ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

Minute Book 3 1795-1797

Ch 2.

Commenced Sept 2nd 1794
Finished Nov. 12th 1794

Minute Book

Commencing at January Court 1795 in the 19th Year of the Commonwealth and Ending at February Court 1797

[redacted]

Rockingham to wit

At a Court held for the said County, Monday the 26th day of January 1795.

Present. William Herring, Ez Harrison, John Ewell & Joseph Baxter } Gen.l Justices

ch.d The last wild Testament of Anthony Hoffer was proved in Court by the Exors therein named & prov.d by the oaths of the Wit thereto &c. and on the Motion Joseph Hoffer one of the s.d Exors a Certificate is granted him for obtaining a Probat thereof in due form he having ent.d into & acknowledged Bond & made oath as the Law directs

Ord.d Bill Lynn dec.d to John Reese acknowledgment proved by the oath of the Wit thereto &c.

Do Lynn dec.d to Asa Smith proved by the oaths of the Wit thereto &c.

Do Kessel dec.d to Peter Peter acknowledgment proved by the oaths of the Wit thereto &c.

ch.d Ord.d John Mayo and Asher Wiseman Gent be appointed to examine & state the Estate &c. of George Carpenter dec.d with Geo.g Carpenter the Exor of the Deceased & make Report thereof to the Court

ch.d Ord.d Benj.a Fawcett Ez Harrison Gent be appointed to Examine & state the Estate &c. of Charles Shultz dec.d with the Exors of the s.d dec.d and make Report thereof to the Court.

Ord. Lewis Corbin Mill & Adgd Dammum Non Ex. by the Jury with the Jurors Enquest in these words to wit We a Jury &c do &c — whereupon George Chilles whose Lands will be overflowed by erecting s.d Dam personally appearded Court and Consent.d to the s.d Corbin Erecting the s.d Dam and thereupon it is Ord.d that the s.d Corbin be Permitted to Build his s.d Mill as the Laws Direct he paying to Abraham Byrd or his Representatives for the Acres of Land Condem.d by the s.d Jurors.

Ord.d George Hooton, Wm Thornbrough, Matthias Doak & Wm Bell or any three of them being first Sworn be appointed to Appraise the Slaves & Personal Estate of Charles Hoffer dec.d & make Report thereof to the Court as the Laws Direct —

Ord.d Valentine Wood be appointed Overseer of that part of the Road which Isaac Alexander in the room of the s.d Dever, and that the Tithables allotted to work thereon be assigned him for his Gang to work thereon & keep the same in good Repair.

Matthew Gamble produced a Com.n from the Lieuten.t Governor of Virginia under the Seal of the Com.th wherein he is Constituted Appointed Escheator of the County of Rockingham who with Security entered into Bond Act.d as the Law Directs which is Ord.d to be Recorded and took an Oath appertaining to his Office

On the Petition of Henry Good &c for a Viewe of a way for a Road from the County Line of Shenandoah near Phillip Rodes to the Town of Harrisonburg It is Ord.d that Henry Good, John Elmore, Reuben Moore & Thomas Elmore & any three of them being first Sworn be appointed to View the same together with the Old Way and make Report of the Comparative Conveniencys & Inconveniences attending each Way as the Law Directs —

1st Ord Adm'r Appeal Dep to John Lewis admr &c Wages admr taken 10/6

Ord Adm'r Supt Lewis to Geo. Medc Lieut admr &c 10/6

Ord Ord Benjn Harrison & Wm Herring be appd to Examine Lately the Estate of Jno Wade Shank dec'd with Henry Lusk the Exor & make Rept thereof to the Court

Ord The Appraisement bill of Henry Snider dec'd Ex'd 10/6

Present Andrew Shanklin Gent

Ord Adm'r Huffman &c to Fred'k Body admr &c Wages admr taken &c

Ord Mich'l Huffman dep to Geo. Huffman admr &c Wages admr taken 10/6

Present Benjamin Sawcett,

Ord An Appraisement bill of the Estate of Sam'l Sanders dec'd Ex'd 10/6

Ord Appraisem't bill of Estate of Martin Witzel dec'd Ex'd 10/6

Ord Ord William Higgins be appd Overseer of the road from Thomas Graham to Dry Creek and that all the Tithables dwelling two miles on each side of said road be appd to work thereon & keep the same in good repair &c and that so much of the Order of this Court last as directs him to work on the said road as far as Francis Higgins be set aside

Eleanor Hyle orphan of Henry Hyle dec'd came into Court and made Choice of Sam'l M Williams as her Guardn whereupon the said Sam'l with Lewis Bond entered & acknowledged a Bond Conditioned as the Law directs

Ord The Sheriff pay unto Asher Waterman the sum of Ten pounds eleven Shillings & six pence out of the Depositeum for the year 1794 for a stove furnished the Court House

Present Benja Harrison, John Boyt. Asher Waterman and Jno Scott

Gabriel Jones Esqr having resigned the Deputy Attorneyship of this County the Court proceeded to appoint a successor whereupon Alfd David Holmes Esqr was appd

Nancy Ewen Orphan of Henry Ewen Decd appeared in Court and made choice of Solon Ewen as her Guard who with Security entd into Recg as the Law directs

The Court doth recommend to his Excellency Robt Brooke Esqr Govr of this Comth Thos Charles Lewis, John Wren & James Riggs as fit Persons to be added to the Commission of the Peace for this County

Ord Fredk Dove be appd Overseer of the road whereof George Dove was late Surveyor in the room of Christian Kiplinger and that the usual Tithables allotted to work said road be assigned him for his gang to thereon & keep the same in Repair

Ord Whitmyer vs Estan Attas Contd for Cond

Ord John Ewen jr be appd Surveyor of the Road from Isaiah Shipman's to the County line of Augusta and that all the Tithables within two Miles on each side of said be allotted him for his gang to work thereon & keep the same in good Repair &c

Ord James Riggs be appd Surveyor of the Road from Dry River to Isaiah Shipmans and that all the Tithables within two Miles on each side of said Road be allotted him for his gang to work thereon & keep the same in good Repair &c

Ord Alfd Harrison &c to mon Abering, acknd &c

Thos Hair vs Cooke Attas Reis ag

24 Smith v. Seamen &c. upon a Constitution for the Delivery of Property Notice prov? Ord? & Decree awarded

Absent Andrew Shanklin Gent

Ord? Gabriel Long Esqr be all? £25. for his Serv?s as Com?r for the County for the year 1794.

Ord? the Court be adjourn? until 10 o'Clock tomorrow Morning

Benj? Harrison

Tuesday the 27th day January 1795.

Present William Heming, Ezekiel Harrison, John Wayt, Asher Waterman & Benjamin Fawcett } Gent. Justices.

Chr Swanstler v. Ewins Dr?

The several Defendants having filed their Answers and thereby denied the Equity of the Complainants whereupon this Cause came on to be heard upon the bill, Answers and other Exhibits, and thereupon the Defts by their Counsel having objected to the several Depositions of the Compts It is Ord? the same be Com? until March Court next & and that Commissions be awarded the parties to take Depo? of Witnesses &c

This day James Ewins produced his a/c for his Services as a Commissioner of the Revenue for this County for the year 1794 amounting to Ninety Days and the Court have considered that the time was Requisite for the Com? to perform the Services aforesaid, Having made oath thereto the same is Ordered to be certified as the Law directs

Smith vs Raines Def? agreed

Williams v. Turley } parties heard & Judgement
Pl? account Nonsuit

6

And Dean vs Hamilton Dis? agreed //

And Hentor vs Fowler & Cont?

And Harmon vs Vetzel Cont? dito.

And Long vs Funk Cont?

And Matthews vs Hentor

And The same vs Evans Dis? agreed //

And Potter Asp? vs Magee Cont? dito.

6th Day. Henry Showalter Not having been Sum? agreable to an Order of last Court to Shew Cause why a Road should not be Asp? agreeable to Report made by the Viewers, Ordered that New Summons's issue returnable to Next Court.

6th Day. Ord? that John Cavett be Asp? as Constable & that he qualify as the Law directs

Andrew Shanklin Gent late Sheriff produced to a Settlement with the Court for County Depositum of the year 1791. a Statement whereof is as follows to wit.

Andrew Shanklin ——— Dr.

To a Depositum for the year 1791		£201 11 6.
By Cash p? Andw Shanklin for finishing the inside work of the new Court house	£165 0 0.	
" Do paid Rich? Magee & Lincoln's Receipt	5 6 2½.	
" Do p? Frederick Spangler's Do.	0 19 0.	
" 226. Delinquents Lists Cet? at 2/6.	28 5 0.	
" Sheriff Commission for Collecting Depos?	10 1 6½.	
" David Spangler for New Locks & Pillon p? Wolfenbarger's Receipt	4 11 0.	
Balance due the County		£194 2 10.
		10 7 8
By Cash p? by Samuel & William for Work done to that part of the new Court House which remained unfinished		£7 8 8.

Ordered that John Thomas Gent late Sheriff be allowed a further Credit of Ten Pounds for so much paid Henry Ewing York, late Clk. in his Lifetime as an allowance for Copying the List of Tithables pursuant to Act? of Assembly in that case made & provided, and that so much of any Order heretofore made for allowing the same in case any should appear be set aside

On the Motion of Alexander Henning Gent. Surveyor of this Co. It is
Ord.d by James Allen & John Williamson Esqrs. or any one of them
be appd to Examine George Hunter touching his Capacity & fitness
as a Surveyor & make Report thereof to the Court.

Ordered that John Thomas Gent. late Sheriff pay unto Samuel M.Williams
four pounds Out of the Deposidum in hand for the year 1782 & 1783.
and that he have a further Credit for the Same.

Ord.d that an Election be held in the East District ~~for a Member~~
at the House of Adam Hamslarger for the purpose of Choosing
three fit & Discreet persons to act as Overseers of the poore for s.d District
on the Monday the 16th day of Feb.y and that ~~James~~ ~~Lyon~~
John Rush be appointed to superintend the same — also an
Election to be held in the North District on the same day
for the same purpose at the House of George Spears and
that John Lincoln be appd to superintend the same —
also that an Election be held in the South District on
the day aforesaid at the Court house of the s.d County, and
that John Wayt Gent be appd to superintend the same
and that the Sheriff give Public Notice to the freeholders
& House keepers in each District of the time & places
for holding the same —

James Allen & John Williamson Return their Report of
the Examination of George Hunter touching his Capacity ability
and fitness as a Surveyor. and finding him duly qualified
to act as such is admitted a Deputy under Alexander Henning
Gent Surveyor of this County whereupon the s.d G. Hunter
took an Oath appertaining to his Office.

Ordered that the Court be adjourned until
Court in Course.

Wm Henning C

Rockingham County to wit.

Monday the 23rd day of February 1795.

At a Court held for the said County

Present. Benjamin Harrison
Andrew Franklin
Leyton Yancey Jr
Joseph Baker } Gent Justices.

Thompson ag Hawkins Contd pltf Costs.

Ord. Pyrant to Moyers the wife of Thomas Lowry acknowledged the same & thereupon examination taken as the Law directs & Ord

Ord Deed Harrison to Read acknowledged & Ord

Ord Deed Keane, Deadlone to Jackson proved by Wit thereto & Ord

Ord Deed Ludy Lee to Judy acknowledged & Verses acknowledged & taken & Ord

Ord Deed Hyle to Knight proved by the Witness thereto & Ord

Ord Deed Feezle & George Elsey & acknowledged & Verses acknowledged & taken & Ord

Nancy Barnett came into Court & made Choice of Bazil Dyer her Guardn who with Security entered into & acknowledged Bond as the Law directs

Rachel Beard & Patience Upshaw Exrs of James Beard Decd came into Court & made choice of Isaac Williams their Guardn who with Security entered into & acknowledged Bond accordingly

And The Last will & Testament of Adam Biddle Decd was presented in Court and proved by the Oaths of Two of the Wit. thereto & Ord and on the Motion of George Biddle Exor & Love Biddle Widow & Relict of the Said Decd & Exrx therein named a Certificate is Granted them for obtaining a Probat thereof in due form they having entered into Bond Security and made Oath thereto as the Law directs.

Absent Leyton Yancey. Present Ez Harrison Gent.

And The last will & Testament of Barbara Boyer was presented in Court and prov.d by the oaths of the Wit.nesses thereto & O.M. and on the Motion of Josh.a Boyer exor therein named a Certificate is granted him for Obtaining a Probat thereof in due form he having with Sec.y entered into & acknl.d Bond and made oath thereto as the Laws direct.

And Reed Bundy dec.d to Maggatt acknl.d & pro.d per oath of Wit.nesses O.M.

And Harrison pl.t to Walsh acknl.d Bail

Ord.d Mich.l Trout be appointed Surveyor of that part of the road whereof Thomas Bryant was late overseer in the room of the said Thomas and that all the male Tithables, attached to work on the said Road be assigned him for his & any to work thereon & keep the same in good repair

Ord.d That George Huston Archibald Taylor Samuel Swetnam and Jacob Perry or any three of them

On the Petition of David Harned for a View of a way for a Road from John Hustons to Cade Run, a direct Course from the said Hustons to the line Between David Harned & John Hites Land & with the same to where it intersects with the old Road and with the same to Cade Run. It is Ordered that George Huston, Archibald Taylor, Sam.l Swetnett & Jacob Perry or any three of them being first Sworn do repair to View the same & make Report of the Conveniences & Inconveniences attending the same as the Law directs

And Reece Price to Nicholas acknl.d Bail

And Ditto Smith to Kingery acknl.d by Benjamin Smith att.y in fact for Bail

And Ditto Hesten Lee to Loan acknl.d per sheriff acknl.d Letter O.M.

And Ditto Mary Dew & Margarett McArdle to Hesten acknl.d and the Principal Plaint.f by the Mary per sheriff & the said McArdle Letter as the Law directs

Leyton Yancey Gent produced in Court a Commiss from under the hand of Johnston Mosse Lieutenant Governor of Virginia dated present year who with Sec.y entered into three Several Bonds Conditioned as the Law directs which were acknl.d by the Obligors thereto & O.M. who took the usual Oaths of Qualification in that case made & provided

40

John Rusk Esqr. this day reported that pursuant to an Order of Court to him directed for the purpose of superintending an Election of three fit & discreet Persons to act as Overseers of the Poor for the East District of the Parish & County of Buckingham, & the Town of Scottsville, John Scott & John Carter Esqrs. & Jacob Tesor were duly elected

John Wayt Gent. reported that no election attended for the purpose of Choosing three discreet persons to act as overseers of the Poor for the South District. John Lenoir for the North District the same.
Present Wm Harris & John Price Gent.
Absent Benj. S. Harrison Gent.

Sally Ewin an orphan of Henry Ewin dec'd. from under her Guard. Mr. Jacob Choice of John Ewin is as her Guardn. who with the Ld. entered into & ack. his bond conditioned as the Law.

And Graham vs Gray Pet. upon a bond taken for the delivery of property. Notice prov'd & Judgmt. awd. Peron according &

And Comth vs Stone upon a Recognizance for a breach of the peace on the complaint of Jacob Johnson. whereupon the Dft. Wm. Stone is arrd. & dispd. in discharge of his Recognizance & their heard the Court are of opinion that the said Wm. Stone is guilty of the breach aforesaid and that he be bound in the sum of Forty Dollars, and two Securities in the sum of Twenty Dollars each, or one Sufficient Security in the sum of forty Dollars, whereupon the said William Stone & Smith Leftwich his Securety dispd. in Court & acknd. themselves Indebted unto his Excellency Robert Brooke Esqr. Govr. of this Comth. in the Sum of Eighty Dollars that is to say the said Wm. Stone in the Sum of forty Dollars & the Ld. Smith Leftwich in the Sum of forty Dollars to be levd. of their respective Goods & Chattels Lands & Tenements and for the use of the Comth. to be rendered

Yet upon these Conditions that if the said Wm. Stone shall be of good Behaviour towards all the good Citizens of this Comth. and more particularly towards the said Jacob Johnson for one year and a day then the above obligation to be void Otherwise to remain in full force & Virtue

Ord. Wm Dunlop & Ezk Harrison Gent. be appd to settle the Estate of Adam Beard dec.d with the Admrs of the S.d Dec.d & make Report thereof to the Court.

Ulery Shumate, and Wm Robertson be Summ.d to Shew Cause if any they Should Say why a Road should not be Open.d through their Lands as prayed in the Petition of Inhabitants by their Attys. and on motion it is Ord.d Writs of adquod Damnum be awarded them to be directed to the Sheriff and to be returned on the first Tuesday in April next pursuant to Act in that Case made & Provided

Ord.d the Court be adj.d untill to morrow morning 9 oClock.

Ino Shanklin

Tuesday the 24th day of February 1795.

Present

Andrews Shanklin
Ezekiel Harrison
John Rice &
Benjamin Fawcett

Gent. Justices

On the Motion of Leyton Yancey Gent. Smith Lofland & Charles Lofland are admitted his Deputies and Sworn accordingly

Ord.d John Lincoln, Jacob Pope, Joseph Fawcett be appointed Viewers Agreeable to Act as Viewers of the Road in the North District of the Parish County of Rockingham pursuant to an Act in that Case made & Provided

Ord.d Wm Williams, James Quinn, & Wm Travers be appointed as above for the South District

Leyton Yancey Gent. Sheriff came into Court and entered his Protest against the Goal as being insufficient

Cop'd Moore agt Bollin upon attachment.
Ad.

The Sheriff having Ret'd ex'n on sundry articles to wit,

The Deft being call'd & not appearing to replevy the same, & the Pltf produc'd the Defts Note. Judgm't is grant'd for £2 11. with Interest. Costs. And it is Ord'd the Sheriff sell the aforesd Attach'd effects & pay the Money arising from the sale thereof to in satisfaction of the Plaintiffs Claims, and that he have action for the Residue.

Ad'd Harrison vs Bollin upon attachment.

The Sheriff having Ret'd ex'd Summ's Thomas Bollin, Rich'd Ragin & Leonard Herring as Garnishees, and

Thomas Bollin being Sworn a Garnishee declares that he has in Possession, Two Straps of Leather for Belly bands, an old Hat, an old Shirt & an old pair of Shoes &c, and the Deft being call'd & not appearing to replevy the same & the Pltf produc'd the Defts note. Ld'd for the same Int. Costs. 10/8.

Rich'd Ragin Sworn a Garnishee declares ~~that~~ that the Deft has the one third part of ~~a~~ fifteen acres which Silas M Thrashouts. Order Condemnation Secured in Shoots that the Sheriff make sale thereof and pay unto the said Rich'd Ragin his proportionable part for securing the same, & that he pay the Residue thereof in satisfaction of the Pltf's Judgment.

Henton vs Matthews. Deft Call'd & not Appearing Judgement &c & note Ld. Costs.

