administrator of the Estate of Daniel D Dowel, dec'd., It is ordered that the Sheriff of Rockingham County, do take into his possession the Estate of said decedent and administer the same.

To which motion Noah M. Shuler appeared by counsel, and objected on the ground that he is now, and has been, for some years, the Administrator of said Estate, and that his powers as such, have never been revoked in the manner prescribed by Law.

Wm. Koontz, Pltff.
vs
Henry Shacklett, surv. &c, Deft. } Upon a motion to quash a Fifa.

By consent of parties, this cause is referred to the Judge of this Court for decision in Vacation, Such decision to be entered in Vacation and to have the same effect as if made and entered in term time.

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

Chas. J. O'Donald.

In Vacation September 8th 1876.

The Clerk of the County Court is hereby directed to issue a Venire Facias. directed to the Sheriff of Rockingham County, Commanding him to Summon a Special Grand Jury for the September Term 1876 of Said County Court to appear at the Court House thereof on the 1st day of Said Term at 10 O'clock A. M. Given under my hand this 8th day of September 1876.

Chas. J. O'Ferrall,
Judge Co. Ct. Rs. Co.

Teste, J. P. Logan, Clerk.

Monday, September 18, 1876.

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

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

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

Bargain & Sale.	George Bible,	to William J. Miller,	
" "	John Q. Winfield & wife,	" Samuel Zigler,	
" "	John Senger, jr, & wife,	" Susan Leoakley,	
" "	Wm. P. Carpenter & wife,	" Malinda Garber,	
" "	Noah Flory & wife & others,	" Daniel Flory & Mary Bliss,	
" "	Harvey Piles & wife & others,	" Jacob Spitzer,	
" "	John A. Kepley & wife,	" Ira J. Miller & Wm. Robinson,	
Deed of Homestead.	John Pineheart,		
Bargain & Sale.	Samuel Roller,	" John Derrow,	
" "	Barbara Scott,	" Archibald Taylor,	
" "	Josephine P. Miller & husband,	" Henry Brill,	
" "	F. A. Berlin, Commr,	" P. Harrison Wyant,	
" "	Otis H. Moore,	" Sallie A. Moore, wife of Otis H. Moore,	
" "	Otis H. Moore & wife,	" Newton G. Moore,	
" "	George W. Pattiviler & wife,	" Peter W. Pattiviler,	
" "	John Flory & wife & others,	" G. W. Driver, &c, School Trustees, &c,	
Agreement.	Peter Michael,	" Henry Kisling (old Agt.)	
Bargain & Sale.	Edward F. Williams & wife,	" Hopkins & Kisling, (old deed)	
" "	Peter Taylor & wife,	" same, (" ")	
" "	same,	" same, (" ")	
" "	Joseph Mauzy & wife,	" Henry Kisling, (" ")	
" "	David Gilmore & wife,	" G. P. Hopkins & H. G. Kisling, (" ")	
" "	Joseph Mauzy & wife,	" same, (" ")	
" "	Edward S. Yancey & wife,	" same, (" ")	
" "	John E. Craig & wife,	" same, (" ")	
" "	Isaac Reames & wife & others,	" same, (" ")	
" "	G. A. Basham's Executrix	" same, (duplicate of old deed)	
" "	Jonas N. Loewenbach & wife,	" W. B. Morrison	
" "	Wm. B. Morrison & wife,	" J. B. Lupton, Trustee for Mrs M. J. Lupton,	
" "	J. B. Lupton, in his own right, &c,	" J. R. Lupton, Trustee for his wife, Bettie R.	
" "	Louis R. Lupton, in his own right, &c,	" Chas. G. Kimmel, trustee for his wife, Lucy G.	
" "	George Lutz & wife,	" David P. Lutz,	
" "	John Paul, Commr,	" Henry Randolph,	
" "	Daniel Mauzy & wife & his wife,	" Raphael Meyers,	
" "	John W. Crawford, Commr,	" Widow & Heirs of Isaac Moore, dec'd,	
Lis Pendens.	M. Catharine Moore,	& James Wallace Meek & others,	
Bargain & Sale,	Wm. P. Carpenter & wife,	to Peter R. Showalter,	
Deed of Trust	Wm. S. Miller & wife,	" Ed. S. Conrad, trustee,	
Bargain & Sale.	Martin Lohr & wife,	" Geo. W. Phillips,	

Bargain & Sale.	J. A. Sevenbach & wife this Trustee,	to	Lettie L. Covington,
" "	John E. Roller, Commr,	"	George Calhoun & P. M. Dice,
Trust Deed.	Andrew Teutchenberger & wife,	"	Foxhall A. Daingerfield, Trustee,
Bargain & Sale.	Noah Auder & wife,	"	Emanuel Driver, (in lieu of old deed,)
" "	Emanuel Driver & wife,	"	Samuel & John Driver (" " " " " ")
" "	Frederick Rodes & wife,	"	Geo. D. Jenkins,
" "	George Full,	"	Leonard J. Full,
" "	Same,	"	Samuel H. Full,
" "	Daniel Keller & wife,	"	Isaac Burner, (old deed,)
Trust Deed.	John Brown Roller,	"	Aaron Shutter, Trustee for J. H. Bowman &c,
Bargain & Sale.	John Samuels & wife & others,	"	Elizabeth F. Breeden,
" "	Sanford Breeden & Elizabeth F. his wife,	"	Daniel F. Efford & James D. Efford,
" "	James Payne & wife,	"	Pleasant P. Carroll,

The Appraisement & Sale Bill of the Personal Property of David Kline, dec'd, was this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded.

The Appraisement Bill of Notes, bonds, &c, of Jonathan Peale's Estate and Sale Bill of Personal Property of Joshua Jennings, dec'd, were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded.

On motion of Martha E. Kisey, It is ordered that Wm. Beard, Joshua Cupp, Daniel A. Kline and James McCutchen be appointed Commissioners, (any three of whom may act,) to lay off and assign dower to Elizabeth E. Kisey, widow of David Kisey, dec'd, in the Real Estate of her deceased Husband, David Kisey

J

On Ella Plumb, infant over the age of 14 years, this day appeared in Court, and made choice of Milton Taylor as her guardian, and thereupon the said Milton Taylor appeared in Court, and together with Wm. A. Pence, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $200.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

John R Plumb, infant over the age of 14 years, this day appeared in Court, and made choice of Milton Taylor as his guardian, and thereupon the said Milton Taylor appeared in Court, and together with Wm. A. Pence, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $400.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified as said guardian.

J.

On motion of John J. Brunner, a distributee of the Estate of Rebecca C. Brunner, dec'd, the order entered at the last term of this Court, committing said Estate to D. H. Coleton, S. R. C. for administration, is set aside, and the powers of the said Sheriff as said Administrator are hereby revoked.

On the motion of John J. Brunner, one of the distributees of the Estate of Rebecca C.

Brannen, who made oath thereto according to law, he appeared in Court, and together with I. F. Brannen, C. R. Brannen and P. M. Pugh, his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of $2000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form, upon the Estate of said Rebecca C. Brannen, dec'd. And the Court doth appoint John A. Thomas, Elcazd Norman, Jonathan Brannen and Moses Mason to appraise the Estate of said Rebecca C. Brannen, any three of whom may act, after first being duly sworn,

cafd. rd.

On motion of George L. Bowman & Jacob Bowman, heirs of Moses Bowman, dec'd, the Court doth appoint John L. Bowman, Elcazd Norman, Henry Neff, George Archeart and Wm. G. Thompson, Commissioners to assign Dower to Sarah Bowman, widow of Moses Bowman, dec'd, in the lands of her said Husband, any three of whom may act, after first being duly sworn,

1

cafd. rd.

On motion of Benjamin Bowman & other heirs of Jacob Bowman, dec'd, the Court doth appoint Isaac Yeager, Madison Moore, Simon P. Lineman and A. C. Long, Commissioners to assign Dower to Mary Bowman, widow of Jacob Bowman, dec'd, in the lands of her said Husband, any three of whom may act, after first being duly sworn,

cafd. rd.

Samuel Ruebush & William Ruebush, Executors of the Estate of Mathias Ruebush, dec'd, having acknowledged legal service of a Notice from Henry Carpenter, one of their sureties upon their official bond as said Executors, to this day of the term, requiring them to give a new bond as said Executors and to release him as one of their said sureties; said Notice being produced to the Court, Samuel Ruebush appeared in Court and declined to execute a new bond, it is therefore considered by the Court, that his powers as one of said Executors be and the same are hereby revoked. And on the motion of William Ruebush he is permitted to qualify as the sole Executor of the Estate of said Mathias Ruebush, dec'd, and thereupon the said Wm. Ruebush appeared in Court and together with Joseph Altaffer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $5000.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining a probat of the will of said Mathias Ruebush, dec'd, in due form.

The writing purporting to be the last will and testament of Christena Miller, dec'd, having been presented in Court at the last July Term of this Court, and then proven by the oaths of Wm. Life and Robert Nicholas, the subscribing witnesses thereto, is now admitted to probate and ordered to be recorded; and it appearing to the Court that no Executor is appointed under the will, and the legatees under the will, declining to apply for letters of administration upon her Estate, on motion of the devisees & legatees, the Estate of said Christena Miller is committed to D. F. Boleton, Sheriff of this County, for administration c.t.a. and James Eisley, Wm. Eisley, Robert Cox and Abraham Miller and John Leedy, are appointed to appraise the said Estate, any three of whom may act, after first being duly sworn

Commonwealth,
John D. Reinhardt } Upon an Indictment for misdemeanor.

The Defendant this day appeared in Court and confessed a judgment for the sum of One cent and costs. It is therefore considered by the Court, that the Commonwealth recover of the Defendant the sum of One Cent fine and her costs, by her in this behalf expended, this being done by consent of the Prosecutor and Atty. for the Commonwealth.

For reasons appearing to the Court the Rules awarded at the last term of the Court against S. H. Carver & A. D. Worden, Witnesses, John F. Bradburn, Thomas Powell & John N. Rouhof Petit Jurors and John M. Stricklen, Grand Juror, for their failure to appear when duly summoned, are discharged.

Upon the application for the establishment of a Public Road from River Bank to Rockingham Turnpike,

The summons in this cause against the land-owners on the two competing routes, was returned duly executed, except upon J. P. Houck, and the case is ordered to be placed upon the Court's docket.