Long vs Trunk Cont'd &c.

Matthews vs Henton Cont'd &c.

Addoffer vs Lindsey Cont'd & Deft.

Worrell agt vs Albright. Deft Call'd & not appearing Ld &c note Ld. Costs.

Lowry vs Smith Cont'd

Bell vs Hamilton ~~Cont'd~~ Deft's Dis'd agt

The same vs Defts same

Harmon vs Vetzell parties heard &c Judgement for £11. 5/6. & Ad'd Costs

Vetzell vs Harmon Cont'd Dis'd

Letter agt Ragin Dis'd

Mines ap.ee vs Black Deft Call.d not appearing Iud.t ff.s note Int. Costs.

Thomas vs Crawford NS. ifp

Croffod vs Shanklin, Deft Call.d &c Iud.t ff.s note Int. Costs.

Mines ap.ee vs Fisher The same

Boyd vs Allegis Cont.d ptd.

Pontz vs Leyfried Cont.d Deft.

Liddle vs Adams &c NS. ifp

Wise vs Miller Deft. Call.d not appg. Iud.t for £2.10. Int. Costs

Georg Waggoner a Wit.s ps. ~~[illegible]~~ Harmon vs Vetzell
all.d 7 days attendance.

Ewen hs Cros Deft Call.d &c Iud.t ps.d note Int. Costs.

Franklinger vs Rains NS. ifp

Berkey Exor &c vs Plum &c Cont.d as Plum &c NS. as to other ifp

Wayt vs Whitmyer Deft Call.d &c Iud.t ff.s note Int. Costs.

Grimsley vs Caldwell NS. ifp

Shanklin vs Protzman Cont.d ~~[illegible]~~

Whitmyer vs Easton upon an Attachment ex.d &c
Mich Joseph sworn a Garnishee declares he has nothing in his hands of the Defend.ts Rend.rs &c further Serv.d

Ord.d the Late Sheriff pay unto John Harry six Dollars out of the Depositum for the year 1794 if so much there be in his hands.

Present Wm Hening Gent.n

Ord.d the Court be adj.d until tomorrow Court in course.

Wm Hening

Monday 9th

At a Court held for the County of Rockingham at the Court house there by the 23rd March 1795.

Present. William Henry, Ezekl Harrison, Andrew Shaplelin, John Ewin, & Benjamin Hawkins. Gent. Justices.

2nd Ewin &c vs Norman Philip Moog & B. Deft Defd in Court & Dayd in Executed up by the Just attp Robt Ewin & B.

2nd Wm Allen late Gent came into Court & made his resignation as of the office of Justice of the Peace for this County on acct of Bodily infirmities &c.

2nd On the motion of Thomas Lotey leave is granted to Dayd Pearson to bring in his plea & grants him to withdraws the Original Plea by him & Shaplelin Harrison Decd which was filed in the Cause Determined between the sd Thomas Lotey Plff and Henry Armentrout & Defendts.

Grand Jury Sworn to wit

William Fowler foreman. Adam Argabrite George Tilley, John Miller, Abraham Smith, John Wise, Lewis Sawyer, George Bleemer, Peter Armentrout Benjamin Tallman, Christian Miller, Martin Eyerhart, John Coontz, Henry Crook, George Mallows Peter Conrad Yeasher Mefford Gent who on their charge retired from the Bar & after some time came into Court & made the following Presentments to wit. We Present &c and nothing further appearing the Grand Jury are discharged accordingly.

2nd Day in Bar & Dismissed by order &c.

2nd Deft in Writ of Error. Sam Coonce Sh Clerks office Judgment set aside Payment & Joinder.

Absent Wm Herring Gent.

And Stephenson vs Loftus Contd.

And Spears vs King Contd. for award

And Donaghe vs Lurly Attachmt. Ret. Exn. of Sundry articles. The Defts. Cant. Dont appear &c. The Pltf. produces the Defts note. Ludt. of Balance, Costs. Ver. &c.

And Richey Hr. vs Carthrea John Harry &c. Bs. Office Ludt. set a side Payment Reindr.

And The same vs The same John Harry &c. Bs. W.C. set aside N.C. & N.A. within 3 Days Costs

And Breedens Exors &c. vs Painters Admrs. Jury Sworn to wit:
Josiah Shipman, John Macom, Charles Starter, Benjamin Coffman, Daniel Berry, Thomas Moore, Barzeil Regin, Stephen Leonard, Isaac Meney, Peter Letters, Josiah Harrison, John Rowland, David Rader. Verdt. for Pltf. £10.19/2 Damages & Judgment

And John Carthrea Lewis appd. in Court and Sworn an overseer of the poor the Parish County Rockingham as the Law Directs —

John Lincoln the same, Wm. Travers the same.

John Stutte the same

Jacob Hoffe the same.

And Good &c. vs Daily Lytle Lawyer &c.

And Allen vs Jones, Jury Sworn to wit:
Peter [illegible], Adam Harmon, Ralph Woolf, Aaron Solomon, Anthony Rode, Simeon Duck, John Hull, Benjamin Gaines, Adam Butt, Wm. Bryant, Abraham Chrisman & Daniel Harrison. Verdt. for Pltf. £36.16/2 & Judgement.

And Wayt vs Protzman. George Hopkins &c. Bs.

16

John Allen Esqr produced License to practice as an Atto. in the Courts of this Province. And having taken the usual Oaths prescribed by Laws is admitted to practice in this Court.

Gilmer vs Hamilton Dismd agd

Johnston vs Gattens Exors Contd pts.

Malcome vs Watson Contd

Summers vs Douglass Tues Scire Jams Quinn S.B.

Lincoln vs Mathews Scire as the Defendants Plea no such Record. The Court upon Inspection the same determined there is such. Judgmt Error awarded accordingly

The same vs The same, The same

Dove vs Keplinger Dismd agd

Smith vs Hamilton Jury Sworn Jury Sworn to wit.

Martin Cromer, Peter Fellers, Abraham Lyon, Barnt Hagen, Isaac Hayes alias Henry Loverman, Martin Coffman, Josiah Shipman, James Riggs, John Noland, Mark Overall, Christian White. Tales for Jacob Wilhelm Hont. Present Francis Kirtly Gent

Josiah Smith a Wit for Rudens Exors vs Painters Admrs Expd all. 6 days attendance.

Herring vs Huston

Jury Sworn to wit. The same Jury as in Smith & Hamilton, Except Robert Hemphill and Isaac Crawford, in the room of Isaac Hayes & Christian White. Verdict for.

Edward Collins a Wit for Herring vs Huston all. 2 days attendance.

Abrah Garten The same, The same.

Present Wm Herring Gent.

Ch.d Lincoln vs Allen &c. John White & Thomas Harrison L.B.
Mr. Lee set aside N.C. & N.A. with the jury & Lond.n Rule

Ad.d John White a Wit.s for Allen vs Jones all.d 3 days attendance

Ch.d David Rader a Wit.s for Malcom vs Ratsford all.d 3 days attendance.

Ad.d George Coogler suit for Grattans exor.s vs Johnson all.d 1 day attendance.

Ordered that the Court be adj.d until 9 O Clock tomorrow morning

Wm Terrell C

Tuesday the 22nd day of March 1796.

Present

Andrew Shanklin, Frances Keith,
Ezekiel Harrison, John Wayt. & } Gent. Justices.
Joseph Baxter

Ch.d Matthews vs Carrell Cont.d by Consent.

Ch.d Hagy vs Denton Jury sworn & try the Issue to wit.
Edward Collins, Isaac Kyle, Thomas Kerron, Solon Herdman, Lyle Bowyer, Wm Price, Jacob Good, John Smith, Abraham Chrisman, Wm Donavin, Henry Burgess, & Michael Deck Verdict for Pl.ff Damages & Judgement.

Ch.d Christian White a Wit.s for Hagy vs Denton all.d 5 days att.ce

Ad.d Sam.l Lefell Wit.s same for same the same Traveling 52 miles once & 33 miles once & the same in Returning

Ind William Jewell the same for same 5 days Travelling 33 Miles in Com.ᵒ & the same in returning twice

Ind Barbary Whaden 5 days.

Ind Barbary White 5. days.

Present John Irwin, Esqr. Sheriff Gen.ᵗ

Ind Hull vs Hagan Jury Sworn to try the Issue to wit Christian White, Robert Carr, Joseph Davis Andrew Jamison, Wm Fraily, Wm Peterkin, Uriah Carter, Wm Herron, Henry Prentiss, Robert Magill John Surface & John Pinckney. Verdict for Defent. And the Plt by his Atty filed his exception & Prays an Appeale to the Hond.ble the District Court to be held in Baltimore which is granted him on his entering into Bond in the Sum of £20. which is done accordingly

Ind Herring vs Hopton. Jury Cald and Martin Coomer one the Jurors impannelled in this Cause Yesterday not appearing It is Ord.ᵈ the rest of the Jurors be Discharg.ᵈ & that he the said Ind Martin Coomer be fined in the sum of Ten Dollars.

Ind p James Seighright a Witness for Hall vs Hagan proved 2 days Attᵉ and 12 Miles travling to Court and the Same in returning

Ind S John Guinn the same for same 2 days

Ind S Bithuel Herring the same for same ~~the~~ 2 days

Ind S George Kerbough the same for same 3 days

Ind S Philip Hull the same for same 3 days and twelve Miles traveling to Court and the same in returning twice

Ind Bears Exᵉʳˢ vs Thomas Cond. Plff

Ind Grattens Exᵉʳˢ vs Hoofe ~~D~~ Continuᵈ to the Plff.

Ind S Francis Steward a Wit.ᵉ for Hall vs Hagan proved 2 days attendance.

Present Wm Herring Gent

Ch.o Helmuth vs Newland Referred to David Barnet & Andrews. Franklin and their award & the award of their umpire to be made the Judgment of this Court.

Ch.o Wood vs Berry's Jury Sworn to try the Issue to wit. The same as in Hull vs Regan. Verdict for the Pltf. for one Penny Damages.

Ch.o Regan vs Hull plea waivd and Judt confessed saving Equity—

Ord.d the Rules be held in the Clerks office on Thursday the 25th day of this Instant or the day after of April Court.

Ch.o Sellers vs Kephart. plea waivd & Ludt for Costs.

Ch.o Kephart vs Sellers The same.

Ch.o Helmuth vs Newland, Dist. Dis.d by.d as p award.

Ch.o Bell vs Kepell plea waivd & Ludt saving equity.

Ch.o Smith vs Boyd Dis.d by C.

Ch.o Bears Exors vs Thomas Cont.d

Ch.o Mears Exors vs Amon plea waivd & Ludt.

Ch.o Dove ass.o vs Grove Jury Sworn to wit

Thomas Gilmer, Robert Hemphill, Henry Bowerman, Baz Rayn, Car.s Berry, Ralph Wood, Benjamin Berry, James Burgs, Sam Laird, Wm Black, Wm Ellwood, & Harmon Autley. Verd.t for Pltf & Judgm.t

Ch.o Butt vs Kerchner plea waivd & Judgm.t Confess.d agreeable to Special Costs.

Ch.o Hewitts exors vs Callaghan Three suits Cont.d

Ch.o Davis vs Shipman Cont.d Pltf.

Ch.o Johnson vs Jenesen Cont.d

Ch.o Stilley vs Turner Dis.d

Ch^d Law v^s Noland Cond^r

Ch^d Brannon v^s Allone. Jury Sworn to wit to enquire of Damages.
The same as in Dove & Grove except Gasper Haines in the
room of Ray Rogers. Verd^t for Pltff Dam^s

Ch^d Rogers v^s Hall — Plea award Pltff Cons^d saving equity.

Ch^d Wm. Cunlap a Wit for Wood v^s Berry all^d 2 days attend^e
Ch^d Thomas Gilmer 11 days. Robert Patterson 2 days
John Cronmer 2 days. John Sherowe 11 days.
Ephraim Hopkins 11 days.

Ch^d Ahl v^s Harmon. We get a side N.A. Bowyer
Jury Sworn to try the Issue to wit. The
same Jury as in the Case of Brannon v^s Allone, except
John Boyd in the room of Harmon Ausley. Verd^t for
Pltff for £ damages & Judgment.

Ch^d Williams v^s Green & Cont.

Ch^d Uriah Gartin a Wit for Herring v^s Huston 1 day.
Edward Collins a Wit for Herring v^s Huston all^d 1 day.

Ch^d George Mallow a Wit for Ahl v^s Harmon 2 days.
Ch^d John Bowyer dello. 1 day.
Ch^d Frankey Price dello 1 day
Ch^d Fredrick Price do 1 day
Thomas Barnett do 1 day.
Ch^d Philip Long a Wit for Harmon v^s Ahl all^d 1 day attn^e
Ch^d George Waggoner do 1 day
Ch^d Peter Keplinger do 1 day
Ch^d Solomon Swinger do 1 day
Ch^d Harmon Aughtery do 1 day
Ch^d Adam Rader a Wit for Berry v^s Wood all^d 2 days.

Ordered that the Court be adj^d until tomorrow Morn^g
9 o'Clock.

Test
M^c Gambill Clk

Wm Herring

Wednesday 26th March 1795.

Present William Herring
Ez Harrison
John Wayland
Asher Waterman
} Genl Justices

It is Ord. to be Certified of Record that the Jury Sworn in the Case of Wood & Berry, lost out of their Possession which they were Retired to Consult of their Verdt the Copies aforesaid Memorandum

Chd Blain vs Shipman, Charles McClain S.B. We set aside N.A. Boender, Ple a Warrt Judgmt Conf. agreeable to Speci-alty & Interest Costs.

Chd Reeves vs Fawcetts Contd Defk

Chd Rogers vs Stone &c Contd

Chd Smith vs Copeland Contd

Chd Matthews vs Charles Contd

Ord all the New Issues now on the Docketts & which have not been call'd be Continued.

Chd Hawkins vs Thompson Contd

Chd Allen vs Carrell Exr Dismd agd

Cornish vs Pence Contd

The same vs Spears, The same vs Salvage, Contd

The same vs Ryan Dismd

The same vs Depart N.S.

Chd Mayt vs Fisher Dismd agd

Chd Pence vs Pence Contd

Chd Deale vs Leonard Contd plt

Chd Leonard vs Linkey Contd plt

Chd Keyser vs Escheat Office Judgt set aside payt Boender

And Burbridge vs Harrison, Office Judgt. Ord. aside. No Such Record. Plaintiff

And Jones vs Vance. Contd

And Ewing Exors vs Kepler Contd

And Roler vs Boyd & Co. Roler Appellee Dismd. 1 D.

And Lewis vs Shanklin Contd

Present Andw Shanklin Gent.

Saml McWilliams personally appr'd in Court and made Oath as an Overseer of the Poor for the Parish County of Rockingham

Ord. the Court be adjourn'd until Court in course

Wm Lemmy Jr.

Monday 30th

At a Court held for the County of Rockingham at the Court house the 29th April 1793.

Present John Wayt Frances Scott
John Lewis & Asher Waterman } Gent.
& Andw Shanklin

Elizabeth Smith Orphan of Edwd Smith dec'd personally appr'd in Court & made Choice of Peter Nicholas as her Guardn. who with Surt. ent. into bond & took the Oath of Office

And on Motion of John Kinyon leave is given to Danl Lewis, Admr. of Wyles Smith dec'd to Issue Writs of Ad. Quod Damnum to Rice The same

And on Motion of Danl Lewis leave is given to Danl Lewis, Admr. of Wyles Smith dec'd to Issue Writs of Ad. Quod Damnum to Rice The same

And on Motion of Danl Lewis leave is given to Danl Lewis, Admr. of Wyles Smith dec'd to Issue Writs of Ad. Quod Damnum to Boyle The same

And on Motion of Danl Lewis leave is given to Danl Lewis, Admr. of Wyles Smith dec'd to Issue Writs of Ad. Quod Damnum to The same to same

Ord the Court be adjd until to morrow Morning 10 oClock

Ard Franklin

Tuesday the 28th April 1795.

Present

Ard Franklin
Francis Kerby, John Wayt
John Erwin, & Asher Waterman } Gent.

An Instrument of Writing purporting the sale & ~~relinquishment~~ a certain Tract of Land sold by John Coffman & Relinquishment of Barbara Coffman wife was present in Court & prov'd by the Oaths of three of Witnesses thereto &c

On the Petition of George Kesler &c for a View of a way for a Road from the Town of Harrisonburg to the Town of Staunton the nearest & best Rout It is Ord George Carpenter, Geo. Penn, John Harrison & Wm Hodge be appointed to View the same they or three of them being first Sworn to act & make Report of the Conveniency & Inconveniency attending the same as the Law directs.

The Court is Cautious on a Presentment of the Grand Jury for not Keeping that part the High way adjacent he is Surveyor in Repair ordered that being heard, Ent ordered to the Court that he had not been Serv'd with a Copy of the Order ordered him to Shew Cause the same be Quashed Accordingly

The same Marked The same

The last will & Testament of Francis Green Dec'd was Presented in Court by Thomas Brown one of the Exors therein named & Confessed to be Proved.

The last will & Testament of James Calhoun was Presented in Court by the Exor therein named & Proved by the Wit thereto & Ordered the motion of the Exor who with Security entered into & acknowledged Bond & a Certificate is granted him for Obtaining a Probat thereof in due Form, he having made Oath thereto as the Law directs.

Chd 24 On the motion of Saml. Roads admr. of the Estate of Reuben Roads dec'd is granted him he having entered into & with Security & made oath according to Law

Ord. that Ball & Capt. Valentine Potter, Jeremiah Meadows, Wm. Fussell & Jas. Racine or any three of them being first sworn be appd. to appraise the Estate of the said Reuben Roads & make Report thereof to the Court as the Law directs

Ord. A Deed of B & S. from Brown to Rob. Donally prod. in Court & prov. by the oath of R. W. Peacock.

Ord. Do Long to Satterlee ackt. & O.R.

Ord. a Settlement of the Estate of Peter Hess dec'd ret. & O.R.

Ord. Deed B & S. Neiswonger to Mayer ackt. & wifes ackt. & taken & O.R.

Ord. Do Douglass Exr. to Miller The same

Ord. Do Green Exr. to Ezr. Green prov'd by Thomas & Francis Bowen

Ord. Do The same to Francis Bowen prov'd by Thos. Bryan & Thos. Bowen

Ord. Do Judy Exr. to Berry ackt. & wifes ackt. & taken & O.R.

Ord. Do Thomas to Crew prod. in Court & ackt. by John Thomas as Atty in fact by Virtue of a Power of Atty. Authenticated & thereupon & which is & Recorded with the Deed & Ack. & the Rec'd

Ord. Kring to Gebhart Deed & Relinquishment presented in Court & prov. by the Wit. thereto & O.R.