It appearing to the Court that the Rev. James A. Evans is a regularly ordained Minister in the Church of the United Brethren in Christ, and authorized to celebrate the Rites of Matrimony, on his motion, he appeared in Court, and together with A. C. Long, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Fifteen Hundred Dollars, conditioned according to (if it the Homestead & if it the Homestead exemption,) and thereupon he acc

cap'd d.

Mathias Burr 14 years of age, this day 14 years of age, this day appeared in Court, and made choice of his father, as his guardian, and thereupon the said Wm. Rout, and together with Jacob, and together with James M. Saufley, his surety, (who jointly,) entered into and jointly,) entered into and acknowledged a bond in the penal sum, conditioned as law, conditioned according to law, (waiving the benefit exemption,) and qualified exemption,) and qualified as said guardian.

On the motion of Mrs. Court doth appoint Court doth appoint Lewis as guardian of his two infants Jane, aged 13 years & Lydia Jane, aged 13 years & David L., aged 11 years,

and thereupon he appeared in Court, and together with Daniel Shickel, his surety, (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $225.00, conditioned according to law, (waiving the benefit of the Homestead exemptions,) and qualified as said guardian.

S. H. Carrier, foreman, Jos. N. Mauzy, Harrison Bateman, M. J. Mongenhoffer, D. B. Sites, Wm. H. Archeart, R. M. Moore, Strother Sheets, F. G. Way & John M. Strickler, were sworn and impaneled a Special Grand Jury inand 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 James Goodloe, for entering a dwelling-house in the night, without breaking, A true bill, S. H. Carrier foreman.- An Indictment against James Goodloe for Larceny, a true bill, S. H. Carrier, foreman; An Indictment against James Goodloe, for Petit Larceny, a true bill, S. H. Carrier, foreman; An Indictment against James Goodloe, for Petit Larceny, a true bill, S. H. Carrier, foreman; An Indictment against James Goodloe, for Petit Larceny, a true bill, S. H. Carrier, foreman; An Indictment against Harvey Lotterberry & Henry Williams, for breaking and entering a dwelling-house in the day time, a true bill, S. H. Carrier, foreman; An Indictment against Harvey Lotterberry & Henry Williams, for burglary, a true bill, S. H. Carrier, foreman; An Indictment against Geo. M. Showalter, for violation of Revenue law; a true bill, S. H. Carrier, foreman, and an Indictment against J. A. Loewenbach, for creating a public nuisance; a true bill, S. H. Carrier, foreman, and having completed the business before them, were discharged from further attendance upon this Court.

nuis'ns'd.

Ordered, That S. H. Carrier, Jos N. Mauzy, Harrison Bateman, M. J. Mongenhoffer, D. B. Sites, Wm. H. Archeart, R. M. Moore, Strother Sheets, F. G. May & John M. Strickler, be each allowed the sum of One Dollar for their services at this term of the Court, as Grand Jurors, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

c.p.d & d.

Commonwealth,
vs
James Goodloe. } Indictment for entering a dwelling in the night, without breaking.

James Goodloe, late of the County of Rockingham, who stands indicted for a felony, by him committed, was this day led to the bar of the Court, in custody of the Jailor thereof, and being thereof arraigned, pleaded "not guilty," and his trial defered to a later day of this term, to be hereafter determined.

Same,
vs
Same, } Indictment for Larceny.

James Goodloe, late of the County of Rockingham, who stands indicted for Larceny, by him committed, was this day led to the bar of the Court, in custody of the Jailor thereof, and being thereof arraigned, pleaded "not guilty," and his trial defered to a later day of this term, to be hereafter

determined, and thereupon the Prisoner was remanded to Jail.

Commonwealth,
vs
Harvey Lotterberry & Henry Williams. } Indictment for breaking & entering a dwelling house in the daytime.

Harvey Lotterberry & Henry Williams, late of the County of Rockingham, who stand indicted of a felony by them committed, were this day led to the bar of the Court in custody of the Jailor thereof, and being thereof arraigned, each pleaded "not guilty," and elected to be tried separately, and their trial was defered to a later day of the term, hereafter to be determined.

Commonwealth,
vs
Same, } Indictment for Burglary.

Harvey Lotterberry & Henry Williams, late of the County of Rockingham, who stand indicted of a burglary by them committed, were this day led to the bar of the Court in custody of the Jailor thereof, and being thereof arraigned, each pleaded "not guilty," and elected to be tried separately, and their trial was defered to a later day of the term, hereafter to be determined, and thereupon the prisoners were remanded to Jail.

Thos. B. Stanhope, surv. &c of Dunham & Redfott, for &c } Notice on 12 months bond
vs
M. C. Lupton, &c.

M. W. Harris' Adm.
vs
Peter Roller, &c. } Notice on 12 months bond.

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

Ordered, That this Court be adjourned until to-morrow morning at 9 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, Sept. 19, 1876.

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

D D Dovel's Admr. d.b.n.c.t.a.

vs

Jamison Dovel, P. P. Shifflett & John Burkett. } Upon a Notice to set aside an order at July Term 1876, of this Ct.

This notice returnable to the first day of this Term of the Court, is, on motion of the Plaintiff, by counsel, ordered to be placed upon the Court's Docket, (nunc pro tunc,) now for then.

Henry Rife, Registrar at Timberville tendered to the Court his resignation, which is accepted; and thereupon the Court doth appoint Charles E. Fahrney to fill the said vacancy, and the said Fahrney appeared in Court and qualified as Registrar at the Timberville precinct in this County, by taking the several oaths prescribed by law.

On the motion of Samuel Bailey, the Estate of Samuel Bethel is committed to D H Rolston, S.R.C., for administration, it appearing to the Court that he has been dead more than three months, without an administration upon his Estate.

Commonwealth,

vs

Henry Raines. } Upon an Indictment for murder.

This day, the prisoner, Henry Raines, late of the County of Rockingham, who stands indicted for a murder by him committed, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon came twenty-six of the Veniremen summoned for the trial of Felony cases at this term of the Court, and the entire panel was thereupon completed by summoning ten more from a list furnished by the County, and said Veniremen being examined by the Court, sixteen of whom were found to be duly qualified and free from exceptions, viz:- Wm H. Funk, C. R. Rush, W. M. Shuler, John W. Huffman, J. P. O'Ferrall, Stephen Roadcap, John M. Life, Wm. H. Ruebush, Benjamin Immbs, Patterson Greiner, R. S. Coakley, S. H. Butler, James Bogoone, A. M. Dutrow, Edward S. Peale and Elijah S. Huffman; the prisoner was furnished a copy of said panel, and having stricken therefrom the names of four persons of said panel, viz:- John W. Huffman, Benj. Immbs, James Bogoone and Edward S. Peale; the remaining twelve, viz:- Wm. H. Funk, C. R. Rush, W. M. Shuler, J. P. O'Ferrall, Stephen Roadcap, John M. Life, Wm. H. Ruebush, Patterson Greiner, R. S. Coakley, S. H. Butler, A. M. Dutrow and Elijah S. Huffman, thereby constituting the jury, who being so elected, tried and sworn, well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D H. Rolston, Sheriff of this County and John M. C. Roger his Deputy, to whom was administered an oath "that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail,

Ordered, that Rules be awarded against L. B. McMullan, Saml J. Dundore, J. A. Loewenbach, J. M. Bacore, & Wm. P. Bowers, returnable to the next term of the Court, for their failure to appear at this term of the Court as Petitioners, when duly summoned.

On the motion of Winfield Liggett, the Court certifies that he is a person of honest demeanor, and is over 21 years of age, and that he has resided in the County of Rockingham, more than one year next preceding this application, this certificate being granted him to enable him to obtain License to practice Law in the Courts of this Commonwealth.

cp'd

A B Nick, &c., Pltff.
vs
C. B. Luck, Agt. for &c., Deft. } Unlawful Entry & Detainer.

Ordered, That this cause be dismissed agreed.

Ordered, That Court be adjourned until to-morrow morning at 9 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, September 20, 1876.

Present: Hon. Charles P. O'Ferrall, Presiding.

Upon the application of John C. Englehage, a subject of the Emperor of Germany, being a native of the Kingdom of Hanover, who emigrated to the United States at the age of 14 years, to become a citizen of the United States under the provisions of the 10th Section of the Act of Congress relative to the naturalization of aliens, having declared & proven his bona fide intention, entertained & expressed for the past three years of becoming a citizen of the United States of America & his renunciation of all allegiance to any foreign prince, potentate or power whatever, and especially to the Emperor of Germany, and having sworn in open Court that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and especially to the Emperor of Germany, and having sworn to support the Constitution of the United States,

cp'd. od. [illegible]

It is ordered that the said John C. Englehage be and he is hereby declared a naturalized citizen of the United States, and that Papers of naturalization in due form of law, be awarded him.

Thomas Powell, late Constable of Rockingham County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $3.20 for conveying Wm. Spitzer, a lunatic, to the County Jail (23 miles) under commitment of David Palmer, J. P. & for two meals for same 50¢ each, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cp'd.

Chas. A. Yancey, Admr. of W. K. Harris, dec'd. Plff.
vs
Peter Roller, J. N. Switzer, John B. Roller & Geo. M. Roller, Defts. } Upon a Notice on a 12 months bond &c, under Act of Assembly.

This day came the Plaintiff by his counsel, and the Defendants being 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 Seventeen Hundred and fifty Dollars and 75 cents, the amount of said 12 months bond, with interest thereon from the 20th day of July 1875, till paid, and his costs by him in this behalf expended. (Homestead exemption waived in said bond.)

Wm. L. Dunham, surviving partner of Dunham & Kenfott, use of Jno. P. Kenfott,
vs
Mrs. Mary L. Lupton & W. D. Hopkins. } Upon a Notice on a 12 months bond, &c, under Act of Assembly.

This day came again the Plaintiff by his Attorney, and the Defendants being 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 One Hundred and forty five Dollars and 10 cents, the amount of said 12 months bond, with interest thereon from the 31st day of May 1875 till paid, and his costs by him in this behalf expended. (Homestead exemption waived in said bond.)

Upon the application of Abraham Pickering, Jacob R. Mauney, & a face change in the Public Road leading from Spartanburg to Bowman's Mill, through the lands of John Zigler.

Henry Neff, Commr. of Roads for Plains District, having endorsed his approval of the same on the foregoing named Petition for change in Public Road leading from Spartanburg to Bowman's Mill, the Court doth appoint Jacob W. Cowen, Michael Lohr and Daniel Flory as viewers to report upon said proposed change in said Road.