Ord. Deed B. & S. Black Exr. to Celine ackt. & wifes ackt. & taken & O.R.

Ord. Do Vickers to Kerrin prov'd by oath of William one of the Wit. thereto

Ord. Came Elizabeth Potter Conf. & Cont. until June Court

Ord. Deed B & S. Davis Exr. to Brannon prov'd by oath of one of the Wit. thereto & the Com. of the Privy Exam. of his & wife & ret. & certified. & O.C.

Ord. Deed B & S. Lanehan & to Smith, further prov'd by the oath of John Shipman & to D. Lanehan, Jonas Hardgon, Jon. Evans & Joseph Lash. & O.R.

Ord. Do Hay Exr. to Doub ackt. & wifes ackt. & taken & O.R.

Ord. Do Hagler Exr. to Hughes The same

Ord. Do Lotter Exr. to Russell prov'd by the Wit. thereto & O.R.

Ord. Do Chesnut & to Blair ackt. & O.R.

Ord On the Motion of John Bowman ~~Esqr~~ Leave is Grant.d him to make an Indigenous Survey of all his patent.d Surplus & new Lands, adjoining the Lands of Henry Bingham, the County of Shannadoah, John Kepler Adam Orbough, Andrew Carrick, Mich.l Kips & Catherine Collins ~~&~~ he having Comp.d with the Laws in that Case made & Prov.d O.K.

Ord The last will & Testament of Michael Warren dec.d was presented in Court by the Exors thereon Named & Prov.d by the Wit.s thereto. O.K. and on the motion of the Exr.s a Certificate is granted them for obtaining a Probat thereof in due form they having Entered into & Acknowledged Bond & made Oath thereto as the Laws direct.

Ord A Letter of Attorney from John Craig to Lewis Lair produced in Court. Prov.d by the Oath of Edm Ewen Esqr & Geo Bell Wit.s thereto

Ord A Deed produced in Court as also an Agreement between Charles Lair & Jacob Lair for maintaining 13 Head of Cattle & 7 Lambs taken to Satisfy a Debt due from Ignatius Farley to the s.d Jacob Lair amounting to 15£ which is all.d O.K.

Ord On the Motion of Eliz.a Lair Letters of Adm.n is granted her of the Estate of John Lair late of Lair dec.d She having with Security Entered into Bond & made Oath thereto as the Law directs.

Ord The last will & Testament of Thomas Foley dec.d was presented in Court by the Exors therein Nam.d & Prov.d by the Wit.s thereto O.K. on the motion of the s.d Exors a Certificate is granted them for obtaining a Probat thereof in due form they having Entered into Bond & made Oath thereto as the Law directs

Ord Oath of Thomas Flanagan, Reuben Flanagan, Henry Bungs, George Settles or any three of them being first Sworn be appointed to appraise the Estate of Sam.l Lair dec.d & make Report thereof to the Court as the Laws direct.

Ord Oath of Thos Moore, Sebastian Marchbanks, Lewis Castle, Thos Moore jun.r or any three of them being first Sworn be appointed to Appraise the Estate of Thos Foley dec.d & make Report thereof to the Court as the Laws direct.

Ord The last will & Testament of Paul Beard dec.d was presented in Court by the Exr.s therein Nam.d & Prov.d by the Wit.s thereto O.K. & the motion of the s.d Exors a Certificate is granted them for obtaining a Probat thereof in due form. they having made Oath thereto & Entered into bond with Security Conditioned as the Laws direct. Oath of Isaac Wright, Henry Baumgarner, Daniel Lintle & Peter Yoder Jun.r or any three of them being first sworn be appointed to appraise the Estate of s.d Dec.d & make Report thereof to the Court

2d On the Motion of John Carthrea jr and
Ord Rosanna Angletree Letters of Admr of the Estate of
Matthew Angletree Dec'd Granted Them they having Enter'd
Into Bond & Made Oath thereto as the Laws
Directs & Wm Bryant John Carthrea Jer. Matthias Denton
Thos Capril & Thomas Rosanna
or any three of them being first
Sworn be appointed to appraise the Estate of s'd Dec'd & make Report
thereof to the Court as the Laws Directs

2d Jas Bagby Produced in Court an a/c for his Services as a
Com'r of this County for the Year 1790 amounting to Thirty Six days which is all'd
& Ordered Wm Herring Gent.
Present
Coppd Capt Jas Baxter, Archd McKeiring, Benj'a Denton, Esqr
Green or any three of them being first Sworn be appointed to appraise
the Estate of Jas Nelson Dec'd & make Report &c

Coppd Capt Wm Bryant & Jeremiah Pagin, Reuben Harris & Jas
Wilson Bryant or any three of them being first Sworn be
appointed to appraise the Personal (& Slave) Estate of Michl Warren
Dec'd & make Report thereof to the Court &c

~~Ordered that Executors of the Last Will & Testament of Wm Langston~~

2d On the Motion of Edwd Gay Leave is Ordinary Licence
is granted him to keep a Ferry at his House in the Town
of Harrisonburg & County afores'd on his entering into Bond &
in the Clks Office with Sam'l McWilliams as his Security

Couth vs Brown Dft Parties heard & Judgt

Ord Deed Bryant &c to Allgers Presented in Court and the Privy
Exam'n of Chancey Bryant Wife of Wm Bryant being taken as
the Laws directs & Ord'd

Couth vs Carpenter & Jn Presentmt &c heard & Judgt

Margaret Rader an Orphan of Adam Rader Dec'd appeared in
Court & made Choice of Wm Blair as her Guard'n who with
Security Enter'd into & Acknowledg'd as the Law directs

~~Couth vs Lewis~~

2d Couth vs Lewis on a Presentmt &c Capt Rush appeared as the Law
directs

The same vs McGuire The same

The same vs Ring, Poffinbr, Wood, McHenry, Replevin, Declaration
McHenry &c Poffinbarger, Pleadings & Issue

Ch^o Long vs. Trunk. & Cont^d &c.

Ch^o Vs Dec^a Harrison Pl^o to James Burges & wife & Ack^d taken &c.

Ch^o John Dickey a Wit for Matthews vs Denton adj^d day.

Ch^o Matthews vs Denton Cont^d & Dep^t

Ch^o Aldoffer vs Lindsey Cont^d

Ch^o Bean vs Donaby, parties Heard & Rul^d & Note Int. Costs.

Ch^o Lowry vs Smith Dis^d ag^t

Ch^o Ake vs Hamilton

Ch^o The same vs Kessell. Dis^d ag^t

Ch^o Thomas Crawford Vs ifs

Ch^o Boyd vs Magill Cont^d

Ch^o Pontz vs Longfried Cont^d

Ch^o Sidle vs Adams dis^d ag^t

Ch^o Franklengler vs Raines Dep^t Col^d & not appg. Rul^d Int. Costs.

Ch^o Perkins Exor^s vs Plume & Cont^d ag^t to Plum & N.S. ag^t to Other.

Ch^o Greinegly vs Caldwell Dis^d non Pros.

Ch^o Shanklin vs Protzman Cont^d

Ch^o Dawson vs Hedrick Vs ifs

Ch^o Bell Ap^t vs Baxter abates by return.

Ch^o Summers vs Douglass. Dep^t Col^d & Rul^d & Note Int. Costs.

Ch^o Smith vs Boyd Cont^d

Ch^o Smith vs Burges Rul^d & Note Int. Costs.

Ch^o Gratton Exor^s vs same, The same.

Ch^o Harry Ap^t vs Driver Dep^t Col^d & Rul^d & Note Int. Costs.

Ch^o McWilliams vs Shipman The same

Ch^o Chandler vs same The same.

Ch^o Harry vs Lenahan Two suits Dis^d ag^d

Ch^o Armentrout Exor^s vs Jennings Pl^o Cont^d & N.S. ag^t to Kessell. ifs

Ch^o Rogers vs Shaw Dep^t Col^d & Rul^d & Note Int. Costs.

Ch^o Bell vs Ireland Pl^o The same.

Ord Bauman vs Safely Dept Calld Rule to Note Int. Costs

Ord Crawford vs Shadtelin Dismd

Ord Kently vs Coffman. Dept. Calld Rule to Note Int. Costs.

Ord Pennsylvania H. vs Short N.S. ifp

Ord Feaney vs Bodine Court

Ord Miller vs Latshaw Dept Calld Rule Int Costs.

Ord Crotzer vs Shanklin. The same.

Ord Hogshead vs Feany. The same.

Ord David vs Miller The same.

Ord Sugarz vs Krein Dismd agd

Ord Hogshead vs Feaney Dept Calld Rule to Note Int Costs.

Ord Ewen jpr vs Albright Court

Ord Hyle vs Rock. Dismd agd

Ord Wilcockz afgt vs Summerz. N.S. ifp

Ord Detter vs Dayer on Motion of the Dpts Atty for reasons offered to the Court It is Ord that the Rule of last Court last be set aside & that this Cause be restored to the

Ord Rob Donally a writ for Feaney vs Bodine allt 1 day

Ord Lewis Bertelo The same for same 1 day

Ord Andrew Crisp The same for same 1 day

Ord On the Mo. of Hugh M'Cauley Ordinary License is granted him on his entering into bond with Geo. Bell his Surety in the Clerks Office as the Law directs

Dec Harrison Pet to Perpetuate the privy exam of Mary Harrison wife of Reuben Harrison taken agt the Law directs H.S.

Do Dickenson Pet to the same further Act to Perpetuate Reuben Harrison & the Privy Exam of the wife of the said Reuben taken agt the Law directs H.S.

Ord On the election of John Ray Ordinary License is granted him to keep Taverns in this County on his entering into bond with Geo. Bell & John Ewen his Surety in the Clerks Office

The Court proceeded to the Completion of the County Levy for the year 1794 a Statement of which is as follows to wit. See Decm Court 1794 for the Beginning

Gabriel Long Esqr for the County Levy for the year 1794			83,32
Samuel McClellany Clerk	ditto		25,00
ditto for	ditto		25,00
The Sheriff			25,00
George Metzgersmith	Patrol for 12 Nights		0,50
Thomas Hopkins	ditto		0,50
Thomas Smith	ditto		0,50
Conrad Raider	ditto		0,50
John Loomer	ditto		0,50
Adam Hillinger	for Three old Woolney Levys		2,24
John Keplinger	for one ditto		2,08
Jeremiah Begely	One ditto		2,08
			171,22
Sheriffs Commission County Depositum			324,58
Cr. By 2360 Tithables at 21 Cents		$ 63 49,80	495,80

Ordered that the Sheriff Collect of each Taxable Person in this County One Cent that being the Proportion of the Present County Levy

Ord. the Sum of £62,, 12/1½ be apportioned on the Taxable Property within this County for the year 1794. & that the Sheriff Collect & pay the same to Benjamin Benton as Exer. &c of John Benton that being the Balance due the Estate of the Sd Decedent for a Waggon furnished the Public by the Sd Testator in his Lifetime, agreable to an Act of Assembly in that Case made & provided And that a further Sum of £20 Curt. be added to the apres. Sum to be collected & account for with the Court of this County

Ord. Asher Waterman Gent be appointed to contract with any Person or Persons to finish that part of the new Court house that remains unfinished in a Workmanlike manner on such Terms as may appear most Conducive to the County and that he also Contract with Person to put Good Sufficient Steps before each door of the Sd Court house

Ord. the Sheriff take proper measures to cause all Nuisances to be removed off the Public Square Immediately and that no Person or Persons be allowed to erect any Stalls on the Sd Square at any time hereafter without Leave of this Court & that the Sheriff Collect of each Person so offending the Sum of Forty Shillings for the use of the County

Ord. that the Sheriff Collect of each Person who shall Erect any Stall on the Public Square

Ord. On the Motion of Peter Harry Ordinary Licence is
granted him to keep a Tavern in this County on his entering into
Bond &c. in the Clerks Office.

~~Ord. the Court do adjourn until Court Dinner~~

The Court proceeded to Regulate the Tavern Rates within
this County as follows to wit.

Jnr.	Hot Dinner	1/6.
"	Breakfast Hot	1/3.
"	Hot Supper	1/3.
"	Cold Dinner 1/. Breakfast or Supper 9d	
"	Lodging Good bed Clean Sheets	6.
"	Imbert Madeira	2/6.
"	do Port do.	
"	Generals ditto	5/.
"	Lisbon do.	4/.
"	Sherry do.	5/.
"	Malaga do	5/.
"	~~Jamaica Spirits by the Half Pint~~	4/.
Regt	Jamaica Spirits by the Half Pint	1/3.
"	Regt Antigua Rum	1/.
"	French Brandy	1/3.
"	Good Gin by the Half Pint	1/.
"	Best Whiskey by the Half Pint	1/.
"	Peach Brandy ditto	1/3d
"	Boyle Cyder by the quart	6d
"	Bottle Porter by the Bottle	2/6d
"	Beer	6.
Hay	Stabledge pr 24 Hours	1/3d
	Corn Oats by the Gallon	8d
	Pasturage pr Night	6.

Ordered that the Court be adjd until Court in course.

Wm Herring Jr

Js.

Monday to Wit.

At a Court held for the County of Rockingham at the Court house the 25th day May 1795.

Present.

Benjamin Harrison, Wm Herring, John Rice, & Ezekiel Harrison } Gent Justices.

Ind. Moore vs Ellmore } Isaac Vancliff & al. B.

Ind. Ewings vs Wagg's } George Helmerichhouser & al. B.

Ind. Counts vs Alexander Hoole. on the Compt. of Leigh M'Cally for a breach of the peace. the same being agreed between the parties at the defts Costs. the same is ordered to be discontinued

Ind. The same vs Ellery } The same.

Grand Jury Sworn to wit.

Abrd. Solomon (foreman) William Pence, Adam Hainsberger, John Harnett, George Chrisman, Henry Sholderman, David Ralston, Joseph Stenton, Benjamin Berry, Henry Wanger, Ezekiel Chesnutt, Wm Linvill Bickley, [redacted] Rec'd their charge & retired from the Bar after some time returned into Court & made the following Presentments to wit. We the Grand Jury &c. find nothing further appearing the Grand Jury are discharged & it is Ord. that the Legal process Issue accordingly.

[redacted]

Ind. Hall vs Rogers } On the motion of the Pltf. by his Atty. it is granted him to stay all proceedings on two Ex'ons obtained by the Pltf vs the Defts until the Cause shall be heard in Equity on his entering into Bond &c. in the Clerks office.

2nd

No 1 Herring vs Keyton Jury Sworn to wit.

Joseph Cocenhaver, Joseph Hall, Conrad Hangbarger, John Vogt, George Cooper, Thomas Herron, Geo Shepherdsmith, Josiah Harrison, Thomas Moore, Wm Fowler, Henry Hoch, George Helmericksberger, Verdict

for Plaintiff for Damages Ten Pounds

Present for Defendt Gent. Hall & Benj: Harrison Gent.

No 2 Hamilton vs Baily Capd Gilmer Sheriff

No 3 Summers vs Douglas Error Sci. Fa. Office Judgment set aside Payment & Quashed

No 4 Keyton vs Fifer & Lewis Keller 1 B. for Jacob Sherger only.

No 5 McGuire vs Stone Contd.

No 6 Spratley exors vs Hook Dismd.

No 7 Stephen vs Loftus. Bond fitto.

No 8 Spears vs Irving Contd. Law.

No 9 Smith vs Hamilton Jury Sworn to wit.

Gasper Mefford, John Adams Butt. Jas Beggs, Isaac Crawford Nicht Duck, Henry Hangbarger Abraham Bloser Thomas Cooley, John Mickey, John Leight, Philip Miller, John Malcome Verdict for Plff. fitto. for £11.14.2¼ Damages & Costs.

No 10 Malcome vs Wrayford ~~Jury Sworn to wit~~

on Motion of Deft. Leave is granted him to add the plea of Justification Hond. Jury Sworn to wit.

Christian Smith, Isaac Freeman, Hugh Wood, Geo: Penn, Wm Bell, Gasper Mefford jr. John Keyton, Daniel Coffman, Adam Harmon, John Hoover, George Cova, Samuel Daily. Verdict for the Plff. for £14. Damages & Costs. Errors fill. in arrest Judgement.

Cha Reeves vs Newton. George Kefgle Ex[e]d Capt

Cha Smith vs Kingsley & John Rice J.P. for John Kingsley & Co only

Cha Crawford vs Franklin & upon a bond Cond[n] for the delivery of Property, Notice prov[d] as to Franklin only Judg[t] Error awarded.

Cha Donaghe vs Mercer & The same. Notice prov[d] as to both. Judg[t] Error awd

Cha Isaac Myers a Wit for Malcome vs Rutherford all 5 days.
Cha 2 John Rolland. The same 3. days.
Cha 3 David Rader the same. 6. days & Travelling 20 miles in com[n].
Cha 4 The same in return of once ——.
Cha Settles vs Mefgrett Ref[d] to Benjamin Harrison, Benj[a] Smith Sen[r] & Joseph Chavens, and their award to be made the Judgement of the Court.

The Court vs Coroner. upon the Complaint of George Kefgle for a breach of the peace, The Court hearing & heard & adjud[g] the circumstances of the case Are of Opinion that the Ex[d] Coroner be bound to his good behaviour towards all the Good Citizens of this County & more particularly towards the Ex[d] George Kefgle for Twelve Months & in the Sum of fifty Dollars and Two Securities in the Sum of Twenty five Dollars each. Whereupon the Ex[d] Urbanus Coroner, with John Rush & Jacob Fisher Esq[rs] in the Sum of One Hundred Dollars appr[d] in Court each & Themselves Indebted to his Excellency Rob[t] Brooke Esq[r] Gov[r] of this County in the Sum of One Hundred Dollars, that is to say the Ex[d] Urbanus in the Sum of 50. Dollars & the Ex[d] John & Jacob his Sec[s] in the Sum of 25 Dollars each, to be lev[d] of their respective Goods & Chattels, Lands & Tenements for the use of the County to be void

Yet upon this Condition that if the Ex[d] Urbanus Coroner shall be of Good behaviour towards all the Good Citizens of this County & more particular towards the Ex[d] George Kefgle for Twelve months to day. Then the above Recognizance to be void &c

And Smith vs May upon the Compt. of John Malcome Esqr. for a breach of the Peace on a Recognizance. the Same being agd. by the parties & the Defts. appr. in Court & pleaded the Same to pay the Costs attends the Same, & is agd. to the Same be discontinued

And The same vs Wood Deft Call. & Leiving Incump. Profain Oath 4/6 & for a breach of the Sabbath. 20/ for Each

And The same vs Meadows fined as the Law Directs.

Daniel Rogers a writ for Smith vs Hamilton all. 1 day

And Micah Garten a writ for Herring vs Keyton all. 1 day

Capt. Edwd Cooley same 1 day

And Benja. Gaines a writ for Keyton all. 1 day & Herring

The Comth. vs Pedigo, & Armintrout, vs Passenger, vs N.S. awarded.

The same being Two Presentments Discont.

The same vs Mr Henry The same.

Ord. the Court be adjd. until to morrow Mon. 9 oClock.

Wm Herring

Tuesday The 12th day May 1795.

Present. Benjamin Benjamin Harrison
Wm Herring, Ezekiel
Harrison, John Mayo Gent.
Waterman

The Comth. vs Pence Cont. for Information.

The Same vs Spears Cont.

The Same vs Talmage Cont.

And Johnston vs Gratton Exors. & Gratton Exors vs Johnson
Referd to the determination of Mess Herring, Ervine & Peck.
& John Mejo Their awd to be made the Judgment
of the Court.

And Miller vs Patterson C.O. Set aside & fieri facias Remanded to
the Rules.

And Reeves vs Harrison, John Ewart jr. Sol. for Defts. Nonsuit.

And Herring vs Huston the same Jury as yesterday. Luna
without Issues & Costs.

And Cravens vs Clarke dismd agd.

Taylor vs Trunk. C.O. Set aside & discontinued the same being agd.

And Mathews vs Carrell Costs.

And Davis vs Shipman Costs.

And Newcitts Exors vs Callaghan three Suits Rcpld by Jas Dyer, Robt.
Davis & Oliver McCoy and Their awd to be made the Judgt.
of the Court.

And Bears Exors vs Stanley Thomas Costs & Dismd.

And Ewing Exors vs Kessler W.C. set aside N. C. & Costs.

And Reeves vs Fawcett, upon a Scire the Defts have pleaded no such
Record & the Court have not sent down the same Determined there
is such Judgment & Execution awarded accordingly.

And Williams vs Green Costs.

And Johnson vs Lincoln Costs.

And Law vs Noland. Jury Sworn to enquire of the Damages.
John Shero, Richd Rozier, Benja Haines, Robt. Leyton, Edwin Jones
Sitlington, Jas Brooks, John Smith, & Henry Sprinkle Verdict for
the Plff for 1d Damages & Costs.

Hyson vs Earbert. Jury Sworn to try the Issue to wit
The same Jury Sworn in Law vs Noland. Verdt. Defts

Absent Wm Herring Gent.

Ewing Exors vs Hazell. Jury Sworn to wit
The same Jury as in Hyson & Earbert. Verdict
for Plff. Judgment. and on the motion of the Pltf. ~~&~~
New trial is granted him on the payment of the Costs of this days trial.

Earbert vs Hyson. Injuction Granted to stay the further
Proceedings of a Judgment obtained by the Defts at the Y.D
Plt. until the Matter thereof shall be heard in Equity on his
entering into bond filed in the Clerks office of the Law Circuit,
in the Sum of Thirty Dollars — &c
the Dft having deposited in Court the Sum of £383. Dollars
and 260 French Crowns. amo. 2. 10s. 16d. 15 Grains of Std. £148. 8. 16d. 29. Gold Ds 5/3.
being the amt of Pltf. French Debt with Interest

Long vs Snap. C.C. set aside & Remanded to the Rules.

Richey vs Carthrea Two Causes Contd. Pltf.

Lewis Shoyer a writ for Gratians Exors adj Johnston Day.

Hieronimus Deck. a writ for Gratian Exors adj Johnston and
3 days attendance.

Jacob Longer same day
Richd Gladden the same for same the same.

Rogers vs Stone Contd

Smith vs Holland Judgt Confd agreeably to Spec. Int. & Costs.

Mathews vs Marks. Contd.

Reed vs Dawson Contd

Alcock vs Austin W.C. set aside & Remanded to the Rules.

Settles vs Thomas. Jury Sworn to Enquire of Damages to wit
Jacob Chrisman, Aaron Hughes, Shadrick Harrison, Randolph
Quinn, Wm Shanklin, Abra. Stilley, Henry Hoover, Saml
Loomer, Mich. Deck, John Harrison, Solomon
Mathews, Edwd Codding. Verdt for Pltf. & Judgment
Settles vs Little John order of Inspection set a side
& remanded to the Rules.

Thu John Reeves a writ for Reeves vs Harris all. 1 day.

Do Sebastian March the Same.

Wed Gambell vs Protzman Jury Sworn to enquire of the Damages to wit.

The Same Jury as in Settles vs Thomas. Verdict for Plff. 1 Cent & N.S.

Do Donally vs Divers a Nonsuit Court. N.C. set aside N.C. Joinder Court.

Do Murtoe vs Repeth plea w. Plff. Consd. Int. Costs.

Wed James Brooks Dup vs Baily Jury Sworn to try the issue to wit.

Hora: Stilly, Edwd Collins, Jas Chapman, Joseph Rodgers, Randolph Green, Aaron Hughes, Saml Sconner, Aaron Solomon, Shadrick Harrison, Mich. Deck, John Reeves, George Bell, Wm. Pugh.

Do Divers, a Nonsuit Smith dis. agd.

Thu Henry Hoover a writ for Settles vs Thomas all. 1 day, attend.

Wed Christy Hoover same vs same 3 days.

Wed Rider vs Boyd. office Judgment Set aside payment. Joinder

Do Gordon vs Hamilton payment for Plff. Joinder office Judgment Set aside

Wed Ward vs Protzman office Judgment Set aside payment. Joinder

Do Bentridge vs Harrison dis. agreed.

Do Henry Hoover a writ for Brooks Dup vs Baily all. 2 days.

Thu Edwd Collins a writ for Herring vs Heyton all. 1 day.

Do Thu Uriah Garter the same 1 day.

Sept 15 Benj. Gaines a writ for Heyton adz Herring all. 1 day.

Chd Loney vs Vance Cont.d

Coun.d vs Vink & Cont.d Plea ~~X~~ to the Jur.s Jurisdiction.

Left vs Com.d Cont.d

Ord.d the Rule be left in the Clerks office on Thursday the 28th Inst.t and on the day after the fourth Monday in June & July next.

Chd Deck vs Conrod & Conrod vs Deck & Linby Pet.rs to Geo.e Houghton, John Rusk & Wm. Herring & their cau.e to be made the Defend.s of this Court.

2d Penn vs Penn & al Dismissed

Ord.d all Cause which Mem remaines on the Docket to that hath been call.d be cont.d

3d Ewen & al vs Shanklen Cont.d at y.r Compt.s Costs.

4th Cio Cooper a Writ for Gratians Ex.rs &c Johnstone prom.s two days Attendance

Ord.d the Court be adj.d until the Court in Course.

Teste
M Gambrill Clk

Benj.a Harrison

W.s

At a Court called and held at the Court House of Rockingham County Friday the 13th of June 1795. in the 19th Year of the Commonwealth for the Examination of William Headerick who was committed to the Goal of this County by Andrew Shanklin Gent. on Suspicion of Felony And stands Charged with feloniously stealing Hatching away from the Store of Bette Wren Merchant Goods, Wares & Merchandize of the Value of four Dollars

Present. William Herring
Andw Shanklin
John Ewen
John Wayt &
Asher Waterman
Gent. Justices.

The Prisoner being led to the bar in Custody of the Jailer and thereupon came the Depty Atto. for the Commonwealth and Divers Witnesses to wit. John Wren, Edward Nichols, Elias Rudolph Mcgaughy, & John Mead ——————

being sworn and examined touching the premises whereof he stands Charged And the said Prisoner by his Counsel pleads not Guilty and being fully heard in his Defence the Court upon Consideration of the Circumstances of the case as it appears to them are of Opinion that he is Guilty of the Offence wherewith he stands charged and that the same is Triable in the District Court thereupon on the motion of the Pd Prisoner by Counsel Atty. It is Ord. he be admitted to Bail and that he be recognized with four sufficient securities in the Sum of Three thousand Dollars, conditioned to appear at the next Staunton District Court On the first day of the Pd Court to be held for the Pd District in Staunton on the first day of September next And thereupon the Pd William Headerick with Gasper Haynes, Jesse Kaiser, George Kesler, & Augustine Price his securities Did personally appear in Court and acknowledged themselves Indebted to his Excellency Robert Brooke Esqr Governor of this Comth in the aforesaid Sum of Three thousand Dollars to be levied of their Goods Chattels Land & Tenements And for the use of the Comth to be rendered.

Yet upon these conditions that if the said Wm Headerick shall well & truly make his personal appearance at the first day of the next Staunton

District Court to be holden in Lancaster for the [redacted] District on the first day of September next, then & there to answer [redacted] an Indictment to be Preferd against him for the aforesaid felonious Act and to Abide by & Perform the Sentence & further Order as the Court shall in that behalf consider & shall not depart thereupon untill discharged by due Course of Law then the above Recognizance to be Void Otherwise to Remain in full force & Virtue.

Mem.d Edward Nicholas a Evidence for the Crown being duly Sworn Deposeth & Sayeth that on the Morneing of the 19th Inst. he Returned home to the Store of Stitt & Wilson and when he went into the Store With Headerick & a Certain John Wineberger was in the s.d Store the s.d Wineberger being Seen taking some things & being Chalanged therewith & not being Readily found with him John Mead Mentiond that in Case they were not about him they were in the Saddlebags which were under the s.d Headerick upon the Horse he then Rode & Requested them to be Searched upon which the s.d Headerick turned his horse & Road off & being Called to Stop or Come back Road faster & the s.d Nichols pursued him Near a half Mile when he saw Headerick Coming out of the woods into the Road [illegible] met & the s.d Headerick Invited upon having his Saddlebags Searched which was done by the s.d Nichols & Nothing being found in them Belonging to the Store they the s.d Nichols & Headerick Returned to the Store together & on Examineing a Bale of Coarse Linnings Mised one piece of Hempen Roll Cont Beteen twelve & thirteen yards & Conjecturing the s.d Headerick had taken it & hid it in the woods went in Search of it in Company with Tobias A Maygaughey & found the same Covered up in the Leaves about twenty yards from the Road where he had first Observed. Headerick & on taking the same to the Store where Headerick was he Confessed he had found the same in his Saddlebags & hid it in the woods and further Say.th not.

John Mead being Sworn Deposeth & Sayeth that when Edw.d was about Search of Wineberger for some things which he had been Seen to take he went to where they Observed that the things could not be found about him the s.d Wineberger they were in the Saddle bags under Headerick upon the Horse he Road, & Requested to have them Search.

upon which the Pl. Headerick without making any reply thereto drew out the Linen and if he would stay any longer & Read off the Deps. said further he replied & bid him to stop two or three times, the Pl. Headerick said he regard to him but Read further as he got further — & further saith when the Linen was found Brought back & the Pl. Headerick acted as he had found in his bags Had laid in the words & further saith not.

Silvia P. Haggarty being Sworn Deposeth & Saith that he was appointed by Mr. Nicholas to go in Company with him to search for upon Bags that were Left upon the Woods by Wm. Headerick that about the Distance of half a mile from the Store & little Above they the Defendants & this Depts. found this in the Woods by the Side of an old Log & Piece of Course Linen covered with the Bark & the same to the Bar he this Dept. found from the Pl. Headerick the Pl. Linen which they had found upon which the Pl. acted as it was the same he had found in his bags & had put it there & further saith not.

And further saith not.

John Mead being duly Sworn deposeth & saith that the Linen which was found hid in the Woods he believes to be of the Cloth he had that Morning Spun, thereby being Twelve Pieces in the Cake when Spun & after examining there had been some of it feloniously taken, counted the Pieces Over & found there were but eleven. & that the Pl. Headerick acted as he had found the same in his bags & had hid it there. and further this Dept. saith not.

Whereupon the Pl. Edwd. Nichols, John Mead, Silvia P. Haggarty, & John Wren personally appr. & severally acknowledged themselves Indebted to his Excellency Thos. Bahnes Esq. Governor of this Comth. this Sum of Five Hundred Dollars each to be Levied of their respective Goods & Chattels Lands & Tenements and for the use of the Comth. to be rendered Yet upon this Condition that if they said Ed. Nichols, John Mead, Silvia P. Haggarty & John Wren shall well & truly make their personal appearance on the first day of the next Staunton District Court to be held in Staunton on the first day of Sept. next then & there to give evidence on behalf of the Commonwealth

and William Hendrick who stands Charged with feloniously stealing Carrying away from the Store of Estelle Allen, Sundry Goods &c. Shall not depart thence from until Discharged by due Course of Laws, then the above Recognizance to be Void Otherwise to Remain in full force & Vertue

The Court arose

Wm Herring.

Monday to wit

At a Court held at the Court House of Rockingham County the 22nd day of June 1795.

Present

Wm Herring
Ely Harrison
John Edwin Jnr
J Beph Batson
} Gent Justices

Mary Earsh came into Court and made choice of Henry Nutt as her Guardn who with Security Entd into Recognizance &c

Ord B.S. Ober Surjt to Scottie. acct. Surjes &c

Ditto Gleningbee Dec to Brickhart The same

Do. Andres Dec to Mench The same.

Do. Mounce. Dec to Miller The same.

Do. Driscoll Dec to Miller The same.

Do. Bauerman Dec to Ober The same.

Do. Funk. to Fry. acct. &c.

Ord. Capt John Hart & Peter Waterman Gent be appd to Settle the Estate &c. of David Myers decd & make Report thereof to the Court as the Laws direct

11/4

and ⁊ a Deed of Trust Thomson duy to Dorey Prov.d by the oaths of Dr Mit thereto and the Cert.e of the Prisy exam.n of his Wife Rel.d Certified & R.

and ⁊ Ditto Bowman to Ewin Exr. ackd. & R.

and Bill apce. vr Barnhart &c. Ludr. Comp.t as Petion, with Int. Costs & stays of ex.on one months.

and ⁊ a Deed B.S. Price duy to Armentrout ackg.d wits.s ackg.d ⁊ taken & R.

and ⁊ a Deed. Clarke duy to Connor. ackd. by Clarke. & R.

and Long vr Funke. &c. Dett heard &c ~~Dft Cond. &c. Ctd. Cond.~~ Judgmt. for £2 11 3 10d Int. Costs.

and An appt. Certt of the Estate of Reuben Rook Dec.d Ctd. & R.

and ⁊ a Deed. Howard duy to Jacob Howard. ackg.d wits.s ackg taken as the Law directs

Capt. Abraham Bloser be appd. overseer of the Road
Capt. Where of Dav.d Berry was Surveyor in the room of the s.d David & the usual Tithy allo.d to Work on the s.d Road be appd. for his Gang to Work thereon & keep the same in good repair as the Law directs

11 and Thomas vs Crawford N.S. &c.

11 and Boyce vs Magill Cont. Dft.

11 and Perkeys Exors vs Plume N.S. &c.

and Jamison vs Kessell dis.d at the Dft Costs.

Capt. John Herdman be appd. overseer of the Road from the head of Lech. Harrison Mill Pond to the East & the leg & Capt. Hill on this side of Francey Greens ck. Mark Lick and that the usual Tithables within two Miles on each side of the said be attotted him for his Gang to Work thereon & keep the same in good repair as the Law directs

44 13/13

Ord. The Overseers of the Poor lend Sarah Grace Daughter of [illegible] Grace ye [illegible] year of her Age Bound to Peter Tittle as the Law directs

Ord. The Last will & Testament of Fred.k Black Dec.d was produced in Court By the Exors therein Nam.d & Prov.d by the Oaths of the Wit.s thereto Sub.d and on the Motion of the Exors who with Securities enter.d into Bond & Qual.d as the Law directs a Certificate is granted to obtain a Probat thereof in due form he having made Oath thereto.

Ord. [redacted]offer vs Lindsey Dept Cal.d Sent.d & Petition Dist Costs.

Ord. On the Motion of Edm.d Ing It is Ord.d he be exam.d from Paying any Parish Dues.

Ord. Adam Butts, Valentine Hoffman, Henry Manger & Peter Moyer or any three of them being first Sworn be app.d to Appraise the Slaves & Personal Estate of Fred.k Black Dec.d & make Rep.t thereof to the Court.

Ord. a Dec.d B.S. Earbank dug to Burkholder ack.d & rec.d & ord.d to be Filed.

Ord. [redacted]augh vs Hoffman, On the motion of the Pltf It is Ord.d the former Sug.t Rev.d by the Pltf as to 5.s Dept be Rec.d and that the Pltf Recover of the Defts [redacted] being the amount of his Note payable for 24 Bushels of Corn with Int & Costs.

Ord. a Deed of Relinquishment from Doxey to Thompson Proved by the Oaths of Depy Crawford & Lesh Bright two of the Wit.s thereto

Ord. Shankelin vs Protzman Dept Call.d Sent.d & Ord.d as by Petition Int & Costs.

Ord. Dawson vs Hedekin N.S. ijs

Ord. Pennsylvania [redacted] vs Short Cont.d

Ord. Reeves vs [redacted] Bodine Dept pleaded a Tender & produced the money in Court Parties Heard & Tender held Good upon the Dept Rec.d £2.9.6. And It is Ord.d the same be Dis.d with Costs.

Ord. Jos. Fawcett a/p.d in Court & was sw.d as an Overseer of the Poor for the Parish & County a/res.d

Dec. Neylerod dep. to Henry Fry ads. wife ads. Statten dismd

Ino John Armstrong a Writ for Reeves vs Bodine all. 1 day.

Present Benjamin Harrison Gent.

Ino John Britton a Writ for Bodine ads. Reeves 1 day.

Ino Smith vs Boyd. Parties Heard Judgmt for £11.0.7. and Costs.

Ino Edwd. Nicholls a Writ for Boyd vs Smith 1 day

Ino John Mead a Writ for Boyd ads. Smith all. 3 days.

Ino John Lewellen a Writ for Smith vs Boyd all. 1 day. attd.

Edwd. Bradshaw a Writ

Nancy Gumm Came into Court and made Choice of Solomon Matthews as her Guardn. who with Dep. entd. into Bond &c. bond Condition as the Law directs

Ino Matthews vs Denton Covt.

Ino On the election of Henry Sprinkle who was fined at November Court last for not attending as a Grand Juror and it appearing to the Court that he was not a free Holder, and that after being Summd. by the Sheriff he had been discharged It is Ordd. that he be remitted

Ino a Settlement of the Estate of Nicholas Boss dec. returned

Ino Wilcocks a/c vs Summers Deft Coll. and not appg. Ld. but Costs.

Ino Pontz vs Siegfried Deft. agd.

Ino Snider vs Wheelbarger Covt. Deft.

Ino Johnson vs Wolf Deft Coll. Rule to Vote but Costs.

Ino Miller vs Berry. Deft Calld. but not appearing and the proof the pltf Claim not being proved It is Ordd. the same be Dismissed

Deed Miller &c to Gilmer further acknd. by Margaret Harrison wife of Josiah Harrison, Her Relinquishment be taken as the Law directs the same is ordd. to be certified

Rus. Bagg vs Law Ag. ifp

Chesnut vs Blair parties heard & Dis? with Costs.