The said viewers shall give at least 5 days notice before the time of meeting, of the time and place, when and where, in some public manner, in the vicinage of said road. The viewers, before ~~entering~~ proceeding to discharge their duties, shall be severally sworn by the Commissioners of Roads, or some other person authorized to administer oaths, to perform their duties impartially and to the best of their judgment. If they decide there is a public necessity for the change, they shall lay out the same, having respect for the shortest distance and the best ground, so as to do the least injury to private property, and also as far as practicable to be agreeable to the petitioners. They shall assess the damage done to land through which the road passes, taking into consideration the advantage to be derived from the road passing through the land, and shall report in writing to the next term of the County Court, giving the names of the land-owners entitled to damages, but in no case shall any yard, garden, orchard or any part thereof be taken, without the consent of the owner or owners thereof.

Commonwealth,
vs
Henry Raines. } Upon an Indictment for murder.

This day, the prisoner, Henry Raines, was again led to the

bar of the Court, in custody of the Jailor thereof, and thereupon came again the Jury sworn and impanelled on yesterday for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock and thereupon they were placed in charge of D. H. Roleton, S. R. C. and J. M. C. Royer, his Deputy, to whom was administered an oath that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God. And thereupon the prisoner was remanded to Jail.

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

Chas. J. O'Ferrall.

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

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

Commonwealth,
vs
Henry Raines. } Upon an Indictment for murder.

This day, the prisoner, Henry Raines, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon came again the Jury sworn and impanelled on Tuesday last, for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Roleton, S. R. C. and D. H. Bear, his Deputy, to whom was administered an oath that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to Jail.

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

Chas. J. O'Ferrall.

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

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

The Court doth award an Attachment against G. W. Duke, returnable forthwith ~~the next day of said term~~, to do and receive what our said Court may then and there adjudge against him for his contempt in absenting himself as a witness in behalf of Henry Raines vs. The Commonwealth, when not discharged by the Court.

Upon the calling of the Veniremen summoned for the trial of felony cases at this term of the Court, who were adjourned on Tuesday last to this day of the term, the following appeared, viz:- John M. Huffman, James Pegrone, Ed. S. Peale, L. W. Taylor, Jas. F. Lowman, B. F. Rigler, Hy. B. Hanselberger, Geo. F. Mauck, Geo. J. Kisling, James P. McLeod, Robert F. Weaver, Dl. S. Harrison, R. A. Gilbourne, Joseph Welch, L. C. Myers, J. M. Dutrow, A. R. Fletcher, R. A. Stephens, A. H. Bowman & W. Whitaker, and thereupon they were adjourned until Monday morning at 10 o'clock.

And it appearing upon the call of said Veniremen, that Benj. Saunders, F. A. Way, John W. Eastman and Shep McCoy are absent, the Court doth award Rules against them, returnable to Monday next, at 10 o'clock, for their failure to appear on this day of this term, pursuant to their adjournment.

The Commonwealth,
vs.
Henry Raines.
} Upon an Indictment for murder.

This day, the prisoner, Henry Raines was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon came again the jury sworn and impanelled on Tuesday last for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston S. R. C. and Lee Bryant, his Deputy, to whom was administered an oath that you shall keep this jury together, and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court, on to-morrow morning at 9 o'clock. So help you God." And thereupon the prisoner was remanded to jail.

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

Chas. J. O'Ferrall.

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

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

Commonwealth,
vs
Geo. W. Dull } Upon an Attachment.

Geo. W. Dull this day appeared in Court, under an Attachment awarded against him yesterday, as a witness in behalf of Henry Raines ads. The Commonwealth, for absenting himself without leave of the Court, and the Court having fully considered the same, doth adjudge him guilty of contempt, It is therefore considered by the Court that the Commonwealth recover of the said Geo. W. Dull, the sum of One cent Fine, and her costs, by her in this behalf expended.

Commonwealth,
vs
Henry Raines, } Upon an Indictment for murder.

This day, the prisoner, Henry Raines, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon again came the Jury sworn and impanelled on Tuesday last, for his trial, pursuant to their adjournment, and not having time fully to hear the evidence and argument of counsel, were adjourned until Monday morning next at 9 o'clock, and thereupon they were placed in charge of D. H. Roleton, S. R. C., and D. N. Bear & J. M. C. Royer, his Deputies, to whom was administered an oath "that you shall keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse with them touching this trial, and cause them to appear in Court on Monday morning next at 9 o'clock, So help you God." And thereupon, the prisoner was remanded to Jail.

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

Chas. J. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Monday, Sept. 25, 1876.

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

It appearing to the Court that Eliza Jane Dickson, has been, by B. M. Rice, J. W. Bowers & J. P. Hyde, Justices of the Peace, adjudged a Lunatic upon an examination, and committed to the Jail of this County, and that application has been made by the Jailor for admission into the Lunatic Asylums, which has been refused for want of room, and it further appearing to the Court that it is proper to contract with a proper & fit person for the maintenance and care of said Lunatic, It is therefore ordered by the Court that P. M. Whitlock be appointed a committee to have the care, custody and maintenance of the said Eliza Jane Dickson, until the future order of the Court, and that he be allowed therefor the sum of 27 (27) cents per diem and at the rate of $1.50 monthly for her clothing; and thereupon the said P. M. Whitlock appeared in Court, and together with W. J. Pattow & Wm. Dean his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond, in the penalty of $200.00 condition-ed according to law, and to exercise proper care & make proper and decent provision for the said Lunatic, (waiving the benefit of the Homestead exemptions,) and qualified as the Committee of the said Eliza Jane Dickson.

Commonwealth, }
vs } Upon an Indictment for murder.
Henry Raines. }

This day, the prisoner, Henry Raines, was again led to the bar of the Court, in custody of the Jailor thereof, and thereupon came the Jury sworn and impanelled on Tuesday last, pursuant to their adjournment, and not having agreed upon a verdict, again retired to their room, and after some time returned into Court, and upon their oaths do say, "we, the Jury, find the prisoner guilty of involuntary manslaughter, in manner & form as charged in the Indictment, and ascertain his amercement at One hundred dollars. - C. P. O'Ferrall, foreman. And it being enquired of the prisoner if anything he had or knew to say, why the Court should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court, that the Commonwealth of Virginia recover of the said Henry Raines, the sum of $100.00 the amount of the fine, by the Jurors in their verdict ascertained, and her costs by her in this behalf expended. And it is further considered by the Court that the said Henry Raines be imprisoned in the Jail of this County for the period of thirty days, and thereafter until he pays the amount of fine assessed against him, and the costs of this prosecution, or be released therefrom in accordance with law. And thereupon, the prisoner was remanded to Jail.

Commonwealth }
vs } Upon an Indictment for Felony.
A. W. Rinehart, }

This day, A. W. Rinehart, who stands indicted for a felony by him committed, appeared in Court in pursuance of his recognizance renewed at the last term of the Court, and thereupon came eighteen of the Veniremen summoned for the trial of Felony cases at this

term of the Court, and were examined by the Court, twelve of whom, viz:- Wm. H. Bowman, E. S. Heffman, Wm. H. Reubush, John M. Life, John W. Heffman, J. O. O'Ferrall, Joseph Click, Wy. B. Harnsberger, Wm. H. Funk, John W. Earman, Shep McCoy & C. R. Rush, were found to be duly qualified and free from exception, whereupon four additional Veniremen were summoned, viz:- Jesse L. Bowcock, D. R. Conner, Leynes S. Wise and John F. Soule, who were also examined by the Court, and found to be duly qualified and free from exceptions- The panel of Sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- E. S. Heffman, John M. Life John W. Heffman & John F. Soule, the remaining twelve persons of said panel, viz: Wm. H. Bowman, Wm. H. Reubush, J. O. O'Ferrall, Joseph Click, Wy. B. Harnsberger, Wm. H. Funk, John W. Earman, Shep McCoy, C. R. Rush, Jesse L. Bowcock, D. R. Conner & C. S. Wise thereby constituting the Jury, who being so elected, tried and sworn, well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Roleton, S. R. C., and J. M. C. Royer, his deputy, to whom was administered an oath "that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse, or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

Commonwealth,
P. W. Pinckheart, } Upon an Indictment for Assault & Battery.

This day came again as well the Attorney for the Commonwealth as the Defendant, by counsel, and thereupon came the following Jury, to-wit:- Geo. J. Kisling, Wm. H. Whitaker, James A. Bogoone, R. F. Weaver, B. F. Kiger, S. C. Myers, Charles D. Harrison, James H. Bowman, Geo. F. Mauck, James P. McLeod, L. H. Kaylor and C. A. Gilborne, who being so elected, tried and sworn the truth in and upon the premises to speak, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we, the Jury find the Defendant, P. W. Pinckheart, guilty in manner and form as charged in the Indictment, and assess his amercement at Three Hundred dollars, ($300.00)" Ja's. F. Bowman, Foreman. And it being enquired of the Defendant, if anything he had, or knew to say, why the Court should not proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the Commonwealth recover of the defendant P. W. Pinckheart, the sum of $300.00, the amount of the Fine by the Jurors in their verdict ascertained, and her costs by her, in this behalf expended. And it is further considered by the Court that the said Defendant P. W. Pinckheart, be imprisoned in the Jail of this County, for the period of Ninety days, from this date, and thereafter, until the Fine of $300.00 and the costs of this

prosecution be paid, or he be otherwise discharged according to law. And thereupon he was placed in custody of the Sheriff of this County, and committed to the Jail thereof.

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

Chas. J. O'Ferrall.

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

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

It appearing to the Court that the Rev. Warwick Rhue is a regularly ordained Minister in the Baptist Church, from evidence introduced, and authorized to celebrate the Rites of Matrimony, on his motion, he appeared in Court, and together with Joseph T. Williams, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of Fifteen Hundred Dollars, conditioned according to law, (waiving the benefit of the Homestead exemption,) and thereupon he accordingly qualified.

The Commonwealth,
vs
I. N. Rineheart,
} Upon an Indictment for Felony.

This day, I. N. Rineheart again appeared in Court, in pursuance of his recognizance, (who stands indicted for a felony by him committed,) and thereupon again came the Jury sworn and impanelled 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 Defendant, I. N. Rineheart not guilty of the felony charged in the within Indictment, but we find him guilty of Assault & Battery, and assess his Amercement at One Hundred and seventy-five dollars, N. B. Hanawalt, Foreman.