Daniel Chesnut vs Ass for Chesnut vs Blair all? delay

Charles Chesnut The same. The same.

Hunt vs Stevens parties heard & Judgmt for Pl. & Dam? 1¢ and the Pl. being under 30 yrs. the same ord? to be dis?

Harmon Exor vs Bell Cont? ftr

The Court doth recommend to his Excellency Robt Brooke Esqr Geo. Snodden, Capt. Edw? Hamblin Lieut? of the Second Battalion, and Ezekiel Harrison Capt. of the first Battalion as fit persons to be commissioned as Officers in the 58th Regiment of the Rockingham Militia in addition to those heretofore appointed and that Dan? Poulton be recommended as Capt in the room of Thos Hamblin who has resign?, Wm. Poulton Lieut in the room of David Poulton Joseph Denton in the room of Wm. Poulton Jos. Hancock Lieut. in room of Peter Cavender who? to have in Reuben Harrison Ensign in the room of Hancock, Conrad Eastman the room of Wm. Calvert resigned, George Doan Ensign in the room of Conrad Eastman promoted. the room of Wm. Lincoln who resigned, Jacob Eastman Lieut, Lothrop Lincoln Capt in the room of John Mennicle who resigned & Wm. Dunlap Ensign in the room of Thos Hancock

Thos Walter vs Dunlap Dis? by Return.

Wm. Hoyt & Co. vs Shipman Deft Call? dont appg Ld? & Note Ld? Costs.

Bryant's exors vs Pickering Ld? Conf? agreably to Specialty Costs.

Story vs Huffman N.S. ifp

Smith vs Summers Ld? Conf? & Specialty Ld. Costs.

Matthews vs Denton Deft Call? dont appg Ld? & Note Ld. Costs.

Dunlap vs Summers Court.

The same vs same. Court.

Evans Adm? vs Albright Court. at Defts Costs. to be tried at the next

Bean vs Hill Def? to Rob. M. Pendel & Dav? Holmes and their acc? to be made the Judgmt of the Court

Bell Adm? vs Hamblin Deft Call? dont appg. Judgt & Note Ld. Costs.

Rutherford vs Safely N.S. ifp

Rarshberger Adm? vs Fisher N.S. ifp

Meadows vs Smith N.S. ifp

Smith vs Bussey Court.

and Ewin a/s.c vs Ireland. parties Rear'd & Dett. ff P/Petition Ins. Costs.

and Deed B. & S. Garten dug to Moses Penn acte 9.0 Lupez acte 9/0

and Ditto. The same to Long. The same

and Carrill & al Anthony Notice being Conf.d at April Court last Heard until this Court on the Motion of the Pte by his Atty Dett. Exhib is Qui. lism for Man execution P.d Vandle Letters exon as his Lap. Sued out upon a Judgement obtained agt the P.d Pte upon a bond & Condition for the Delivery of Property

and On the Motion of Daniel Brady who is Desirous of Building a Water Grist Mill on his Lands on both sides of Smith Creek a writ of Adquod Dannum is awarded him to be Exec.d on the first Monday in July next agreeable to an Act.m of Assembly Concerning Mill Dams & other Obstructions of Water Courses.

Present Andrew Franklin Gent.

On the Motion of Jas. Quinn one of the Overseers of the poor is Ag.t John McDaniel he is Sum.d to appear here at next Court to Shew Cause if Any he can or Knows to say why his Children Should not be bound out by the Overseers of the Poor, It being Suggested that the P.d Daniel is not in Circumstances to Keep & Educate them as is by Law Required.

Ord Peter Summers be Sum.d as above. to Shew Cause why his Daughter Betsy Summers Should Not be bound out agreeable to Law. & the Overseers of the poor at present Suggested as above

and The Comth.s vs John Roadcap upon the Complt. of Jacob Leady for a Breach of the Peace, the Defd appd in discharge of his Recog.ce and the Court having Heard the Complt. Here of Opinion that he be dis.d

and The same vs Peter Roadcap upon a Recognizance on the Complt. of Jacob Leady for a Breach of the Peace The Defd appd in discharge of his Recognizance and the Court having Heard the Complt. are of Opinion that he be bound for his good behavior for Twelve months & a day in the Sum of Twenty Pounds and Two good Securities in the Sum of Ten Pounds each Whereupon the Peter Roadcap, Martin Coffman, and Andrew Stella the his securities appd in Court & Acknowledged themselves Indebted to his Excellency Robt. Brooke esqr Governor of Virginia & his Successors in Office in the Sum of forty Pounds, that is to

say the said Peter Roadcap in the Sum of Twenty Dollars and the said Martin Coffman and Andrew Hilff his securities in the Sum of Ten Dollars each to be levied of their respective Goods Chattles, Lands & Tenements and for the use of the County to be rendered.

Yet upon these Conditions that if the said Peter Roadcap shall be of good behavior towards all every of the good Citizens of this County & more particularly towards the said Jacob Leady then the above Recognizance to be void Otherwise to remain in full force & Vertue.

Ord. Deed from John Ewin jr Esq to Frenbough acknd wifes Dr. & Stated Vol. M.

County vs Austin Isaacs Dis?

County vs Passenger & the same is the same N.S. pd

The same vs Lowry order Information

Ord. Wm Herring be a Sep. Surveyor & that part of the Road heretofore Mich. Brown was Overseer in the room of the J. Michael and that the usual Deliably Allowed to work on the Said Road be a Sep. him for his gang to work thereon & keep the same in good repair

Present Benjamin Harrison Gent

Ord. the Court be adj. until Court in Course.

W. Herring Jr

Monday to Wit

At a Court held for the County of Rockingham the 27th day of July 1795

Present Benjamin Harrison, Ezk. Harrison, John Ewen & Joseph Baxter Gent. Justices.

Ord. A Deed of Sale from W. Cherrington to Roalston was presented in Court & fully proved by the Oath of Paul Custard. J.H.R.

Ditto Kyser Dux to Ebert acknowledged wife ack Knowd taken
and Ordered to be Record.

and Even is Wright Judge Comp agreeable to Petition with the
Deed, Sholer to Sholer acknowd. H.O.R.

and Ditto Roalston Dux to Miller acknowd wife ack Knowd. taken H.O.R.

and Ditto Vickary Dux to Herron ack Dgt. wife ack Dgt. taken H.O.R.

and Ditto Rader Dux to Shaver ack Dgt. wife ack Dgt. taken H.O.R.

and Ditto Fifer Dux to Sholer further Prov. by the oath of Daniel Lowe
& ack Dgt. by his wife she being first privily examined as the Law
directs H.O.R.

and Ditto Everhart Dux to Summey ack Dgt. wife ack Dgt. taken H.O.R.

and Bell of the Estate of Reuben Raach Decd vet. H.O.R.

and Adam Reuble to Harter ack Dgt. H.O.R.

an Instrument of Writing purporting an Article of Agreement Between J. Shaver and J. Myers Prov.

and Ditto Kyle Dux to Sholer ack Dgt. wife ack Dgt. taken H.O.R.

and Ditto Lyon to Davis ack Dgt and O.R.

and Ditto Carthrea Dux to Carthrea ack Dgt. H.O.R.

Present Wm Herring Gent. Justice.

and The Last will & Testament of Francis Green Dec'd was prov'd
by y Oath of Josiah Davidson who also deposes that Jas
Cahoon is Dead & that he saw the said Cahoon
with y Other Witness hereto attest the same in
presence of y Testator who acknowledged to
them y Instrument to be his Will
Whereupon it is Ordered to be Recorded and on the Motion
of the Exors therein named, a Certificate for Granted him for
obtaining a probate thereof in due form he having made
oath thereto, and ack Dgt Bond with Security as the Law directs
H.O.R.

and The Last will & Testament of Valentine Rist Dec'd was presented
in Court by the one of the Exors therein named & proved by the
John Carthrea Sen. and John Weaver two of the Witnesses
thereto H.O.R. and on the Motion of the said Executrix
Rist one of the Exors the Executrix having refused to take upon
her self the burthen of the execution of s. will a Certificate is

50

Granted him for obtaining a probate thereof in due form he having made oath thereto, and a Interest into an ack[d]. Bond Security as the Law directs. And it is Ord[d] that John Carthrae John Carthrae Jr Valentine Ryson and John Miller barger or any three of them being first Sworn be appointed to appraise the Slaves personal estate of the said Deceased and make Report thereof to the Court &c

Ord[d] that George Baxter Benj[a] Denton Archt. Hopkins & Thomas Bryant be appointed to appraise the Slaves and personal estate of Frances Green Decd and make Report thereof to the Court &c

Dedt Roalston Exr to Showalter ack[dg]. wife, ack[dg]. taken & OR

Ditto Millenbarger Exr & Hibbs Exr to Denton ack[dg]. and their wifes being privily examined & OR.

Ditto Lewis to Harter produced in Court & prov[d] by the oaths of the witnesses thereto & OR.

The last will & Testament of George Hersner Decd was prov[d] in Court and prov[d] by the oaths of the Witnesses thereto & OR and on the Motion of Thomas Lincoln one of the Exrs therein named a Certificate is Granted him for Obtaining a probate ~~thereof~~ thereof in due form he having with Security entered into and ack[dg]. Bond & made oath thereto as the Law directs and leave is Reserved for the other exor therein named to join in the probate thereof &. and it is Ord[d] that John Lincoln Joseph Lair, Jacob Custard & John Irving or any three of them being first Sworn be appointed to appraise the Slaves & personal estate of the said Deceased and make report thereof to the Court &c

Ord[d] Jacob Parrott be appointed to take upon him the Guardianship of Mary Painter, Alexander Painter, Catherine Painter, Absolem Painter & Mary Painter Infants under the age of fourteen years and Orphans of Christly Painter Decd he having appeared in Court & unfolded taken the same who with Securities ack[dg]. Bond & Condition as the Law directs

Dedt Brown to Donnelly ~~&~~ further proven by the oath of Solom Mathews & John Turner witnesses thereto & OR

Ditto Green Exr to Bowen further prov[d] by Thomas Mackenzie one of the witnesses thereto & OR

And Ditto Green dua to Ezr. Green further proved by the oath of Jno. McKenzie one of the witnesses thereto & OR

And On the Motion of Mathias Annon administration of John Steigler Decd is Granted him he having entered into Bond & Security, and made Oath thereto as the Law Directs

Orphan of George Cash Decasd
Catherine Cash Came in to Court and made Choice of Michael Lemon as her Guardian who with Security entered into and Acknd Bond, and was the Law directs

Adam Cook dua to Rush was Acknd by the wife of the said A. Cook & OR and her Acknt being taken as the Law directs OR.

And On the Motion of Matthew Gamble & John Wayt Administrs of the estate of Cuthbert Harrison Decasd is Granted them they having entered into Bond & Security, and made Oath thereto as the Law Directs, Thomas Harrison having appeared in Court and waved his wright of the administration of the Estate of the said Decedent — and it is Ord. Danl Holmes Samuel McClellany, Archibald Stuart, John Coalter and James Curry or any three of them being first Sworn do appoint to appraise to the estate of the said Decedent and make report thereof to the Court &c.

Deliverd to Thomas
And Thomas McKinsey a witness for Frances Bowen to prove a Deed from Francis Green to said Bowen Alias Mayattenace Depy is Began & Vance upon a Notice on a bond & Condition for the Delivery of property Notice being Acknd by the S. Vance Judgt Execution awarded accordingly

Capt John Carthrea Jas. James Lamb, Thomas Hannah & James Beard or any three of them being first Sworn do appointed to appraise the Slaves & personal estate of John Steigler Deceased & make report thereof to the Court

And Donaghue vs Turley Upon an Attd George King being Sworn a Garnishee says he has in his possession one Sack Bagg the property of the said Deft and that he subscribed to him the Sum of Three Dollars. Order Condemnation & Order Sale —

3/6
3/6

52 1792

Ord Lucey Spencer Orphan of Spencer Decd. be Bound to Handle Vance Jun. as the Law directs.

Ord John Ewen jr late Deputy Sheriff under William Dunlap late Sheriff of this County, Returned his List of Delinquents and the Insolvents in the ~~County~~ for the year 1792 which is allowed by the Court & Ordered to be certified he having made oath thereto as the Law directs

Ord The overseers of the poor bind Bathewel Williams a Base Born Child (who was formerly bound to Robert Samples) Thesaia Samples appearing in Court and released the said apprentice from his Indenture, to be bound to Archibald Rutherford for the term of five years to learn the art & trade of a Gun Smith.

Ord Appeal Tilney Dix to Lofftis ack.ge & R

and Johnston & Travis Judgmt. Compr. agreeable to Specialty & Costs.

Ord The overseers of the poor bind Elizabeth Hall Orphan of John Hall Dec.d to John Hicks as the Law directs

Ord. The overseers of the poor bind Ann Hall Orphan of John Hall Dec.d to Hugh Tiffney as the Law directs

and Smith vs Beesly Dis.d ag.t

John Parker Orphan of John Parker Dec.d appr.d in Court and made Choice of William Donaldson as his Guardian who with security entd into and acknd Bond Condition'd as the Law directs.

On the motion of John Ewen jr it is Ord.d he be permitted to take upon himself the Guardianship of Peggy Ewen Infant under the age of fourteen years and Orphan of Henry Ewen Dec.d he with security entd into and acknd Bond Condition'd as the Law directs.

Ord Thomas Bryan be appr.d Overseer of that part of the Road where of Solomon Matthews was appr.d in the room of the said Solomon and that the usual Tithables allotted to work on the said Road be appr.d for his Gang to work thereon and keep the same in Good Repair.

Geo. McMellon vs Joseph, and Kring vs The same. This day
and Jake Spence who is stands bound as special bail for the said
Defendants in the each of the aforesaid Suits personally appeared
in Court and Surrendered the Body of the the said Daniel Joseph
in Discharge of his Recognizances aforesaid Whereupon It is Ordered that he remain in Custody &c

Penneybaker &c. vs Short. Cont. pltt.
Deamon vs Keyhoeker N.S. &c.
Story vs Huffman N.S. &c.
Wiggs vs Lam. . . N.S. &c.
Ramberger &c. vs Fisher &c.?
Pontneys exors vs Penne &c. Defts. Calt. & Judt. & exors Int. Costs.
Boyd vs Magill parties Heard & Dis.
Thomas vs Crawford, Defts Calt. & Jud. & Note Int. & Costs
Mathews vs Newton. parties heard & Judgt. for £5.17.6 & Costs.

Dunlap vs Summers Two Petitions Cont.
Maggot vs Garven Cont. Defts Costs
Headings &c. vs Smith. Defts. Calt. & Judt. & Note Int. & Costs
Snider vs Wheelbarger, The same The same
Armentrouts exors vs Carrigan &c The same
Harmons exors vs Ball. Parties heard and Judgt for £3.10.0 &
being y. Amount of Two pieces of Dutch Gold Weighing 12. 11 Gr. at 4/10
the Jersey Weight, Int. from 12th Sept. 1794. & Costs.
Showalter vs Dundore on the Motion of the Pltt. by his Attorny. and
for Reasons Appearing to the Satisfaction of the Court It is Ord
the Order of Dismission at June Court last be set aside
and that this Cause be Redocketted. & N.S. accd.
Ruthrauff vs Lafferty Cont.
Chandler &c. vs Hamilton Defts Calt. & Judt. & Note Int. & Costs
Rice vs Brookings upon an Att. Cont.
Bear vs Metz Cont. per Award
Joseph Fawcett a Witness for Boyd vs Magill all 5 days attend.

Ord. Ebert v. Kyser, upon an Injunction the Defr having filed his answer and thereby denyed the equity of the Pltfs. Bill, & the parties by their Counsel having agreed upon facts to wit ~~that the Defr~~ ~~has purchased~~ ~~of the Pltfs~~ ~~a tract of land called~~ ~~and~~ ~~that the Defr has~~ ~~entered~~ ~~and~~ ~~obtained a~~ ~~Patent~~ ~~for the same~~ ~~and~~ ~~that the Pltfs~~ ~~has~~ ~~a~~ ~~prior~~ ~~entry~~ ~~and~~ ~~Survey~~ ~~for~~ ~~the same~~ ~~land~~ ~~which~~ ~~Survey~~ ~~was~~ ~~returned~~ ~~into~~ ~~the~~ ~~Land~~ ~~Office~~ ~~before~~ ~~the~~ ~~Patent~~ ~~issued~~ ~~to~~ ~~the~~ ~~Defr~~ ~~and~~ ~~that~~ ~~the~~ ~~Pltfs~~ ~~has~~ ~~not~~ ~~obtained~~ ~~a~~ ~~Patent~~ ~~for~~ ~~the~~ ~~same~~ ~~land~~ ~~by~~ ~~reason~~ ~~of~~ ~~the~~ ~~Defrs~~ ~~Patent~~ ~~having~~ ~~issued~~ ~~before~~ ~~the~~ ~~Pltfs~~ ~~Survey~~ ~~was~~ ~~returned~~ ~~into~~ ~~the~~ ~~Land~~ ~~Office~~ ~~and~~ ~~that~~ ~~the~~ ~~Pltfs~~ ~~Survey~~ ~~was~~ ~~made~~ ~~before~~ ~~the~~ ~~Defrs~~ ~~Survey~~ ~~was~~ ~~made~~ ~~and~~ ~~that~~ ~~the~~ ~~Pltfs~~ ~~Survey~~ ~~includes~~ ~~the~~ ~~greater~~ ~~part~~ ~~of~~ ~~the~~ ~~land~~ ~~in~~ ~~the~~ ~~Defrs~~ ~~Patent~~ ~~and~~ ~~that~~ ~~the~~ ~~Pltfs~~ ~~Survey~~ ~~was~~ ~~made~~ ~~for~~ ~~the~~ ~~quantity~~ ~~of~~ ~~land~~ ~~mentioned~~ ~~in~~ ~~the~~ ~~Pltfs~~ ~~Patent~~ ~~and~~ ~~that~~ ~~the~~ ~~Defrs~~ ~~Survey~~ ~~was~~ ~~made~~ ~~for~~ ~~a~~ ~~greater~~ ~~quantity~~ ~~of~~ ~~land~~ ~~than~~ ~~is~~ ~~mentioned

Ord. John Herdman be appt. Overseer of the Road from the Cole. Harrison Lane Gate to the Cross-roads At or near Campbells fence and that all the Tithables within Two Miles on each side of the said Gate attend him for his Gang to Work thereon & keep the same in Good Repair.