The Commonwealth,
vs
I. W. Rineheart.
} Upon an Indictment for Felony.

This day, I. W. Rineheart, who stands indicted for a felony by him committed, appeared in Court in pursuance of his recognizance renewed at the last term of the Court, and thereupon came twenty-one of the Veniremen summoned for the trial of Felony cases at this term of the Court, and were examined by the Court, four of whom, viz:- John M. Life, John W. Huffman, E. S. Huffman and R. A. Stephens, were found to be duly qualified and free from exceptions, whereupon nineteen additional Veniremen were summoned from a list furnished by the Court, and being examined by the Court,

twelve of said additional Veniremen, so summoned, viz:- Jesse Simmons, John M. Maston, J. A. Frank, Samuel L. Simmons, Joseph C. Ritchie, George Deeds, Simon Miller, Andrew Bazell, P. J. Malone, Robert Eastham James Landes and F. W. Kintley, were found to be duly qualified and free from exceptions; the panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- E. S Huffman, George Deeds, Simon Miller and F. W. Kitley, the remaining twelve persons of said panel, viz:- Jesse Simmons, Jno. M. Life, Jno. M. Huffman, R. A. Stephens, John W. Maston, J. A. Frank, Samuel J. Simmons, Joseph C. Ritchie, ~~George Deeds, Simon Miller~~ Andrew Bazell, P. J. Malone, Robert Eastham and James Landes thereby constituting the Jury, who being so elected, tried and sworn, well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and not having time fully to hear the evidence and argument of counsel, were adjourned until to-morrow morning at 9 o'clock; and thereupon they were placed in charge of D. H. Rolston, S. R. C. and J. M. C. Royer, his deputy, to whom was administered an oath "that you shall keep this Jury together and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court on to-morrow morning at 9 o'clock. So help you God."

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

Chas. J. O'Ferrall.

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

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

The Court order, on the motion of Jasper Reaves, Supt. of Public Schools of this County, that an old desk and case standing in the passage of the Clerk's office be turned over to said Supt. of Public Schools, to be used by him in his office.

The writing purporting to be the last will and testament of Anthony Roades, Sr. dec'd, was this day presented in Court, and being proven by the oaths of David Shirley, Isaac Acker and Noah Rhodes, the subscribing witnesses thereto, was admitted to probate and ordered to be recorded; and Abraham Shank, the Executor therein named appearing by counsel, and declining to qualify, on the motion of Henry L. Showalter, one of the heirs of the testator, the Estate of said Anthony Roades, Sr. dec'd. is committed to D. H. Rolston, Sheriff of this County, for administration, with the will annexed, it appearing to the Court that the said Anthony Roades Sr. has been dead more than three months, without an administration upon his Estate.

And the Court doth appoint Michael Showalter, Joseph Wenger, Daniel

Showalter and Henry Davis to appraise the Estate of said Anthony Roades, Sr. any three of whom may act, after first being duly sworn.

The Commonwealth,
vs
P. W. Rinehart,
} Upon an Indictment for Felony.

This day, P. W. Rinehart, who stands indicted for a felony by him committed, personally appeared in Court in pursuance of his recognizance, and again came the Jury sworn and impanelled 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 some time returned into Court, and not having agreed upon a verdict, were adjourned until to-morrow morning at 9 o'clock, and thereupon they were placed in charge of D. H. Rolston, S.B.C. & his deputy, J. M. C. Royer, to whom was administered an oath, "that you shall Keep this Jury together, and not have any communication with them yourselves, nor permit any other person to converse or have any communication with them touching this trial, and cause them to appear in Court to-morrow morning at 9 o'clock. So help you God."

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

Chas. J. O'Ferrall.

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

Present:- The Hon. Chas. J. O'Ferrall, presiding.

The Commonwealth,
vs
James Goodloe,
} Upon an Indictment for entering a Dwelling-house in the night time without breaking.

This day, the Prisoner, James Goodloe who stands indicted for a felony by him committed, (late of the County of Rockingham,) was again led to the bar of the Court in custody of the Jailor thereof; and thereupon came twenty-six of the Veniremen summoned for the trial of felony cases at this term of the Court and were examined by the Court, sixteen of whom, viz:- Wm. H. Funk, J. P. O'Ferrall, Wm. H. Reubush, E. S. Huffman, W. H. Bowman, S. W. Taylor, James F. Bowman, B. F. Riger, Henry B. Harnsberger, James O. McLeod, John W. Garrison, B. F. Weaver, C. D. Harrison, Shep. McCoy, R. A. Gibbons & Joseph Click, were found to be duly qualified and free from exceptions; the panel being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Wm. H. Funk, Wm. H. Reubush, B. F. Riger and Henry B. Harnsberger, the remaining twelve persons of said panel, viz:- J. P. O'Ferrall, E. S. Huffman, W. H. Bowman, S. W. Taylor, Jas. F. Bowman,

Jas. P. McLeod, John M. Earmon, R. F. Mearer, C. D. Harrison, Thos. McCoy, C. A. Gibbons and Joseph Welch, thereby constituting the Jury, who being so elected, tried and sworn well and truly to try, and true deliverance make between the Commonwealth and the Prisoner at the Bar, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "we the Jury find the Prisoner, James Goodloe, guilty in manner and form as charged in the Indictment, and ascertain the term of his confinement in the Penitentiary at two years." J. P. O'Ferrall, Foreman. And it being asked of the Prisoner if anything he had or knew to say, why the Court should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the said James Goodloe be imprisoned in the public jail and Penitentiary House of this Commonwealth for the term of two years, (the period by the Jurors in their verdict ascertained,) to hard labor. And the Sheriff of this County is ordered, as soon as possible, after the adjournment of this Court, to remove and convey the said James Goodloe from the Jail of this County to the public jail and Penitentiary House of this Commonwealth, therein to be kept imprisoned, and treated in the manner directed by law, for the term aforesaid. And the Prisoner is remanded to Jail.

The Commonwealth, }
(vs) } Indictment for Burglary.
Henry Williams, }

This day, the Prisoner, Henry Williams, late of this County of Rockingham, who stands indicted for a felony by him committed, was this day again led to the bar of the Court in custody of the Jailor thereof, and thereupon came sixteen of the Veniremen summoned for the trial of felony cases at this term of the Court, and were examined by the Court, all of whom, viz:- Patterson Grenier, S. H. Butler, A. H. Dutrow, Geo. F. Mauck, George F. Kisling, S. H. Myers, J. S. Kerlin, W. H. Whittaker, Samuel Showalter, Wm. H. Funk, Wm. D. Reubush, Charles A. Braithwaite, Geo. W. Showalter, James A. Pegoone, R. C. Douglass and William Liggett, were found to be duly qualified and free from exception." The panel being thus completed, the Prisoner was furnished a copy thereof, and having stricken therefrom the names of four of the persons of said panel, viz:- Patterson Grenier, S. H. Myers, James A. Pegoone and William Liggett, the remaining twelve persons of said panel, viz:- S. H. Butler, A. H. Dutrow, Geo. F. Mauck, Geo. F. Kisling, J. S. Kerlin, W. H. Whittaker, Samuel Showalter, Wm. H. Funk, Wm. D. Reubush, Charles A. Braithwaite, Geo. W. Showalter, R. C. Douglass, thereby constituting the Jury, who being so elected, tried and sworn well and truly to try, and true deliverance make between the Commonwealth and the Prisoner at the Bar, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar, to consider of their verdict, and after some time returned into Court, and upon their oaths do say "we, the Jury find the Defendant not guilty." G. F. Kisling, Foreman. It is therefore considered by the Court that the Defendant be discharged from custody, and go hence without day, &c.

The Commonwealth, }
vs } Upon an Indictment for Felony.
J. W. Rhinehart, }

This day, J. W. Rinehart, who stands indicted for a felony by him committed, again appeared in Court in pursuance of his recognizance renewed at the last term of the Court, and again came the Jury sworn and impanelled on Tuesday last for his trial, pursuant to their adjournment, and not having agreed upon a verdict, again retired to their room to consider thereof, and after sometime returned into Court, and upon their oaths do say, "We, the Jury find the Defendant, J. W. Rhinehart not guilty of the malicious wounding and causing great bodily injury to George Fawcett, as charged in the within Indictment, but we find him guilty of an Assault & Battery upon the said George Fawcett, in manner and form as charged in the within Indictment, and assess his amercement at Five Hundred Dollars - John M. Huffman, foreman. And it being enquired of the Defendant if anything for himself he had or knew to say why the Court should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the Commonwealth recover of the Defendant J. W. Rhinehart, the sum of $500.00, the amount of the Fine by the Jurors in their verdict ascertained, and other costs, by law in this behalf expended. And it is further considered by the Court that the said defendant, J. W. Rhinehart be imprisoned in the Jail of this County for the period of Thirty days, and thereafter, until the fine of $500.00, and the costs of this prosecution be paid, or he be otherwise discharged according to law. But it is considered by the Court that this period of imprisonment shall not commence until the expiration of the period of ninety days imprisonment imposed upon him in the suit of the Commonwealth against him for assault & battery upon Eq. K. Troyer, at a former day of this term of the Court, to-wit: Sept. 25th 1876. ^and there after until the said fine shall be assessed against him & costs of Law & prosecution be paid, or he be otherwise discharged therefrom by order according to Law^ And thereupon he was placed in custody of the Sheriff of this County, and committed to the Jail thereof.

Commonwealth, }
vs } Indictment for
James Goodloe } Larceny.

Commonwealth }
vs } Indictment for
James Goodloe } Larceny

Same, }
vs } Same.
Same. }

Same }
vs } Same.
Same. }

This day came again as well the Attorney for the Commonwealth, as the Defendant by counsel, and the Attorney for the Commonwealth entered a Nolle Prosequi in each of the foregoing Indictments against the Defendant, and it is therefore considered by the Court that they be dismissed.

Commonwealth, }
vs } Upon an Indictment for Burglary
Harvey Setterberry. }

This day came again as well the Attorney for the Commonwealth, as the Defendant by counsel, and the Attorney for the Commonwealth entered a Nolle Prosequi in the foregoing Indictment, and it is therefore considered by the Court that it be dismissed.

The Commonwealth

vs

Harvey Lotterberry & Henry Williams. } Upon an Indictment for Felony.

This day the prisoners Harvey Lotterberry & Henry Williams, who stand indicted for a felony by them committed, were again led to the bar of the Court in custody of the Jailor thereof, and the Attorney for the Commonwealth entered a Nolle prosequi as to Henry Williams, It is therefore considered by the Court the said Williams be discharged from custody, and go hence without day.

And on motion of the attorney for the Commonwealth and for reasons appearing to the Court, the trial of Harvey Lotterberry is continued until the next term of the Court. And thereupon he is remanded to Jail.

The Court doth order that the following-named persons be each allowed the sum of One Dollar, for their services, 1 day, at this term of the Court, upon the trial of G. W. Rhinehart for a misdemeanor, which is ordered to be paid by the Treasurer of this County, and certified to the Auditor of Public Accounts, viz:-

certified to Aud. of Pub. Accts.

George J. Kisling,	B. F. Riger,	George F. Mauck,
W. H. Whittaker,	L. C. Myers,	James P. McLeod,
James A. Pegrone,	Chas. D. Harrison,	L. H. Naylor
R. F. Weaver,	James F. Lowman,	R. A. Gibbons.

The Court doth order that the following-named persons summoned, and in attendance upon this term of the Court as Veniremen for the trial of Felony cases, be allowed the sums opposite their names for their said attendance and services, (being at $1.00 per day) and that the same be paid by the Treasurer of this County and certified to the Auditor of Public Accounts, viz:-

Wm. H. Funk,	$10.00	Henry B. Hamsberger,	$6.00	D. R. Conner,	$2.00
E. R. Rush,	8.00	F. A. May,	2.00	Cyrus L. Wise,	2.00
W. M. Shuler,	7.00	Geo. F. Mauck,	5.00	John F. Soule,	1.00
J. P. O'Fenall,	10.00	Geo. J. Kisling,	5.00	Jesse Summers,	3.00
Stephen Roadcap,	7.00	James P. McLeod,	5.00	John M. Maston,	3.00
John M. Life,	10.00	John M. Eamon,	5.00	J. A. Frank,	3.00
Wm. A. Rembush,	10.00	Robert F. Weaver,	5.00	Saml. J. Summers,	3.00
Patterson Greiner,	10.00	Daniel L. Harrison,	2.00	Jno. C. Ritchie,	3.00
R. G. Coakley,	7.00	Chas. D. Harrison,	3.00	Andrew Bazell,	3.00
S. H. Butler,	10.00	Shep. McCoy,	5.00	J. J. Mahone,	3.00
N. W. Dutrow,	10.00	R. A. Gibbons,	5.00	Robert Eastham,	3.00
Elijah L. Huffman,	10.00	Joseph Melick,	6.00	James Sanders,	3.00
John M. Huffman,	6.00	L. C. Myers,	5.00	J. L. Kerlin,	1.00
Benjamin Shumbo	1.00	J. M. Dutrow,	5.00	Saml. Showalter,	1.00
James A. Pegrone,	5.00	R. R. Fletcher,	5.00	Chas. N. Braithwaite	1.00
Edward L. Peale,	6.00	R. A. Stephens,	6.00	G. W. Showalter	1.00
Lewis M. Naylor	5.00	W. H. Bowman,	6.00	R. C. Douglass,	1.00
James F. Lowman,	5.00	W. H. Whittaker,	5.00	Wm. Liggett,	1.00
B. F. Riger,	5.00	Jesse L. Bocock	2.00		38.00
	142.00		99.00		

certified to Aud. of Pub. Accts.

Ordered That it be certified to the Auditor of Public Accounts that John Paul, Attorney for the Commonwealth for this County is entitled to the
c/fd&d. sum of Fifty Dollars for prosecuting in five cases of Felony at this term of the Court, to-wit:- Commonwealth vs Henry Raines- Same vs S. H. Rhinehart- same vs F. M. Rhinehart,- same vs James Goodlad & same vs Henry Williams, and also to the sum of Ten Dollars for prosecuting to conviction in six two cases of Misdemeanor, to-wit:- Commonwealth vs F. M. Rhinehart & same vs John S Rhinehart - total Sixty ---- dollars.

Wm Koontz,
vs
Henry Shacklett, surv. &c. } Upon a Notice to quash a Fi. fa:-

This day came again the parties by their Attorneys, and the Plaintiff by counsel, moved the Court to quash the Fi fa in the Notice mentioned and described, which motion, on consideration, the Court doth overrule, and it is therefore considered by the Court the Plaintiffs action be dismissed, and that the Defendant recover of the Plaintiff his costs, by him in this behalf expended.

B. F. Armentrout, Appellant,
vs
Joseph Randol, Appellee. } Upon an Appeal.

✓ An appeal bond having been given in this case, the appeal was improperly certified to this Court, and therefore the same is dismissed, and the Justice by whom the judgment was rendered, is directed to issue Execution upon the same: and that the Appellee recover his costs against the Appellant in this Court.

Ordered, That B. M. Rice be allowed the sum of One dollar for 1 days servi-
c/f&d.od. ces as viewer upon the Dry River & Dayton Road, and that the same be certified to the Treasurer of this County for payment out of the Levy for the year 1876, the account for the same having been presented, sworn to, and examined and allowed by this Court.

✓ Petition of The Royal Land Company of Virginia.
Ordered, That this Petition be placed upon the Courts docket.

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

Whereas, said Port-Republic Bridge has been erected at a cost of
c/f&d for J. W. Kite. Three Thousand dollars, exclusive of the abutments of stone on either side, Sixteen Hundred dollars of which was appropriated and paid by the County of Rockingham; and whereas there is still due on the construction thereof the sum of One hundred and fifty dollars, subject to a credit of Fifty Dollars, to John M. Wood, the contractor; and whereas the said bridge requires some additional outlay in order to protect and preserve it from the weather; and whereas it appears from the Petition of the President and officers of the "Port-Republic Bridge Company," and from evidence introduced, that the interests of the County of Rockingham will be subserved, if the said Bridge including the abutments and each and every part of the said Bridge, and each and every right of the said Company, so far as the control of the same for the free and uninterrupted use of the said bridge is concerned, should be

turned over to the County; and whereas the President and officers of the said Bridge Company in their petition aforesaid, express a willingness and desire to turn over the entire structure to the County of Rockingham, providing this Court will make an appropriation to meet the said indebtedness of One Hundred Dollars, and also, to make such repairs or improvements as may be necessary to preserve and protect the said bridge from the weather.

On consideration whereof, It is ordered that the sum of One hundred dollars be, and the same is hereby appropriated to pay the said indebtedness, and that Joseph N. Kite be, and he is hereby appointed a Commissioner to ascertain and report to this Court at the next term thereof, the repairs and improvements necessary as aforesaid, and the probable cost thereof; he is also directed to contract in writing with some party for the same, and report the said contract to this Court, for its ratification. But the said sum of One Hundred Dollars shall not be paid until the said "Port Republic Bridge Company" shall turn over to the County of Rockingham, the said entire structure, by instrument of writing, which shall meet with the Approval of this Court.

Levi S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $75.60, for receiving, boarding &c, sundry Prisoners, to August 31, 1876, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

c of D & d.

Mrs. M. C. Lupton, Proprietress of the "Revere House," this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $138.00 for boarding &c, the Jurors in the following cases of felony tried at this term of the Court, viz:- Commonwealth vs Henry Raines, 12 Jurymen, 7 days @ $1 per day ($84.00) - same vs J. N. Rinehart, 12 Jurymen, 1½ days @ $1 per day, ($18.00) - same vs J. W. Rinehart, 12 Jurymen, 2½ days @ $1. per day ($30.00) and for ½ days board, &c for 12 Jurymen at the August Term last of this Court in case of Commonwealth vs John Lawson, tried for forgery, ($6.00) 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 of D & d.

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

Chas. J. O'Connell,

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

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

John Henry Heusler, a native of Bavaria, a province of the Kingdom of Germany, appeared in Court, and on his motion, and it appearing to the Court from evidence introduced, that the said John Henry Heusler has resided within the United States of America more than five years since his majority, that he has conducted himself in a quiet and orderly manner, the said John Henry Heusler is permitted to declare his intentions to become a bona fide citizen of the United States, and thereupon the said John Henry Heusler appeared and took an oath that it is his bona fide intention to become a citizen of the United States of America, and that he renounces forever all allegiance and fidelity to all and every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly and especially to Ludwig, Prince of Bavaria, and William, King of Germany.

D. H. Roleton, Sheriff of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $13.75 for hire of horses & buggies and toll in conveying witnesses in the case of The Commonwealth against Henry Raines, tried for felony at this term of the Court, from their homes to the Court-House, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts, for payment. cap'd. ord.

D. H. Roleton, Sheriff of this County, this day presented in Court an Account against The Commonwealth of Virginia, amounting to the sum of $3.00 for hire of horse & buggy to convey a witness in the case of The Commonwealth against L. N. Rineheart, tried for felony at this term of the Court, from her home to the Court-house, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment. cap'd. ord.

The Commonwealth, } Upon an Indictment for Felony.
vs.
L. N. Rineheart,

This day, L. N. Rineheart, who, at a former day of this term of the Court was found guilty of Assault and Battery, appeared in Court in pursuance of his recognizance renewed at the last term of the Court, and it being enquired of him if anything for himself he had or knew to say, why the Court should not now proceed to pronounce judgment against him according to law, and nothing being offered or alleged in delay of judgment, It is considered by the Court that the Commonwealth recover of the Defendant, L. N. Rineheart, the sum of $175.00 the amount of the Fine by the jurors in their verdict ascertained, and her costs, by her in this behalf expended. And it is further considered by the Court that the said defendant, L. N. Rineheart be imprisoned in the Jail of this County for the period of 24 hours, and thereafter until the Fine of $175.00 and the costs of this prosecution be paid, or he be ~~discharged~~ otherwise discharged accord-

-ing to Law. And thereupon the defendant was placed in custody of the Sheriff afsd & committed to the Jail of this County.

On the motion of D.H. Rolston, Sheriff of this County, he is permitted to sum-
4th ord. - mon one person as a guard, in conveying to the Penitentiary of this State, John Lawson, convicted of Forgery at the last term of this Court and James Goodloe, convicted of felony at this term of the Court.

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

Chas. J. O'Ferrall.

In Vacation - October 7, 1876.