Ord. The Comth. vs Magill on a Recognizc. Charge on the Oath of Mary Boyd & She being the Reputed father of her Base born Child, Personally appd. in Court in discharge of his s. Recognizance and agreed to enter into a Recognizance with Surety for the maintenance of the s. Child. Whereupon the s. Robert Magill with Mr. Herring his Surety acknowledged themselves to stand bound to his Excy. Robert Brooke esqr. Governor &c his Successors in Office in the Sum of £62. 10 sd Curry of their respective Goods & Chattels Lands & Tenements each for the use of the Governor &c to be levied Yet upon this Condition that if the said Robert Magill shall pay unto the Overseers of the Poor of the Parish County aforesd. the Sum of £10 for the first Year and £5 for the Two Succeeding Years to be paid in Annual payments, & keep the Parish indemnified from the Maintenance of the s. Child then the above Recognizance to be void &c

Ord. Samuel Leedy be appt. Overseer of the above Road leading from the Town of Harrisonburg to the Cole. Lane in the room of Wm. Keyes, and that all the Tithables within Two miles on each of the s. Road be allowed for his Gang to Work thereon & keep the same in Good Repair.

Ord. the Court be adjd. 'till Court in Course.

Benjn. Harrison

56 8

Monday to wit

At a Court held for the County of Rockingham at the Court House the 17th day of August 1795.

Present } Benjamin Harrison, Andrew Lambert, Ezekiel Harrison, John Rice & Joseph Baxter } Gent Justices

Grand Jury Sworn to wit

William Fowler, (Foreper,) Daniel Chenuk, Aaron Solomon, Nicholas Bery, George Coogler, Joseph Lair, Adam Arguebright, Wm Peirson, George Snodden, Abraham Philips, Philip Coonce, Henry Holderman, Leonard Sutwiller, Peter Brown, John Lentle, George Armintrout who Retired from the Bar to make their presentments and after some time returned into Court and said on the following Presentments to wit. We of the Grand Jury &c. and nothing further appearing It is Ord. the Sheriff discharged &c. that the legal Precepts Issue thereon Returnable as the Law directs

Ord. Lucian D. Wagg. dismd at the costs of Wm Shipman he having appeared in Court and Confessed there.

Ord. Smith vs Kingary &c. Wm Lynch & Geo. Armintrout S. D. the said Defts.

Ord. Quinn vs Miller & Samuel Miller S. D.

Ord. Coutts vs. Spears. Jury Sworn to wit John Hall Joseph Douglass, John Kingary, Henry Dausbarger, Wm Bryant, Thomas Dunkerson, John Kisey, Geo. Dove, David Gilmer, Edw.d Collins, Benjamin Gaines, & Abra. Chrisman & Verdict for the Deft & the Sd. Deft. wave his right of Costs It is Ord. he be exempted from the Payment & the same as the Publication,

Ord Hopkins Pl.ff vs Mellen, Edw.d Collins, & Jos.h Lampson Def.ts

Ord Ogle Delilah Riggs a base born Child* of Mary Boyd be bound to Jas. Riggs, as the Law directs ~~the same~~
*aged 11 months.

Ord Hunton apl.t vs Miller Pl.ff John Morrison L.B. for the Apl.t Miller Delivered in Court whereupon the Pltt prays him in Custody &c

Johnson vs Gratton Exors & Grattans Exors vs ~~the~~ Ludlow on
Ord Colin Rush. ~~to refer the matters in dispute~~ with the Arbitrators here-
before appt.d to settle all matters in dispute between the parties
aforesaid in the suits aforesaid in the Room of Wm Hopkins Esqr then
award &c: made the Rule of this Court.

Ord Harrison vs Protzman Reuben Harrison & Land. Williams Jos.h

Ord Breedan Exor vs The same. The same on D.B.

Ord Johnson vs Gratton Exors & Gratton vs Johnson, By Consent of the
Parties & with the Asent of the Court John Rush is appointed in the
Room of Wm Hopkins Esqr to settle with Other Abitrators heretofore appt.d
to settle all matters of Difference in the suits aforesaid between the
Parties aforesaid & that their award be made the Judgment of this Court.

Ord Hunton apl.t vs Miller Pl.ff Charles Douglass & Adam Butts L. B. for
Miller & Henry Bowerman B. for the other Defts.

Ord Spears vs Krug Dis.d agt.

Ord Comth vs Selvage Jury Sworn to wit Benjamin Berry Philemon
Pork, Jonathan Lattom, William Lattom, Micheal Shugart
Jon.a Shipman, Mathew Harrison, Sol.o Mathews, Sol.o Vance
Mark Newland, William Shipman & James Marten
Jean ~~Mitchell~~ Lawrence ~~Lind~~. Verd.t for Defend.t & the Court having
~~and~~ Enacted Wm Dunlap who was entred as the Prosecuter Pl.ff
Ord he be exp.d from the payment of Costs

58 10

Ch^d Rice & Brookins upon an Attachment

The Constable having Return'd ex^d on sundry Articles and the 4th having Giv^n to the Satisfaction of the Court that the Dft is justly Indeb^d to him the Sum of £6.. 19. 4 with Cost for the same 20/ —

Same

Ch^d Carrell a Writ for Rice & Brookins att^d 1 day

Ch^d John Lyon The same for same The same.

Ch^d Herring & Huston Def^t to Benjamin Harrison Return'd Garnishee and their Exam^d and the Exam^d of their Witness in case of Disagreament to be made the Judgement of the Court —

Ch^d Edw^d Collins a Writ for Herring & Huston att^d 1 day.

Ch^d Ulrich Gartin The same for the same The same.

Ch^d John Dry The same for same 2 days —

Ch^d Benj^a Gaines a writ Huston abs. Herring 1 day att^d Cop^d.

Ord^d the Court be Adjourned until to Morrow Morning 9 oClock.

Benj^a Harrison

Tuesday the 25th August 1795.

Present.

Wm Herring
Ezekiel Harrison
Francis Scott } Gent^n
Asher Waltsman

Ord^d the Rules be held in the Clerks office on Thursday the 27th Instant and on the day after the fourth Monday in September & October next.

Cro Hopkins &c vs Divier Joseph Douglass YB.

Cro The same vs Divier & Joseph Douglass S.B.

Cro Christy Miller vs Daniel Deitzenger By Consent of the parties By their Attornies & with the ~~consent~~ assent of the Court this Cause is Refd to Charles McClain, Henry Bourgs & Philip Wood & their award ~~thereon~~ to be made the Rule of the Court.

Comth vs Pence Cont. Information

The same vs Lowry Cont. Information

The same vs Kephart vs Passenger Two presentments severally Dis'd by Sheriffs return.

Cro Jewett exor vs Chalaghan Three Suits the arbeitrators to whom these Suits were referred having returned their Award Judgt is awarded for £38 11 11 5 agreeable to the aforesaid Award

Evans exor vs Kefill Jury Sworn to try the Issue to wit Conrad Hansberger Geo. Miesersmith, Jon.a Latham, Hugh Divier, Jo.s Douglass, Tho.s Harrison jr. Wm. Rackford, Rich.d Ragen Abram Chrisman Jole Matheus. Jn.o Morrison & Jas. Jameson who Ret.d Verdict for Plff. & Judgment

Bears Exor vs Hopman Jury Sworn to try the Issue to wit Robert Magill, David Brumfield, Michael Deck, Michael Brown, Edward Brady, Solomon Johnson, Henry Sprinkle, Jacob Good, David Coffman, John Harper, Jacob Lincoln, Bazel Ragen, Abraham Chrisman, Solomon Matthews, John Morrison, & Andrew Jameson Verd.t for the

Bears Exors vs Thomas, Jury Sworn to try the Issue to wit Robert Magill, David Brumfield, Michael Deck, Michael Brown, Edward Brady, Solomon Johnson, Henry Sprinkle, Jacob Good, David Coffman, John Harrison, Jacob Lincoln & Bazl. Ragen Verd.t for the Dfft & Judgment

Ch^o Johnson vs Lincoln Dis^d Non cum Infirmatus

Ch^o Richey Pl^t vs Carthrey Two Writs Cont^d Pl^t.

Ch^o Prent John Rue Gent.

Ch^o Stockard vs Erwin Randolph Gwinn L. B.

Ch^o Matthews vs Marks

Ch^o The same vs Shirley The same.

Ch^o The same vs Chrisman The same.

Ch^o Reeves vs Harris Cont^d for Def^t

Ch^o John Reeves a Writ for Reeves vs Harris all^d 9 days attend.

Ch^o Sebastian Marsh, the same for the same The same.

Ch^o Henry Marsh the same The same

Ch^o Reed vs Donamon. The same Jury as in Bean Exor vs Thomas. Except Wm Shipman in the room of David Brumfield. Verd^t for Pl^t. 1^d. damages. Cost.

Ch^o Lewis Exor vs Mackall Plea Issue & Jud^t Conf^d for £95.16. Damages. Costs.

Ch^o Thomas Scott a Writ for Lewis Exor vs Mackall all^d 4 days Attendance

Ch^o Norman vs Minick Cont^d for Pl^t

Ch^o Ackerman vs Fawcett Cont^d

Ch^o Matthews vs Carrell, Referred to Musterning, Asher Waterman & Adam Rader and their aw^d to be made the Judg^t of the Court

Ch^o Hamburger vs Croft Dis^d by Pl^t order.

Ch^o M^cCarrell vs Johnson Dis^d Nonsuum Infirmatus

Ch^o Donally vs Divers A Dedt abates as to Harrison one of the a Defts & Jury Sworn to enquire of the Damages. & Find the same Jury as in Reed & Donamon. Except Brumfield in the room of John Harrison Verd^t for the Pl^t for Debt in the Declaration Mention^d & £16.16^s. Damages & Cost

Thos Thomas Exors vs Allen W.E. set aside N.P. Flounder

Sawyer vs Penn. By Consent of the Partys by their Attorneys Benjamin Smith the Pltff and Jas Allen Esq Atty for the said Defts a Struck Jury S.B. W.E. set aside & a Jury Sworn to try the Issues & each

The same Jury as in Ewins Exors vs Hopsell.

Verdict for the Pltff for £500 Damages & Judgements.

Ackerman vs [redacted] Powell's Rule for Leave for Costs.

Heads

For the purpose of Carrying into effect the Law for dividing Lands &c. Ord that the County of Rockingham be Divided in Ten Precincts, and all the Lands within Capt Jas Davis Company form one Precinct and that John Smith, William Driver & Basil Mellon be appd to Superintend the Procession of the Lands therein Contained — That the Lands within Capt Gregg & Hestons Comps form one other Precinct and that David Barnett, John Snap & Jas Beard be appd to Superintend the Processioning the Lands within the same — That the Lands within Capt Peter Hopkins Comps form one other Precinct and Charles Lewis, George Coleman & Peter Nicholas to Superintend the Procession of the Lands within the same — That Capt Harry Mullens Comps form one other Precinct and that Geo Huffman, Stephen Conrod & Jacob Bare be appd to Superintend the Processions the Lands within the s. Precinct That the Lands within Capt Jacob Kyser Comps form one other Precinct & that Jacob Kyser, Wm Greene & Wm Hite be appd as afores — That the Lands within Capt John Bright's Comps form one other Precinct and that David Laird George Penn & Richard Armstrong be appd as afores'd. That Josiah Harrison form one other Precinct & that Thos Moore jr, John Reeves Jun & John Armentrout be appd as afores — That the Lands within Capt Abr Lincolns Comps form one other Precinct & that George Chapman Jacob Lincoln & John Kring be appd as afores'd — That the Lands within Capt Thomas Mantlers Comps form one other Comps and that Thos Mantlen, John

Herdman & Asher Hopkins be appt.d as aforesd. That the Lands within Capt. Jos. Pegg's Compt. form one Precinct And that Mich.l Baker, John Ruddle, and Rich.d Custard be appt.d as aforesaid And that the said Processions in their several Precincts Proced. to execute their Offices respectively on the first Monday in October next and Continue from time to time as may be Convenient so that they make Return of their Proceedings to this Court On or before the fourth Monday in Feb.y Next Pursuant to the Act of Assembly in that Case made & provided

Jones vs Allen. Injunction offered & granted on his Entering into bond with Benjamin Faucett his Def.t in the Clerks office as the Law directs.

Ord.d the Court be adjourned until Tomorrows Morning 9 Clock &c.

Wm Strong

Wednesday 26th August 1795.

Present
Andrew Shanklin
Lobon Way.s
Benjamin Faucett.d
Asher Waterman
} Gent.n

2nd Johnson vs Gratton Exor.s Dis.d at Pltf. Costs.

2nd Gratton Exors vs Johnson. Dis.d at Deft. Costs.

Ch.d Shirley vs Vance. Jury Sworn to try the Issue & wit.s William Stone, Solomon Johnson, Jos. Davis, Asher Holburn, David Faucher, Edw.d Hatfield, Wm Watson Benjamin Berry, Jeffry Luther, Michael Lindsey, James Sapworth, Richd Rogers, Verd.t for Pltf. & Dam.s

Ch.d Thomas Exor.s vs Allen. The same Jury as above and Dis.d at the Costs of Deft. Exors Suit before the Jury Came Exors withdrawn & Dismission of the Cause at the s.d Exors

Lamison ⁊ made at Augst Court 1794. to set aside
Judgt that the said Cause be Redocketed. Hond.

~~Ewen ⁊ Low the same Jury as in Hurley ⁊ Vance~~

Ewen afsd ⁊ Norman The same Jury as in Hurley ⁊ Vance except
James Riggs in the Room of John Milburn, & Jonathan Lathem
in the Room of William Paine. Verdt for Pltf.

Ewen ⁊ Stone Dis⁴ with leave to Redocket the same on the Defts
paying the Costs

Justices ⁊ Skidmore ex on Court ⁊

Davis ⁊ Buckland The same ⁊

Goodell ⁊ Cady The same ⁊

Davis ⁊ Shipman Dis⁴ by Pltf Order

Roler afsd ⁊ Boyd &c The same Jury as in Ewen ⁊ Norman
Verdt for Pltf Judgmt

Gorden ⁊ Hamilton Court ⁊

Summers ⁊ Douglass. Two Suits plea war⁴ and Judgment
Court with stay of Execution tell the first day of November.

Ryson ⁊ Lusher & the same ⁊ Lockery Court Pltf.

Robertson ⁊ Lincoln Court Pltf. N.B. Set aside G.J. Joinder.

Carter ⁊ Seively. N.B. same Court

Hill ⁊ Long Dis⁴ by the Pltf.

Waggoner ⁊ Hill Court ⁊

Long ⁊ the same Tho Suit Court

Helmeck ⁊ Miller Dis⁴ at the Defts Costs.

~~Ryan ⁊ Mealy &c &c~~

Armentrout ⁊ Pence & Office Judgt set aside as to the appear
Bail Payt & Joinder

Davis ⁊ Shipman plea of G.J. withdrawn, def. A.I.
N.A. within 5 years. Found Hond.

Present Benjamin Harrison Gent.

64

Oct. all Causes causes which now remains on the Docketts
and which have not been Call.d he Could

Chd Jones vs Vance Rule for Affd & Genl. order to take Depo
Absent Colin Wright Clerk

Chd Wright vs Holtzman Jury Sworn to wit
The same Jury as in Rider & Boyd Except
Isaac Hyon in the Room of Lewis Sawyer
Verd.t for the Plff & Judgment

Chd
Copy Jonathan Latham a Witness for Hopman ats Davis
dels. subs. all.d 2 days attn

Chd
Copy Deft.s Depo Millicent Latham the same
for Mr. father

Chd Andrew Jamison a Wit.s for Davis vs Hopman
All.d 6 days attn

Chd Isaac Hyon the same 3 days...

Oct. the Court be adjourned Court in Course

Benja Harrison

Monday the 28th At a Court held for the
County of Rockingham at the Court house the
28th day of September 1795.

Present

William Herring, Andrew Shanklin
Benjamin Harrison, Joseph Baxter } Gent.

Chd Deed Akins to Akins ackld. & Ord.

Chd Ditto Single to Herring ackld. wife ackldgt taken & Ord.

Chd Ditto. Rader to Hoff. The same

Chd Ditto. Miller, Jun.r to Barger ackld. & Ord. to the County Court
of Montgomery & the Same exam.d as the Law directs

Chd Reid D.M.Clain Pltf to Lindsey Deft Pltf's wifes certificate taken D.M.

Chd Price to Armentrout, Certificate D.M.

Chd Lincoln to Manger. The Same.

Chd Kehoon to Showalter. Provd by the Witl thereto D.M.

Court to Depose upon a Recognizance Continued,

Chd Reed, Reder, to Train, Provd by the Oaths of the Witl thereto D.M.

Chd Ditto Mallow Pltf to Harshbarger. Certificate wifes certificate taken D.M.

Chd An appraisment of the Estate of George Reasner Decd Certified D.M.

Chd Ditto of the Estate of Saml Marr Decd. The same.

Chd Sale bill of the Estate of J. Reed Decd. The Same.

Chd Pennypaker Hs is Short Contd.

Chd Dotson vs Hydeker Deft Calls Mot appr for Judgt 2d Inft Barron at 33/4 pr Hundred Lost Costs

Chd Sarah Turner a Witness Lindsey vs Black. aud 1 days Attd.

Chd Reed. Buckland. to Conrad. Certificate D.M.

Chd Reeves vs Hawkins Pltf upon a bond taken for Delivery of Property Protection prond as to Hawkins only, Deft Calls Mot to Dissolve Injunct Judgt Rehearing and

Chd Story vs Huffman, Deft Calls Mot appr for Judgt Pltf Mot Lost Costs.

Chd Sutherland vs Safely Contd.

Chd Dunlap vs Summers Two Petitions Contd

Chd Bean vs Hetts Contd and?

Chd Detter vs Royer Contd Deft.

Chd Harris Assee vs Akins Contd Solomon Matheus to pay Costs.

Chd Showalter vs Dundore. Deft Mot appr for Judgt Pltf Mot Lost Costs

Present Benj Harrison & John Rice Gent.

Absent. Benjamin Harrison & Joseph Baxter Gent.

Ord Maggott vs Garvin Court for Plto.

Ord Thomas Cason vs Dickey. only. Depl. Called & Ld. for Plt. Note Lev. Costs.

Ord The same vs Grove & The same.

Ord Ramsbarger vs Lemon Dis.d

Ord Bodine vs Donally Dis.d ag.t

Ord Hopkins &c. vs Shafner &c. Depl. Called & not appg. Ld. for Plt. Note Lev. Costs.

Ord Victor vs Whetmyer &c. The same. Off.t Balance.

Ord Lofland vs Shafstall, The same.

Ord Hall a/s.t vs Waggoner Dis.d agreed.

Ord Littles a Dwr. vs Grove &c. Depls. Called & not appg. Ld. vs Grove only Plt. Note Lev. Costs.

Ord Taylor vs Frank & Minick, Ex.rs on Minick only. Depl. Called & not appg. Ludgt. for Plt. Note Lev. Costs.