J. A. Rineheart, who was, on the 29th day of September 1876, sentenced by the County Court of Rockingham County, State of Virginia, to be confined in the Jail of said County for a period of twenty-four hours, and thereafter until a certain fine of One hundred and seventy-five dollars imposed upon him in a certain prosecution then pending in said Court in the name of the Commonwealth of Virginia against him, and the costs of said prosecution be paid, this day made application to me to be released from imprisonment without the payment of the said fine and costs, and the Attorney for the Commonwealth being present and waiving
f the Notice required by the Statute in such cases, and it appearing that a fieri facias in the name of the said Commonwealth against the said J. A. Rineheart has been duly issued from the Clerk's Office of the said Court for the said fine and costs, and has been levied by the Sheriff of said County on sufficient property of the said J. A. Rineheart to satisfy the same, who has given a bond with Susan Rineheart as his surety, conditioned for the forthcoming of said property on the day appointed for a sale of the same, and that by said levy and bond the payment of said fine and costs has been secured to the said Commonwealth. On consideration whereof, and after argument of Counsel on behalf of the said J. A. Rineheart as of the said Commonwealth, I am of the opinion that the law has been fully vindicated in this case, and no public good can result by the longer detention and imprisonment of the said J. A. Rineheart in the Jail of said County. It is, therefore, ordered that the said J. A. Rineheart be released from imprisonment, and that he go thereof without day, and thereupon he is released.

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

Chas. J. O'Ferrall,
Judge Rs. Co. Ct.

Teste,
J. P. Logan, Clerk

Monday, October 16, 1876.

At a County Court continued and held in and for the County of Rockingham, at the Court-House thereof, on Monday, October 16, 1876.

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

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

Mechanic's Lien.	St. Clair Detamore,	& The Dayton School Building Comm.
Same,	Samuel Shrum,	" same,
same,	Solomon Bruntner,	" same,
Article of Agreement.	Sunfield Lee,	& A. D. Armentrout,
Power of Attorney,	W. M. Barnaberger,	to Asher Angabright,
Bargain & Sale.	John D. Mills & wife,	" Wallace B. Minnick,
" "	David A Blecker,	" William Brancon,
" "	Wm. F. Burgandine & wife,	" Samuel Hoover & Wm. Moyers,
" "	John R. Swope & wife,	" Jacob Inskeep,
" "	John P. Good & wife,	" Lewis Powell,
" "	Margaret Pultwiler & others,	" Peter G. Pultwiler,
Trust Deed.	J. L. Heiskell,	" Chas. A. Yancey, trustee,
Bargain & Sale.	C. R. Rush, sub. Trustee of A. J. O Baden,	" G. S. Hopkins,
" "	Adam Pifer, Sen,	" James Huffman,
" "	James Huffman & wife,	" Adam Pifer, Sen,
Deed of Trust,	John A. Kepp & wife,	" Samuel R. Sterling, Trustee for S. H. Allebaugh &c,
Bargain & Sale,	Henry Huffer & wife,	" Harvey A. Smith,
" "	Wm. B. Compton, Commr,	" Caroline T. Coakley, wife of Walter T. Coakley,
Deed of Partition	Samuel J. Dandoredwife & David G. Dandoredwife,	" John S. Bowman,
Deed of Trust,	John S. Lewis & wife,	" Joseph D. Price, trustee,
Bargain & Sale,	William Shands, Commr,	" John Leedy,
" "	Philip Heller & wife,	" Samuel Haas,
Deed of Release,	Daniel P. Good's Exor.	" Peter Wenger,
Deed of Trust,	Peter Wenger & wife,	" N. H. Newman, trustee,
Deed of Lease,	Allen W. Baugher,	" The Royal Land Company of Virginia.
" "	Edward Herring,	" same,
" "	Thomas Powell,	" same,
" "	Joseph W. Baugher,	" same,
" "	Joseph Baugher,	" same,
" "	Jonathan Crawford,	" same,
" "	Alexander Eaton,	" same,
" "	Rebecca Lawson,	" same,
" "	Malinda Powell,	" same,
" "	Jacob Herring,	" same,
" "	Mary N. Shifflett,	" same,
" "	Wm. N. Crawford,	" same,
" "	Fayette Williams,	" same
" "	Lewis G. Long,	" same,
" "	David Myant,	" same,

Deed of Lease.	Emanuel Lawson,	to	The Royal Land Company of Virginia.
" "	Theophilus Lawson,	"	same,
" "	Elizabeth Bryant,	"	same,
Bargain & Sale,	The National Security & Impt. Company,	"	same,
" "	The Virginia Improvement Company,	"	same,
" "	Wm H. Carnicofe & wife,	"	same,
Deed of Lease.	James A. Shipp,	"	The National Security & Improvement Company,
" "	Meredith Knighting,	"	same,
" "	Solomon Shifflett,	"	same,
" "	Nicholas Breeden,	"	same,
" "	William G. Read,	"	same,
" "	B. F. Bond,	"	same,
" "	Zebulon D. Gilmer,	"	same,
" "	Samuel G. Long,	"	same,
" "	F. H. Law & Brothers,	"	same,
" "	George G. Strayer,	"	same,
" "	James H. Lilley,	"	same,
" "	Wm L. Weaver,	"	same,
" "	Henry Johnston	"	same,
" "	William Haynes,	"	same,
" "	Mary Ann Handshaw,	"	same,
" "	Charles Harner & Charles Sherman,	"	same,
" "	James H. Dofflemoyer,	"	same,
" "	Jameson H. Dovel,	"	same,
" "	Charles H. Sowers,	"	same,
" "	Philip P Shiflett,	"	same,
" "	Joseph Heichael,	"	same,
" "	H. F. Propst,	"	same,
" "	George Life,	"	same,
" "	David Gilmer,	"	same,
" "	Smith Sampson,	"	same,
" "	Virginia B. Carichoff	"	same,
" "	Wm H. Harner,	"	same,
" "	Jefe L. Bocock	"	same,
" "	Robert B. Cook,	"	same,
" "	Jacob Johnson,	"	same,
" "	W. T. McGahey,	"	same,
Bargain & Sale.	Israel Allen & wife,	"	Jackson Moatz,
" "	John Hiswander, (Old Deed)	"	John Hiswander & John Millebaugh, &c, Church Trustees,
" "	James W. Fitzwaters & wife	"	Jacob Snider,
" "	J. S. Bowman & wife & Nancy Lindsey,	"	Daniel Sanders,
" "	John H. Brown & wife,	"	Mrs Lydia Beery.
Deed of Trust.	Wm C Harrison & wife,	"	A. M. Newman, trustee,
" "	Jacob Garber,	"	John E Roller, trustee,
Bargain & Sale.	Jacob P. Effinger & wife,	"	James W. Bear,
" "	Isaac Musing & wife,	"	Simon May,
" "	A. M Newman, Trustee & S. B. Good & wife,	"	Noah Burkholder,
Deed of Trust,	Noah Burkholder & wife,	"	Wm. Shands, Trustee,
" "	Erasmus Taylor, trustee of May & Russell, &c.		J. C Staples, Trustee,
Bargain & Sale.	Lucy M. Skinner's Trustee,	"	Judson M Kent & Junius C Staples,

Bargain & Sale,	R. G. Coakley & wife,	to	Peachy R. Coakley,
" "	Warren S. Linty, Special Comm.,	"	Samuel B. Lord,
" "	Joseph Miller & wife,	"	Sallie Jane Armentrout, wife of A. D. Armentrout,
" "	John G. Mansfield & wife,	"	Noah Strouse,
" "	Noah Strouse & wife,	"	Baere & Shearen (Clayton)
" "	W. M. Shaeren & wife,	"	James M. Kelleran,
" " & Deed	Cyrus Rhodes,	"	E. Coffman jr. & E. Coffman jr. to Cyrus Rhodes

The Appraisement Bill of the Estate of Geo. P. Harris and the Appraisement & Sale Bill of the Estate of Lewis H. Rehard, were this day presented in Court, and no exceptions being taken thereto, the same are ordered to be recorded.

The following Settlements were this day presented in Court, and having been filed in the Clerk's Office of this County 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	C. C. Strayer,	Admr. of	Jacob Strayer, dec'd,
" " " "	Hiram Huffman,	" "	Magdalene Huffman, dec'd,
" " " "	Dy. A Showalter	" "	Joseph Seeger, dec'd,
" " " "	D. H. Tolston, Sh'ff	" "	James Fitzpatrick, dec'd,
" " " "	David Bowman, Exor.	of	John Bowman, dec'd,
" " " "	Simon Bowman,	" "	Samuel Bowman, dec'd,
" " " "	Saml. A Long, Jr.	" "	John Long, Jr. dec'd,
" " " "	C. A. Yancey,	Trustee for	Geo. A. Conrad,
" " " "	same,	" "	L. C. Myers,
" " " "	Samuel Shank,	" "	Catharine Breneman,
" " " "	Wm. L. Anders,	guardian of	Geo. W. Anders,
" " " "	Isaac Acker,	" "	Caroline C. Shoup,
" " " "	A. B. Larick,	" "	Martha H. Fitzgerald,

Ordered, That Joseph H. Kite, Registrar of Conrad's Store Precinct do copy and prepare new Registration Books for said Voting Precinct, and present his account for his services to this Court for allowance.

H. Aldrich Braithwaite this day presented in Court an Account against the County of Rockingham, amounting to $12.50 for materials furnished and repairing damages to Court House, by falling of the Clock weights, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

cap'd.

D. A. Westwood this day presented in Court an Account against the County of Rockingham, amounting to $18.00 for services in viewing Road from Keltys Mill to Whitmer's Blacksmith Shop, 1 day—on Road from Keltys Mill to Rockingham Mill Road, 2 days—on D. C. Breneman's lands 3 days & on lands of Mrs. Perry 2 days, @ $4 per day, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County, for payment out of the Levy for the year 1876.

cap'd.

John C. Beery is appointed Registrar at the voting precinct at Edom, in this county, to supply the vacancy occasioned by the removal from the District of Simeon Smith, the former Registrar.

On the motion of Emanuel Sellers, one of the heirs of Sarah Sellers, decd, and it appearing to the Court that said Sarah Sellers has been dead more than three months, and no administration had upon her Estate, It is ordered by the Court that her Estate be committed to D. H. Rolston, Sheriff of this County for administration. And on his further motion, the Court doth appoint R. N. Gibbons, Wm. B. Yancey, John J Wood, David Gilmer & H. Somers, to appraise the Estate of said Sarah Sellers, any three of whom may act, after first being duly sworn.

Issue pd. $1.00

Samuel Cooter, assignee of Morgan Whisler, Pltff
vs
Moses Sumner & wife, &c, Defts } Upon a sugr. Upon a notice.

George W. Cook, Pltff
vs
M. D. Haga, guardian of Fannie McAuley, Defts

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

This day William M. Sibley presented in Court an Account against the County of Rockingham amounting to $14.50 for repairing the chimneys to the Court House of this County, directed to be repaired by the Court, which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Treasurer of this County for payment out of the Levy for the year 1876.

cert'd &c.

Catharine Flick, Committee for Anna Flick, a person of unsound mind, this day presented in Court an Account against the Commonwealth of Virginia, amounting to $70.00 for the support and maintenance of said Anna Flick in accordance with the provisions of the order of this Court of the 18th day of April 1876, - from said 18th day of April 1876 to October 14, 1876 - 150 days at 40 cents per day ($60.00) and for clothing as provided by said order, 5 months at $2.00 per month ($10.00) which being sworn to, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

cert'd &c. to S. D. Al-lebaugh.

The writing purporting to be the joint last Will and Testament of Jacob Sites, Hannah Sites and Elizabeth Sites, was this day presented in Court, and being proven by the oaths of Reuben Kisling and Benjamin Kisling, two of the subscribing witnesses thereto, was admitted to probate and ordered to be recorded.

The writing purporting to be the last will and testament of Peter Roller, dec'd, together with three codicils thereto attached, and made part of said Will, was this day presented in Court, and said Will and the said codicils being proven by the oaths of John E. Craven, John L. Roller and Henry H. Roller, was admitted to probate and ordered to be recorded.

On motion of the Heirs of Rebecca Baker, dec'd, Samuel Carol, who made oath thereto according to law, appeared in Court, and together with Samuel Rickenberger, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $1,000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted

him for obtaining letters of administration in due form upon the Estate of said Rebecca Baker, dec'd. And the Court doth appoint Edward Huffman, John Root, Elias Craven & Samuel Craven to appraise the Estate of said Rebecca Baker, any three of whom may act, after first being duly sworn.

On the motion of G. W. Mulvey, who made oath thereto according to law, he appeared in Court, and together with C. R. Rush, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) a certificate is granted him for obtaining letters of administration in due form upon the Estate of Caroline Mulvey, dec'd.

It being believed that Samuel Liggett, deceased, died leaving a will, which has not yet been presented, on the motion of J. M. Liggett, the Court doth appoint Winfield Liggett, Curator of the Estate of said Samuel Liggett, till administration be granted if any be deemed necessary, and thereupon said Winfield Liggett appeared in Court, and together with Samuel M. Yost, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $5,000.00, conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified according to law as the Curator of the Estate of said Samuel Liggett, dec'd.

William Martin, aged 17 years, and John Samuel aged 19 years, infant children of John Ruebush, this day appeared in Court and made choice of John W. Landes as their guardian, and thereupon the said John W. Landes appeared in Court, and together with J. N. Whitmer, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $350.00, conditioned according to law, (waiving the benefit of the Homestead exemption, and qualified according to law as the said guardian.

Archie M, aged 14 years, infant child of John Ruebush this day appeared in Court, and made choice of J. N. Whitmer as his guardian, and the Court doth appoint the said J. N. Whitmer as guardian of Lizzie M, another infant child of said John Ruebush, aged 9 years, and thereupon the said J. N. Whitmer appeared in Court, and together with John W. Landes his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $350.00, conditioned according to law, (waiving the benefit of the Homestead exemption, and qualified according to law, as said guardian.

On the motion of Sarah Hellert, the wife of Levi Hellert, dec'd, John W. Thomas is appointed the Curator of said Estate, and thereupon the said John W. Thomas appeared in Court, and together with W. W. Hellert, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $800.00, conditioned according to law, and qualified as the Curator of the Estate of said Levi Hellert, and the Court doth appoint Joshua Mumpler, Frederick Killyard, Sen. and John P. Zigler, to appraise the said Estate, after first being duly sworn.

Commonwealth.
vs.
Harvey Sotterberry. } Upon an Indictment for Felony.

The prisoner, Harvey Sotterberry, late of the County of Rockingham, who stands indicted for a felony by him committed, was this day called to the bar of the Court in custody of the Jailor thereof, and thereupon came nine of the Veniremen summoned for his trial, who being examined by the Court, eight of whom, viz:- S.R. Allebaugh, A.B. Armentrout, G.B. Strother, C.N. Harper, Geo. W. Mauck, Jesse Kiser, John S. Lewis and Henry Pulse were found to be duly qualified and free from exceptions; and thereupon eight additional Veniremen were summoned from a List furnished by the Court, who appeared, and being examined by the Court, were found to be duly qualified and free from exceptions, viz:- James A. Linaweaver, Henry Zirkle, Henry J. Showalter, Charles O. Black, Wm. E. Bowman, Lewis Driver, S.S. Taylor and E.H.B. Huffman; the panel of sixteen being thus completed, the prisoner was furnished a copy thereof, and having stricken therefrom the names of four persons of said panel, viz:- A.B. Armentrout, John S. Lewis, Henry Pulse and S.S. Taylor- the remaining twelve of said panel, viz:- S.R. Allebaugh, G.B. Strother, C.N. Harper, Geo. W. Mauck, Jesse Kiser, James A. Linaweaver, Henry Zirkle, Henry J. Showalter, Char's. O. Black, Wm. E. Bowman, Lewis Driver and E.H.B. Huffman, thereby constituting the Jury, who being so elected, tried and sworn, well and truly to try, and true deliverance make between the Commonwealth and the prisoner at the bar, and a true verdict render according to the evidence, and having fully heard the evidence and argument of counsel, retired from the bar to consider of their verdict, and after some time returned into Court, and upon their oaths do say, "We the Jury, find the prisoner Harvey Sotterberry, guilty in manner and form as charged in the within indictment, and ascertain the term of his confinement in the Penitentiary at one year.- S.R. Allebaugh, foreman.

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

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

certified to the Aud. of Pub. Accts.

S.R. Allebaugh,	$1.00	G.B. Strother,	$1.00	C.N. Harper,	$1.00	Geo. W. Mauck,	$1.00
Jesse Kiser,	1.00	Jas. A. Linaweaver,	1.00	Henry Zirkle,	1.00	Hy. J. Showalter,	1.00
Chas. O. Black,	1.00	Wm. E. Bowman,	1.00	Lewis Driver,	1.00	E.H.B. Huffman,	1.00
W.H. Whitaker,	1.00	A.B. Armentrout	1.00	Henry Pulse,	1.00	Jno. S. Lewis,	1.00
S.S. Taylor,	1.00						

C.T.

Ordered, That Court do adjourned until to-morrow evening at 4 o'clock.

Chas. S. O'Ferrall.

At a County Court continued and held in and for the County of Rockingham, at the Court House thereof, on Tuesday, October 17, 1876.

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

cert'd & d. L. S. Byrd, Jailor of this County, this day presented in Court an Account against the Commonwealth of Virginia, amounting to the sum of $177.12 for board, &c. of sundry prisoners from July 27th to October 10th 1876, which being sworn to in open Court, was examined and allowed by the Court, and ordered to be certified to the Auditor of Public Accounts for payment.

J On motion of Wm B. Compton, the Estate of Winston Shifflett, dec'd. is committed to D. H. Rolston, Sheriff of this County, for administration, it appearing to the Court that he has been dead more than three months, and no one having administered upon his Estate.

It appearing to the Court from the certificate of J. S. Hammerberger, a Notary Public, that Mary J. Hartman, infant over the age of 14 years, had appeared before him, and made choice of her father, Samuel Hartman as his guardian, on the motion of said Samuel Hartman, he appeared in Court, and together with Abraham B. Burkholder, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $200.00 conditioned according to law, (waiving the benefit of the Homestead exemption, and qualified according to law as said guardian.

M. Kate Hannah, Nathaniel B. B. Hannah & John H. Hannah, infant children of Nathaniel H. Hannah & Catharine B. Hannah, dec'd, over the age of 14 years, this day appeared in Court, and made choice of M. M. Silbert as their guardian; and thereupon on the motion of said M. M. Silbert he appeared in Court, and together with Granville Eastham, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $5.000.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified according to law, as the said guardian.

On the Petition of John Evers, guardian of Catharine Brondage, Abraham H., John L., Elizabeth S. M., Anna B. and Daniel E. Evers, children of John Evers, and great grand-children of Gabriel Heatwole, late of this County, appointed as such guardian, by the Probate Court of the County of Marion, in the State of Kansas; it appearing to the Court the said appcap & d & fwd to Gd. pointment and qualification ~~and exhibited~~ was lawful, and that the said infants are residents of the said County of Marion and State of Kansas, and that there is money or property in this County to which they are entitled in the hands of Abraham G. Heatwole and Simeon Heatwole, Executors of said Gabriel Heatwole, It is ordered that the said Executors be and they are hereby directed to pay and deliver to the said John Evers, guardian as aforesaid, or his agent, or attorney, all personal property and money in their hands belonging to said infants and wards as aforesaid, and the said guardian is hereby authorized in case of default upon the part of the said executors

to sue for, recover and receive all money or personal property which may belong to his said wards, including any accruing rents of any real estate if any belonging to said wards, and the said guardian is further authorized to remove said money, property and accruing rents to the County and State aforesaid, in which he was appointed and qualified.

Thomas H. Weaver, Constable of Stonewall District in this County, this day tendered his resignation as said Constable, which is accepted by the Court, and the Court doth hereby appoint V. H. Law, Constable of said Stonewall District, to fill the vacancy occasioned by the resignation of said Thomas H. Weaver; but this appointment of the said V. H. Law as Constable aforesaid shall not take effect until he shall have qualified and given bond in the penalty of $4.000.00 conditioned according to law, either in term time or vacation.