Ord Jas. B. vs Andrews A.S.

Ord Wise vs Grim, Depl. Called & not appg. Ld. for £3.7.6 Plt. and Costs

Ord Bowen vs Switchell Depl. Called & not appg. Ludgt. for £2.5. Ld. from April 1795. till pr. Costs.

Ord Rec.a B.S. McDowell to Lewis Ack.d & M.

Ord On the Motion of Sam.l Leedy leave is granted him to make an Inclosure Survey of his Land, Bound by the Lands of Henry Cash, Benjamin Benton, David Polsby, Martin Carnover, Jacob Bartholder & Zacharias Shallenberg, he having Complied with the Law in that Case made & provided.

Ord Sam.l Leedy be appd Overseer of that part of the Road before Mich.l Brown was late Surveyor in the Room of William Hughes and that he with the usual Tithables attend to work on s.d Road Work thereon & Keep the Same in Good Repair as the Law directs. It is further Ord.d the Order made at Feby Court last appointing him Overseer of the new Road Leading from the Town of Harrisonburg to Keezletown be Rescinded

Lindsey vs Traily Cont. Dept.

The same vs Black. Dis? ag?

Hawber vs Albright Two Petitions Cont?

Robinson vs Lincoln Cont?

Rader vs Hoover Pl? Cont?

The same vs Moore Pl? Cont? on Moore Def? as to Other.

Vance vs Bell. Cont?

Harry vs Ireland ~~Plts Exception ag?st Def? Note Def? to have~~ Discontinued

Wren vs Hamilton Defts Coll? Mot ag?st Jud. ag?st Note Def? Costs.

Graham vs Hairs admrs Dis? ag?

Holmes ag?st vs Stone Defts Coll? Jud? ag?st Note Def? Costs.

M?Dowell vs Harrison, Jud? ag?st Balance. Def? Costs

Guinn vs Young N.S.

Moore vs Bell. Dis? ag?st Defts Costs. Ca/Sy ~~[illegible]~~ n/s.

On the motion of Daniel Traily a Writ of Adq?od Damnum is awarded him agreeably to an Order of June Court Last. to be directed to the Sheff. of Lee Ex? on the Second Thursday in ~~August~~ October next Returnable as the Law directs Pursuant to an Act concerning Mill Dams & other Obstructions of Water Courses.

On Settlement of the Estate of Dav? Strum Dec? Ex? of Joh? Strum

Vance vs Bell, on the affidavit of the Pltf Leave is granted him to take the Dep?s of Wm Bryant & others of Lee, he giving the Defts reasonable Notice of the time & place of taking the same.

Then Instrument of Writing purporting the last will & Testament of Geo. Cline Dec? was produced in Court & prov? by the Affirmation of the Wit thereto & Ordered to Lay in the Office

Ord. Deed Miller Exr to Miller Admr &c. vs Jas Admr &c. Action Debt
Ord. The same to Dittes the same.

Ord Alexander Hiins a Writ for Hiins ads Harris allo 1 days attdce

Ord John Turner a Writ for Lindsey vs Black allo 1 days attendance.

Ord On the Motion of Jacob Rife Esq. it is Ord. that Andrew Frankish Esq. Asher Waterman & John Wright or any two of them be appointed to settle the Estate &c. of Jacob Bonnah Dec. with the Exor & make Report thereof to the Court.

Ord Charles Wood a Writ for Hiins ads Harris allo 1 days attdce

Ord Gawin Hamilton a Writ for Dittes ads same. The same.

Ord George Bell late Dep. Sheriff under Wm Dunlap Esq. late Sheriff Produced his List of Delinquents in the Revenue, County Rate Levy for the year 1793. which was Exd by the Court, Allowed & he having made Oath thereof as the Law directs.

Ord Ayt Henry Berry a base born Child of Sarah Berry be bound by the Overseers of the Poor to George Duffy to learn the Black-Smith Trade as the Law directs

Ord Ayt the Overseers of the poor bind Deborah Woodridge a base born Child of Ellen Woodridge to Ann Calhoun as the Law directs

Ord George Bell, late Dep. Sheriff under Wm Dunlap Esq. late Sheriff Produced his List of Delinquents in the Revenue, County Rate Levy for the year 1793. which was Exd by the Court, Allowed & he having made Oath thereof as the Law directs.

Ord On the Motion of Andrew Coleman, Administration of the Estate of John Marten Dec. is Granted him he having made Oath thereto and with Lieut. Jacob Adelberger bond & Condition as the Law directs. — Rebecca Marten Widow & Relict of the Dec. decedent having from under her hand Attested by two Witnesses Relinquished her right of Admon thereto which is Ord. to be Certified. And it is Ord.

Andrew Coleman
Rebecca M. Martin

Wm Robeson, John Norman, John Perry & Andrew Carrell, or any three of them being first Sworn be appd to appraise the Estate of the Dd Decedent Private Report thereof to the Court

Ord Peter Van pelt be appd Surveyor the Road from the Fork of Harrowdenny to Joseph Hall in the Room of Andrew Shanklin and that the usual Tithable all Hands on sd Road be appd for his Gang to Work thereon & Keep the same in Good Repair

Ord Ord Francis Kirtly, Leyton, & Nicholas Hansbarger, as Attorneys or any two of them be appointed Trustees for the Purpose of Contracting with some Person or Persons upon the best Terms they can not Exceeding the Sum of four Hundred Dollars, to Repair and Keep in Repair for One year the Road over the Blue Ridge at the place called Swift run Gap from the Plantation of Peter Harshmonds in the sd County of Rockingham to the Plantation of Daniel Wolfords in the County of Orange and that they the sd Trustees be vested with power to secure to the undertaker, thereof the Dft of this Money until the same can be collected in the next Collection to be made in the year 1796, they taking from the undertaker, or undertakers bond & sufficient Security for the faithful performance thereof agreeable to an Act of Assembly in that Case made & provided

Ord the Court be Adjd until Court in Course

Wm Heming

Monday 16 Oct

At a Court held for the County of Rockingham at the Court House the 26th day of October 1795.

Present } Wm Herring, Andrew Shaklett, Ezekiel Harrison & Joseph Baxter } Gent.

Ord Deed Smith day to Benj Smith Prov'd by the Oaths of Wm Driver & Isaiah Shipman two of the Wit thereto.

Ord A Settlement of the Estate of Jacob Harmon Dec'd Ret'd & Rec'd

Ord The last Will & Testament of Conrad Snider Dec'd was presented in Court & Prov'd by the Oaths of the Wit thereto & Rec'd. and on the motion of the Exrs therein named a Certificate is Granted them for obtaining Probate thereof in due form. they having with Security entered into Bond & made Oath thereto as the Law directs.

Ord Deed Allen & Allen to Allen, Wifes Ack'g & taken & Rec'd

Ord Do Buckland day to Conrad. The Same.

Ord Do Rychart day to Christian Souterman Ack'g & wifes Ack'g & taken & Rec'd

Ord Do Kertner day to Folk. The same.

Ord The last Will & Testament of Frances Graves Dec'd was Produced in Court and further Prov'd by the Affirmation of Hezekiah Bowen a witness to the Subscribing Wit thereto &

Ord Deed Graham & Co to Dreland Ack'g & wifes Ack'g & taken & Rec'd

Ord Do Showalters day to John Herring The same.

Ord Do Berry day to Harrison Wifes Ack'g & taken & Rec'd

Ord Do Camps day to Rush Ack'g & wifes Ack'g & taken & Rec'd

Ord Do Crull to Miller Ack'g & Rec'd

Ord Do Cleland day to Black Prov'd by the Wit thereto & Rec'd

Ord. Ord. The overseers of the Poor bind Barbara Shrum a base Born child of Mary Shrum to Henry Holderman as the Law Directs

Ord. A Settlement of the Estate of Jacob Bowman dec.d Ret.d Ver.

Ord. A Deed Recvd Ack.d Proved & Ordered to be Recorded

Ord. The last will & Testament of David Garvin dec.d was presented in Court & Prov.d by the Wit thereto Ver.

Ord. A Deed Recvd Ack.d Proved & Ordered to be Recorded

Ord. An appraisment bill of the Estate of John Lincoln dec.d Ret.d Ver.

Ord. Do. of the Estate of Henry Erwin dec.d Ret.d Ver.

Ord. v Fisher & Swing Pet.rs upon a bond Cond.n for delivy of Property. Notice Provd Judgmt & Exon Awd & Ass.d Costs.

Ord. Ord. James Lewis be appd Surveyor of that part of the High way whereof Jacob Earbaugh was Overseer in the room of the s.d Earbaugh and that he do with the usual Tithables all.d to work on the s.d Road Work thereon & Keep the Same in Good Repair &c

Ord. Ord. Reuben Harrison be appd Overseer of the Road whereof Lewis Peebler was Surveyor in the room of the s.d Peebler & that he do with the usual Hands all.d to work on the s.d Road Work thereon & Keep the same in Good Repair &c

Ord. v Harris Dunlap upon a Capias — Notice Provd Judgt & Ass.d Costs —

Ord. v Wheelbarger & Miller Pet.rs upon a bond Cond.n for the delivery of Property - Notice Provd as to Harris Judgt & Exon and Ass.d Costs.

Ord. Ord. Charles Lewis be appd Overseer of the Road whereof Thomas Carr was Surveyor in the Room of the s.d Carr & that he do with the usual Hands all.d to work on s.d Road Work thereon & Keep the same in Good Repair &c

172 3

Ord. A Deed Ower to Jas Brooks. Prov.d by the Wit thereto & O.K.

Ord. Deed Smith to Hansbarger Ack.d & O.K.

Ord. The last Will & Testament of George Eleine Dec.d being Prov.d at the preceding Court was Translated into English the same being Prov.d by the Translater was ordered together with the Orignial to Record. And on the Motion of Jacob Dice & Frederick Eleine the Exors thereof Named a Certificate is granted them for obtaining a Probat thereof in due form they having with Sec.y entered into Bond & made Oath thereto according to Law

Ord. Ogl. Tax Davis Bar. Leyton Yancey & Conrod Hansbarger or any Two of them be appd. as Trustees for the purpose of Contracting with some Person or Persons upon the most reasonable terms not exceeding four Hundred Dollars to repair the road over the blue ridge at the pass call.d Swift Run Gap from the Plantation of Peter Harshmands in this County to the Plantation of Daniel Woodford in the County of Orange so far as the said Sum will Authorize them to go. And that they the Trustees be Bond with with full Power to Secure to the undertakers or undertaken thereof the Monies of the Money that may be expended thereon until the same can be Levied Collected in the next Collection to be made for the 1796. And it is futher Ordered that the former Orders made at the preceding Court be rescinded

Present Benja Harrison Gent.

Ord. An Instrument of writing purporting the Conveyance of Land from Hopkins Dug to Wm Hamblin Ack.d Prov.d by two of the Wit thereto.

Ord. A Deed Harter Dug to Dove Prov.d by the Wit thereto & O.K.

Ord. Kepplinger Dug to Kepplinger The same

Ord. Haynes Pet to B. Smith Ack.d & O.K.

Ord. The same to I. Smith The same

Ogl. Peggy a Mulatto Girl who was formerly bound to Robert Harpbridge Dec.d be bound to Elizabeth Dwyer as the Law directs

Present John Rice Gent.
Benjamin Hawcett.

Com'th vs Pickering Defendt upon a Presentment &c
Parties heard by their Attys & Order to be Information
be filed vs Abraham Philips & y Rule as to y
Offers is discharged

Cap Wise vs Grim on y Motion of y Defts y Judgment
Obtained at last Court is ordered to be set aside &
Execution granted &c

Com Plaint Wm Dowell to John Rice Insd by John Spencer, N.J.
Gambia detaining Gambia 10 Hhds

Capias John Porter be apps owner of the Road wherein
Joseph Bayzer was Surveyor in the room of the said Bayzer
and that he do with the usual Tithables add to work on the
same Work thereon & keep the same in good Repair

Com Penney Porter & Co vs Short Conf

Do George Dan'l Dobbs a Writ for Short & Co Penney Porter & Co
all 1 day allowed

Do Wm Short The same. The same

Do vs Rutherford is Safely Dis'd

Do Dunlap & Sub vs Lee & Co Conf Deft

Do Bean & Stille Conf for aw'd

Do Deleter & Rogers Conf

Do vs Maggot & Garvin Dis'd Deft Costs.

Do vs Lindsey & Fraily Confd Deft Dis'd ag'd

Capias Orphans Boy'd Orphan Boy'd Dec'd be bound
to Daniel Dickerson (to Learn the Sadler Trade) as the
Law directs

Com'th vs Hamlin & Straight
Do vs The same & The same } Judg't by Def's Attor Int Costs

nil

Ch. Robertson &c. vs Lincoln Court

Jgd. Rader &c. vs Hoover &c. Ns.

Ind. Ch. The same &c. Moore Ludg. &c. note Int. Costs

Jgd. v. Vance &c. vs Bell &c. Dis. ag.

Ch. v. Barry &c. vs ~~Court~~ Ireland Ludg. &c. note Int. Costs Stay of Exor. for ~~Execution~~ Affection th~~e~~

~~Ch. v. Vance &c. vs Bell &c. Dis. ag. Recog. for Petition &c.~~

Ch. v. Vance &c. vs Feaney Ludg. &c. note Int. Costs.

Ch. vs Gyatton, Exor. &c. vs Campbell &c. Dis.

Ch. v. M'Kinney &c. vs Akins. ~~Dismissed~~ Costs Dis. ag.

Jgd. Story &c. vs Huffman Court

Ch. The Court Moganott & Depoy upon a Recog. &c. for a breach of the Peace on the Complaint of Martin Coburtz. Parties being heard by their Attys. upon Consideration of the Circumstances of the Case as it appears to the Court It is Ord. they be bound to their good behavior for a year & a day in the Sum of Eighty Dollars each & two Securities in the Sum of Eighty Dollars each, Whereupon the said Daniel Moganott & John Depoy, & Isaac Depoy & Valentine Woolf their Securities personally Appd. in Court & Acknd. themselves Indebted to Robt. Brooke Esqr. Govr. of Virginia his Successors in Office in the Sum of ~~Five~~ Hundred & Twenty Dollars ~~that~~ One Hundred & Sixty Dollars each of the Principals his Secy. That is to say the said Daniel Moganott in the Sum of Eighty Dollars & Valentine Woolf his Secy. in the Sum of Eighty Dollars & John Depoy in the Sum of Eighty Dollars & Isaac Depoy his Secy in Eighty Dollars to be Levied of their respective Goods Chattles Lands & Tenements and for the use of the Comth. to be rendered

If upon this Condition that if the said Daniel Moganott & John Depoy & each of them shall be of Good behavior towards all the Good Citizens of this Comth. & more particularly towards the said Martin Coburtz for one year & a day then the above Recognizance to be Void Otherwise to remain in full force & Virtue

Ord Martin Coonts a Writ for the Sheriff to Deliver Possn
2 days allo

Ord Peter Coontz the same for same 1 day

Ord Adam Losh. The same for same 2 days.

Ord Susanna Losh The same for same 1 day

Ord Peter D. McClain Surveyor to Braden Jurors by three of the Writ thereto for the Court of the Survey Exam. of his said Survey being Returned Certified as the Law Directs is Ord. to be recorded

~~Wm Lowry~~

Ord The Sheriff is Leave upon a Recognizance
The Defd Called Dont appr. & the Atty for the Sheriff proceeds as the Law Directs—

Ord Stipman vs Hamilton Dismissed & Granted on his Entering into Bond with Security Leave in the Clerks Office.

Ord Wm Stipman Ludr Jr. note Law Costs.

Ord The same vs Collier. The same.

Ord Shanklin vs Wright The same.

Ord Henry Benjn Harrison Gent

Ord John Maddy be appd Overseer of that Part of the Road whereof John Phillips was Surveyor in the room of the s. Phillips & that he do with the Usual Hands allo to s. Road Work thereon & Keep the same in Good Repair &c

Ord this Court be Adjd Until Court in Course

Wm Harrison

Monday to wit

At a Court held for the County of Rockingham at the Court house the 23rd day of November 1795.

Present Wm Harris
Ez Harrison
John Erwin } Gent.
Jos. Baxter

Gamble &c. vs King Hugh Conaghe S.B. office
Judgt. Set aside Payment Pleaded

Trimble vs King Hugh Conaghe S.B. office
Judgemt. Set aside Payment Pleaded

Grand Jury Sworn to wit

Aron Solomon foreman, Joseph Douglass, Joseph Lair, Randle Vance, George Settles, Thomas Herdon, Isaac Miller, ~~Jacob Leland~~ John Gwinn, John Eyeler, Benjamin Tallman, George Armentrout, Henry Perkey, George Hudson, Jacob Miller, Adam Andrew & George Mallow who Retired from the Bar and after Some time Returned into Court & Made the following Presentments to wit. We &c. and nothing further appear &c. It is Ord. they be discharged and that the Legal Process issue thereon returnable as the Law directs.

Capd. Gum vs Coe Chy. Order Publication, Returnable as the Law directs

Capd. Gum vs Rynell, By Consent, Order of Survey as the Law and directs to be executed for the first Monday in February next.

do Harman vs Garvin Mot. to Dismiss S.C.

do Markle vs Boyle &c on motion of the Pltf. for reasons appearing to the Satisfaction of the Court It is Ord. that said Depts. be Called to S.C.

do Monger vs Henry, John Hunter S.C.

do Thomas vs Lamison & Jury Sworn to try the Issue to wit Mathew Mill, John Hunter, George Phillips, George Lena, Hugh Divier, Peter Andrew, Joseph Rodgers, Wm Roberson, George Pence, Wm Gould & Wm Herring George Helmerichhouser Verdt for Pltf. & Judgment

do Franklin & Dunlap Late Sheff. Notice Prov. Judg. for £8. 10s. Costs.

do Hair vs Same the same for £2. 13. Costs.

do Herring vs Huston Contd for awd

do Deck vs Conrod & Conrod vs Links, Contd for awd

do Lofland vs Rouse & Christian Dedman S.C.

do Mathews vs Davis Contd for award

do Davis vs Shipman & Jury Sworn to try the Issue to wit The same Jury as in Thomas vs Eaton & Co Verdict for Pltf. Jury withdrawn Contd until Tomorrow.

do Hopkins vs Whitinger & Elias Vickers S.C.

Benjamin Harrison Gent

do Bratton vs Brady James Burgess S.C.

do Miller vs Herring John Hunt S.C.

do Counts vs Phillips & The same vs Smith. } Indt. True bill
The defts. being call. & not appearing Ord. &c; Cap. &c Issue be Sum. to appear at the Quarterly term to answer the said Indictments

98 Wayt & Mcall.
Chas Wayt & Co vs Marshall
Gadsbee & the same
Gilmer vs The same

Charles Lewis. Esq. for the Defts
at the Suit of the several Pltfs.