On the application of A. M. Newman, it appearing to the Court that the Report of Survey and Plat of A. C Bear, Surveyor of Rockingham County of a Tract of Land containing 147 Acres situated about 2 miles S. E. of Keezletown, Rockingham County, on the N. side of the Peaked Mountain, adjoining the lands of Solomon Bustice, Aug. Annenteout, Reuben O. Keezle & others, and assessed upon the land books of this County to Darcy Dorman Lofland's Estate and sold by the Treasurer of Rockingham County as delinquent Land on the 15th day of December 1873, to said A. M. Newman, for the non-payment of Taxes for the years 1867-1869 & 1871, as appears to the Court by the certificate of S. R. Allebaugh, Treasurer of Rockingham County, are made according to law, It is ordered that said certificate and Survey and Plat be recorded in the Clerk's office of the County Court of this County.

cert. on Report, &c. and made. ✓

Upon the application of D. H. Sanders, Geo. M. Effinger & others, for the establishment of a Public Road commencing at the Pleasant Hill School House on the Warm Springs Turnpike and leading through the lands of Joseph Bowman and Abraham Kiegardner, Col. A. S. Gray & Samuel Hartman to the Valley Pike,

1 & 2 copies. ✓

The Court doth appoint Geo. J. Kisling, Geo. M. Effinger & J. J. Rutter viewers, to view the ground, and report to this Court at its next term:- First, the conveniences and inconveniences that will result, as well to individuals as to the public, if such road shall be established as proposed, and especially whether any yard, garden, garden, orchard, or any part thereof, will have to be taken. Second:- They shall further report the facts and circumstances, in their opinion, useful in enabling the Court to determine the expediency of establishing the road. They shall report the names of the land-owners on such route, and state which of them require compensation, the probable amount, in their opinion, to which such party may be entitled, and any other matter which they may deem pertinent. They shall not locate any route on which there may be a grade at any one point exceeding six degrees, and shall endeavor to locate a route which shall not exceed five degrees at any one point. A map or diagram of the route they may favor, with courses and distances, shall be returned with their report. A statement of the number of days each viewer and Surveyor was employed in executing this order, shall be appended to the Report, and sworn to before a Justice of the Peace, or other officer, who shall append his certificate to the same. Any defect in the action or Report of the viewers, will debar them from receiving pay for their services.

Ordered, That Rules be awarded against David N. Bowman, Abraham Anders, Isaac Yeager, George K. Adams, Milton Peirce, Samuel Bailey, John A. Bailey, Joseph Rhodes, C. R. Bowman, & P. D. Byerly & John F. Roulhof, returnable to the next term of this Court, for their failure to appear at this term of the Court as Petit-jurors for the trial of felony cases at this term of this Court.

G. W. Cook, Pltff
vs
Wm. D. Kaga, Deft. } Notice to give new bond as guardian of Fannie Weakley.

This day came again the Plaintiff, by counsel, and on motion of G. W. Cook surety of Wm. D. Kaga in his official bond as guardian of Fannie Weakley, to require the said Wm. D. Kaga to execute a new bond with new security, and reasonable notice of this motion being proven, and the defendant appearing not, It is ordered that the powers of the said W. D. Kaga as such guardian be and are hereby revoked.

Ordered, That it be certified to the Auditor of Public Accounts, that John Paul, Attorney for the Commonwealth for this County, is entitled to the sum of Two Dollars, for prosecuting in one case of Felony, at this term of the Court, to-wit:- Commonwealth against Harvey Lotterberry.

Ordered, That the foregoing allowance order to John Paul, be set aside.

Ordered, That this 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, October 18, 1876.

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

It appearing to the Court from the certificate of F. P. Logan, Clerk of this Court that Hannah F. Heatwole infant of David N. Heatwole, over the age of 14 years, had appeared before him and made choice of David N. Heatwole as her guardian, on the motion of said David N. Heatwole he appeared in Court, and together with David N. Poleton, his surety, (who justified as to his sufficiency,) entered into and acknowledged a bond in the penalty of $300.00 conditioned according to law, (waiving the benefit of the Homestead exemption,) and qualified according to law as said guardian.

Commonwealth,
vs
Harvey Lotterberry, } Upon an Indictment for Felony.

The prisoner, Harvey Lotterberry, who was, at a former day of this term of the Court, convicted of a felony by him committed, was this day again called to the bar of the Court in custody of the Jailor thereof, and by counsel moved the Court to set aside the verdict of the jury, and grant him a new trial, which motion, on consideration, the Court doth overrule, and thereupon the prisoner by counsel, excepted to the opinion and action of the Court, in overruling his said motion; and it being enquired of the prisoner if anything for himself he had, or

shew 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 Harvey Lotterberry be imprisoned in the Public Jail and Penitentiary House of this Commonwealth, for the term of One year, (the period by the Jurors in their verdict ascertained,) at 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 Harvey Lotterberry from the Jail of this Court to the Public Jail and Penitentiary House of this Commonwealth, there in to be kept imprisoned, and treated in the manner directed by law, for the term aforesaid.

Memo:- Upon the trial of this cause, the prisoner, by counsel, excepted to the opinion of the Court in overruling his motion to set aside the verdict of the Jury, and grant him a new trial, and tendered his bills of exceptions thereto, which he prays may be signed, sealed and enrolled, and made a part of the record in this cause, which is accordingly done, and is in the words and figures following, to-wit:- Commonwealth @ Harvey Lotterberry" &c.

On motion of the prisoner, by counsel, the Court doth suspend the execution of its judgment for the period of 30 days. And thereupon, the prisoner was remanded to Jail.

Ordered, That it be certified to the Auditor of Public Accounts, that John Paul, Atty. for the Commonwealth for this County, is entitled to the sum of Ten Dollars, for prosecuting in one case of Felony at this term of the Court, to-wit:- Commonwealth @ Harvey Lotterberry. cap. sd.

Samuel G. Bowman, Appellant
Wm. Rehe @ } Upon an appeal from a Justice } Upon an appeal from a Justice

This cause, by their Attorneys, and this, by their Attorneys, and all the evidence and argument of now consideration thereupon now consideration thereof the Court doth reverse the fee, rendered on the 4th. inst, rendered on the 4th. day of August 1876, appealed from, and doth adjudge that, and doth adjudge that the Eleven bushels of Wheat in Thompson Steele, bonds Thompson Steele, Constable, is liable to levy under the Fi Fa in favor William Rehe and, in his favor William Rehe, in his hands and that the claimant, has no claim to said, has no claim to said wheat superior to the lien of the Fi Fa the Court doth adjudge the Court doth adjudge that the said William Rehe and recover of Bowman, his costs in Bowman, his costs in the forementioned, and in this behalf.

James Moore, Atty,
Giles A. Jackson, Deft. } Upon a warrant removed from a Justice,

In this cause, by consent of parties, through their counsel, in open Court, It is considered by the Court that the Plaintiff, recover of the Defendant the sum of $35.00, with legal interest thereon from the 24th. day of January 1873, fee paid, but without costs.

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

Chas. J. O'Farrell.

In Vacation.

Before the Judge of the County Court of Rockingham County, this 23d. day of October 1876.

W. H. Lam, who was, at the October Term 1876 of the County Court of Rockingham County, appointed by said Court, Constable of Stonewall District in said County, to fill the vacancy occasioned by the resignation of P. H. Weaver, late Constable of said District, to serve as such until his successor is qualified to enter upon the discharge of the duties of said office, this day personally appeared before me, Chas. P. O'Ferrall, Judge of said Court in vacation, and together with Francis W. Kirtley and A. N. Peale his sureties, (who justified as to their sufficiency,) entered into and acknowledged a bond in the penalty of Four Thousand dollars, conditioned according to law, and qualified as such Constable, by taking the several oaths required by law,

All of which is hereby certified to the Clerk of said Court, who is directed to spread the same on the Order Book of his said Court as a vacation order, and to record the said bond as directed by law,

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

Teste,
J. D. Logan, Clerk.

In Vacation.

By the Judge of the County Court of Rockingham County, this 6th day of November 1876.

William N. Gay, one of the Judges of Election at Harrisonburg Precinct in Central District in said County, appointed by the said Court as directed by law, having this day tendered his resignation, which is hereby accepted on account of his physical inability to discharge the duties of said office, I, Charles P. O'Ferrall, Judge of said Court, do hereby appoint Anthony Hockman, a Judge of Election for said Precinct in said District, to fill the vacancy occasioned by the resignation of the said Gay, to serve as such until his successor is appointed and qualified to enter upon the duties of said office, and the said Hockman is hereby directed forthwith to qualify by taking the oaths prescribed by law.

All of which is hereby certified to the Clerk of said Court as a vacation order, and the said Clerk is hereby directed to spread this same on the Order Book of his said Court.

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

Teste,
J. D. Logan, Clerk.

In Vacation.

By the Judge of the County Court of Rockingham County this 6th day of November 1876.

William N. Gay, one of the Commissioners of Election for the County of Rockingham, to canvass the Election Returns of said County, appointed by the said Court as directed by Law, having this day tendered his resignation,

which is hereby accepted on account of his physical inability to discharge the duties of said office, I, Charles T. O'Ferrall, Judge of said Court do hereby appoint Anthony Rockman a Commissioner of Election for said County of Rockingham, to fill the vacancy occasioned by the resignation of the said Gay, to serve as such until his successor is appointed and qualified to enter upon the duties of said office, and the said Rockman is hereby directed forthwith to qualify by taking the oath prescribed by law.

All of which is hereby certified to the Clerk of said Court as a matter of record, and the said Clerk is hereby directed to spread the same on the Order Book of this said Court.

Chas. T. O'Ferrall,
Judge Rc. Co. Ct.

Teste, J. D. Logan, Clerk.

In Vacation.

Before the Judge of the County Court of Rockingham County, State of Virginia, this 15th day of November 1876.

Henry Raines, who was, at the September Term 1876, of said Court, convicted of involuntary manslaughter, and fined by the Jury One Hundred Dollars, and sentenced by the Court to imprisonment in the County Jail for thirty days, and thereafter until the said fine and costs of the prosecution were paid, or he be otherwise discharged according to Law, this day made application to me, Judge of the said Court, in vacation, to be released from imprisonment without the payment of the said fine and costs of which application, the Attorney for the Commonwealth had due notice.

On consideration whereof, and after hearing the evidence adduced, and the argument of counsel, on behalf of the Commonwealth as well as on behalf of the prisoner, it appearing from the evidence that the said prisoner is totally insolvent, and has no means and estate, money, with which to pay the said fine and costs, or any part thereof, I am of the opinion on account of the said insolvency of the prisoner, and for other reasons appearing to me in evidence, that, the law having been vindicated by the confinement in Jail of the prisoner the said 30 days, public interests and public policy will not be promoted by the longer detention and confinement of the said prisoner. I do, therefore, order that the said Henry Raines be discharged from the custody of the Jailor of said County, and go thereof without day, which is accordingly done.

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

Chas. T. O'Ferrall,
Judge Rc. Co. Ct.

Teste, J. D. Logan, Clerk.