Ord. the Court be Adjd until Tomorrow Morning 10 Oclock
Benj.n Harrison

Tuesday 26th November 1795.

Present

William Herring
Andrew Shanklin
Joseph Baxter &
Asher Waterman
Gent. Justices.

Chd Jones vs Vance. Chancery. This Cause came on to be heard upon the Bill and Answer, and Sundry Depositions, and the Argument of Counsel on both sides Whereupon it is Ordered Adjudged and Decreed that the Complainant Recover against the said Defendant Twenty four pounds 5/2 ½. with Legal Int thereon from the 8th July 1793 till paid And four Dollars & 11 Cents being the amount of the Judgement obtained by the Defendt in the Compt at Common Law. And his Costs by him expd in Prosecuting this Suit as an Original Bill since the Dissolution of the Injunction granted to stay the proceedings of the Original Judgement and his Costs by him expended in defending the Suit at Common Law from which Judgement the Defendt prayed an Appeal to the High Court of Chancy to be holden at Richmond which is granted him on his Entering into Security during the present Term.

Chd Davis vs Hamilton & Jno on the Motion of the Defts a Commission is awd them to take the Depo of John Ewing Jr President of the State of Kentucky on his giving the Compt notice of the same & it is Ord. Charles Donally & George Beck be appointed Commissioners to examine the Sd Witness & make

Cop. Herron v. King. Order Publication as the Law direct

Cha Davis v Shipman Jury Sworn to try the Issue to wit
Stephen Conrod, Michael Lindsey, Michael Brown,
William Ireland, George Waggoner, John Harrison, Sebas-
tian Staub, William Watson, George Shepersmith,
James M'Cullough, Richd Reager, & John Huston
Verdt for Pltf £11.9.1½ and Motion of the Pltf a new
trial is granted him.

Cha Winslow v Marshall, John Cartmell jr Spl bail
Ord. the Rules be held in the Clerks office on Thursday the 26th
of this Instant and on the day after the fourth Monday
in December, January & February next Pursuant to Law
Act of Assembly in that Case made & provided.

Cha M'Guire v Stone Cont.d

Cha Williams &c. v Green Cont.d

Cha Andrew Jamison a Wit for Davis v Shipman allowed
8 days attendce

Cha Isaac Kyser the same for same 5 days.

Cha John Buckland same for same 3 days.

Cha William Fenton same for same 3 days.

Cop.d Jonathan Latham a Wit for Shipman a Dr. Davis
Ordd & allowed 2 days. Attendance.
Cha
Cop.d
Ordd
W. Latham Wm Latham same for same. 2 days.

Ord.d the Court be adj.d until tomorrow morning
10 Oblock.

Wm Herring Jr

80 3

Wednesday 25th Novr 1795.

Present William Heaning
Andrew Shanklin
Joseph Baylor Jr.
Asher Waterman
} Gent. Justices.

Chr Kester & Shirey Vs Nolen Jury to Execute on the Second Monday in February next as the Law directs.

Chr Reagen & Stone Vs Chf. This Cause came on to be heard upon Bill, Answer & other Exhibits, and the Arguments of Counsel on both sides, Whereupon this Court Ordered Decreed that the Same be Dismd the parties having Agreed the same

Chr Benjamin Thompson a wit. for McGuire & Stone att. 3 days attendce

Chr George Carper a wit for Hall & Reagen att. 1 day attdce

Chr Hezekiah Bowen a wit for Bowen to prove the Last will & Testament of Frances Lynch Decd at October Court Last att. 1 days Attendance & Travelling 250 Miles in Comp. & the same in Tobacco

Benjamin Harrison Gent. Atty. Wm Herring Gent.

Pleas & Harris, & Williams Herring Counter Secy. for Costs.
Jury Sworn to try the Issue Joined to wit.
Francis Stuart, Edwd Collins, Jacob Lincoln, Robn Hall, Randolph Quinn, Samuel Coomes, Samuel Chandler Benjamin Thompson, Robn Collins, James Burgess, Henry Sprinkle, & Robn Quinn Verdt for Plt for £8.16.0 Damages & Judgement.

Chr Protzman & Shanklin, Dis offered, Granted on the Complts entering into Bond Secy as the Law directs to be executed in the Clerks Office, and to Stay the further of the Judgt obtained by the Deft vs the Complainant.

Ch.D Ackerman vs Fawcett Dis.d for want of Def.t for costs.

Do Pusey Ex.rs vs Carthrea Two Suits Rule for Def.t for Costs and Cont.d

Chd John Carthrea jr a Writ for Carthrea adv.s Pusey Ex.rs all.d all.d 4 days. Attended

Chd John Reeves a Writ for Reeves vs Harrison, all.d 3 days attended

Ch.D Sebastian all.d March same for same . . . 3 days. attended

Do Davis vs Buckland Cont.d for Def.t

Chd Miller vs Daulton Dis.d by Sett.d Order

Chd Good Ex.rs vs Daily Dis.d

Chd Gordon vs Hamilton Plea w.d Rul.d

Chd Stephens vs Loftus Cont.d

Chd Carter vs Lovell Cont.d

Chd Irm.t writ vs Penrose Ex.rs Jury Sworn to wit

Robert Quinn, Benjamin Gaines, Josiah Harrison, Isaac Hyder, John Reeves, Sebastian Marsh, John Evans, Alexander Graham, John Carthrea jr & John Miller Bath.rs Herring & Mitchl. Roop. Verd.t for Pltf. & Judgm.t

By all Causes that have not been called this Court be Continued Quarto. 1st March Court next.

Chd Robinson vs Robinson Exors Def.t upon a Demurrer, Demurr.r Sustained, and Leave given the Complt.t to amend Bill on his paying Costs.

Chd John Evans a Writ for Pltf Sugart Ex.rs vs Robinson all.d 2 days Atten.d

By the Court dis.d as Quarto Court in Causes.

Bridger

Ch.D Ackerman vs Fawcett Dis.d for want of Def.t for Costs.

Do Richey H.o vs Carthrea Two Suits, Rule for Def.t for Costs. and Cons.d

Ch.d John Carthrea jr a suit for Carthrea adm.r of Richey H.o all.d all.d 2 days. Attended

Ch.D John Reeves a suit for Reeves vs Harrison, all.d 3 days attended

Do Sebastian & March same for same . . . . 3 days. attended

Do Davis vs Buckland Cons.d for Def.t

Do Miller vs Daulton Dis.d by Sol.r order

Do Good P.d vs Daily Dis.d

Do Gordon vs Hamilton Plea w.d Rul.d

Do Stephens vs Loftus Cons.d

Do Carter vs Lewely Cons.d

Ch.d Irm.t writ vs Penn.a Jury Sworn to wit

Robert Quinn, Benjamin Gaines, Josiah Harrison Isaac Ryker, John Reeves, Sebastian March, John Evans, Alexander Graham, John Carthrea & John Miller Batch.r Herring Verdict Rosp. Cons.d for Pltf. & Judgm.t

Ord.d all Causes that have not been called this Court be Continued Quintil March Court next

Ch.d Robeson vs Robesons Exor.s Def.t upon a Demurrer, Demurr.r Sustained and Leave given the Compl.t to amend Bill on his paying Costs.

Ch.d John Evans a suit for Richd Sargent Adm.r of Robeson all.d 2 days attd.

Ord.d the Court dies & Quintil Court in Course.

Bridger

Chs Frances Stuart a evid for Hall v Reagin all.d 1 day abs.t

Chs James Scarrigh same for same all.d 1 day & Tall 12 Miles in Com.y the same eff Testifying

Chs Daniel Guinn same for same 2.00

Chs Philip Hall same for same 1 day & Travel 12 Miles in Com.y the same in Testing

Chs Jacob Herring the same for all.d 1 day

Chs John Guinn the same for same 1 day

Ord.d the Court be adj.d until Court in Course.)

Benj.a Harrison

Monday 30th

At a Court held for the County of Rockingham at the Court House the 28th day of December 1795.

Present

William Herring, Andw Thankler
Ezekiel Harrison & Joseph Baxter. Gent.n

Chs A Deed Berry dec.d to Tyson. ack.d by wife ack.g taken 10/.

Chs do Shoemaker to Hultz ack.g 10/.

Chs do Cromer dec.d to Shackleford ack.g by wife ack.g taken 10/.

Chs An appl.n bill for Sale bill of the Estate of Timothy Aldeffers Dec.d Tel.e 10/.

Ord. Added. Letters Test. to Shultz. Prov.d by the Wit. thereto & Ack.d

Ord. do. Beggs. Test. to Countryman. Prov.d by the Wit. thereto & Ack.d

Ord. do. Countryman to Bowman & Ack.d & O.K.

Ord. do. Grigby Test. to Bigler & further & fully Proven by Ephraim Berry & Jubez Riding Wit. thereto & O.K.

Ord. do. Rodarmer to Rodarmer Prov.d by 3 Wit. thereto & O.K.

Ord. do. The same to Mine. The same.

Ord. do. The same to Bone. The same.

Ord. do. Fitzwater & to M'Kinsey Ack.d & by James Beggs. by Virtue of a Power & Attorn.y to ex.e to him & which are Severally O.K.

Ord. do. Weir, two, to Byerly Ack.d & wife Ack.d & taken & O.K.

Ord. do. Resteron to Fitzwater Prov.d by 3 Wit. thereto & O.K.

Ord. The Last will & Testament of Henry Huffman was Prod.d in Court by the Ex.r & Ex.x therein Named & Prov.d by the Wit. thereto & O.K. and on the Motion of the s.d Ex.rs who ent.d into Lock.d Bond. a Certificate is Granted them for obtaining a Probat thereof in due form they having Made Oath thereto as the Law directs — Dy. Coates Anderson, & Adam Nader, Ezekiel Keplinger & Henry S.r Dec.d & Wyatt are Appointed to appraise the Estate of the said Dec.d & make Report thereof to the Court as the Law directs —

Ord. On the Motion of Jacob Tyler Esq.r Adm.r of the Estate of Isabella Tyler Dec.d is granted them (the Widow & Relict of the s.d Decedent having Relq. entered into Bond & Made Oath thereto as the Law directs) Dy. John Lincoln, William Dunlap, Lew.s John Krem & Mich.l Frank or any three of them being first Sworn to appr.d to appraise the Estate of the said Decedent & make Report thereof to the Court &c.

Ord 7 1/8 The last will & Testament of Solon Cook Dec'd was presented in Court by the Exor & Exx thereon named & prov'd by the affirmation of two of the Witt thereto & Ord and on the motion of the Exr & Exx a Certificate is Granted them for obtaining a Probat thereof in due forme they having entered into Bond & Sec & made Oath thereto as the Law directs & Wm Stophel Keplinger, Jacob Kortner, Andrew Carrick & Adam Rader or any three of them being first Sworn bee appt'd to appraise the Slaves & Personal Estate of the s'd Dec'd & make Report thereof to the Court as the Law directs

Ord 8 On the Motion of George Shoemaker & Elizabeth Shoemaker Administration of the Estate of George Shoemaker Dec'd is Granted them they having entered into Bond with Sec & made Oath thereto as the Law directs & It is Ord & Solon Rudolf, Jacob Barrett, Doc Cramphaster & Peter Zitley or any three of them being first Sworn be appt'd to appraise the Estate of the s'd Decedent & make Report thereof to the Court as the Law directs

Sarah Garvin Widow & Relict of Dav'd Garvin Dec'd appeared in Court & prov'd her right of Administration & thereon the Motion of Sam'l Garvin Administration of the Estate of the s'd Decedent is Granted him he having entered into Bond & Sec & made Oath thereto as the Law directs & It is Ord & George Mallow Peter Nicholas Jacob Keplinger & Matthias Cash or any three of them being first Sworn be appt'd to appraise the Estate of the s'd Decedent & make Report thereof to the Court &

Ord George Mallow & Philip Long Executors named in the last will & Testament of Dav'd Garvin Dec'd personally appear'd in Court & refused to take upon themselves the Burden of the Execution of the s'd will and the Widow & Relict of the s'd Decedent having appear'd in Court and prov'd her right of Administration Whereupon on the motion of Sam'l Garvin Administration with the will annexed of the Estate of the s'd Decedent is granted him he having entered into Bond with Sec & made Oath thereto as the Law directs & It is Ord & George Mallow, Peter Nicholas, Jacob Keplinger & Matthias Cash or any three of them being first Sworn bee appt'd to appraise the personal Estate of the s'd Decedent & make Report thereof to the Court &

Cred. The last will & Testament of Silas Hand dec.d was produced in Court by the Exors therein named & prov.d by two of the Wit thereto & on the motion of the Exors a Certificate is granted them for obtaining Probate thereof in due form they having entered into bond & made oath thereto as the Law directs And it is Ord.d

John Rice, John Davis, Benjamin Smith & Henry Smith Dist.d to Mann Stephenson or any three of them being first Sworn be appt.d to appraise the Slaves & Personal Estate of the s.d Decedent & make report thereof to the Court as the Law directs.

Cred. A Settlement of the Estate of Philip Hopkins dec.d rendered & ord.d

Cred. Deed Thos Terry Esq to Boon acknlg.d wife acknlg.d & taken & ord.d

Cred. Deed Heston Esq to Clark. The same.

Cred. Do. Malcome Esq to Malcome The same. acknlg.d & ord.d

Cred. Deed Mortgage Ireland to Graham. acknlg.d & ord.d

Cred. A Settlement of the Estate of Daniel Gale dec.d rendered & ord.d

Rebecca Dundore & Catherine Dundore Orphans of Solen Dundore dec.d personally appr.d in Court & made choice of Wm Cravens as their Guardn & who with Secy entered into bond & Secy as the Law directs.

Cred. An appt. bill of the Estate of Wm Valentine Dest. rendered & ord.d

Cred. Jacks vs Andrews. N.S.

Cred. Beggs vs Lam dis.d

Cred. Able vs Lambert. Contd for bond.

Mr. Mathews vs Frazier Upon a Notice for Money pd as his Secy. Notice prov.d & Acceptance for £5 13 5. & Costs.

Ord.d Henry Eaton be appointed Overseer of that part of the road where John Estridge was late Overseer in the room of the s.d Estridge & that the usual hands allotted to work thereon be appt.d for his gang to work on the same & keep the same in good repair as the Law directs

86

Ch[d] Penneybaker Ex[r] vs Short Parties heard & Dis[d] with Costs.

Ch[d] Geo[e] Dav[d] Dobbs a suit for Short as Penneybaker Ex[r] ads[d] day.

Ch[d] Wm Short the same for same day

Ch[d] Shanklin vs Protzmans on the motion of the Defts Atty for reasons appearing to the Court It is Ord[d] & the Court be grant[d] Judgm[t] Severs. & Petition Redocketted.

John Mesperemith Pleaded an A/C of Services rendered by him as Lieut of Patrol

Ord[d] the Sheriff pay unto John Mesperemith Thomas Lewis Harrison Secretary One Dollar & 66 Cents each out of the Deposits for the year 1793. for their Services rendered for Patrolling 28 Days each in September 1794.

Ch[d] Robinson vs Lincoln Cont[d] Defft.

Ch[d] Raider vs Hann. Pl[ff]s Cat[o] Judg[t] & Petition Heard.

Ch[d] Dunlap vs Simmons. Cont[d] for Petition, Cont[d]

Ch[d] Bean vs Hite. Cont[d] for Rev[w]

Ch[d] Hopkins & Hopkins vs Hopkins Defft Cat[o] & Judg[t] & Petition

Ch[d] M[c]Dowell vs Harrison & Ux Judg[t] & Petition

Ch[d] Story vs Lockman Cont[d]

Ord[d] Lindsey vs Beatty Pl[ff]s Dis[d] ag[t]

Ord[d] Graham vs Hairs Adm[r] Dis[d] ag[t]

Ch[d] Conduett vs Smith
Ch[d] The same vs same } Defft Cat[o] & Judg[t] & Petitions Heard.

Ch[d] Boyles vs Mackall Cont[d]

Ch[d] Lightenaur vs Moore Defft Cat[o] & Judgment

Ord[d] Chesnutt vs Miller, The same.

Ord[d] Kring vs Robinson
Ch[d] Same vs same } Cont[d] Defft.

Chs Woolf & Hawks Judgt Confd for £3.3. Int. Costs.

Chs Travers & same Defd ag Cl.

Chs Lennon & Miller Pl. Contd on Trawyer & Nl. as to 1/2 Other.

Chs Ewin & Pearse. Judgt Pl. Petition. Costs.

Chs Harris a/c & Akins Contd Rejt. Jett

Ddt Chs Smith Surg to Beard. a/c Rejt Pl/k

Chs Sarah Turner a Writ for Ejt Lindsey & Family all? 1 day attd

Chs Waterman a/c & Travers. Parties heard Defd Costs.

Edward Travers. a Writ for Travers & Apothecaries all? 1 day.

Deborah Travers. 1 day allowed Reference 1 day.

Chs George Travers 1 day. Robert Travers 1/6 1 day

James Travers 1 day.

Rebecca Porter appd in Court & made Choice of James Currey as Guardn. who with her Security entd into Bond as the Law directs.

James Ewins produced an a/c for his Services as a Constable & Collector of the Revenue Tax for this Co. for the year 1795 amounting to eighty five pounds which was all? Pd. & he having made Oath thereto as the Law directs

Wm Williams & Benton Deft. all? 1 day Pl/k Petition Costs.

The Court proceeded to the County Levy as followeth Viz.

David Holmes. Deputy Attf.	£83, 32 Cents.
Sam. & Williams Clerk.	25,00.
do for Extra Services under Tax Law	25,00.
The Sheriff	25,00.
Jacob Whitmore for Two Wolves Scalps	4,16.
	162,48

Ord. the same be Levied Continued to be Compleated.

Ord 3 Ord. Matthias Amon Pay unto Gasper Eldfond Three
Ord. Dollars Out of the Estate of John Fickles Dec.d if so
much there be in his hands as Admr. of the said Deceased
Ord Smith Loftons late Dep.t Sheriff under Wm Dunlop Gent.
late Sheriff Produced in Court his List of Delinq.ts &
Insolv.ts for the year 1793 which was Ex.d Allow.d by the Court.
He having made Oath thereto as the Law Directs
Ord Smith Lofland Dep.t Sh.ff under Layton Yancey Gent.
Sh.ff Produced in Court his List of Delinq.ts & Insolv.ts for the
year 1794 which Ex.d Allow.d by the Court He having
made Oath thereto as the Law Directs.
Ord Charles Lofland the same
Edward Herring & Wm Diver Processioners having returned
Certificate that a Dispute has taken place between John Diver
& Isaac Mines about the Boundaries of their Lands and that they
have Caused to have the same Processioned whereupon It
is Ord.d the Surveyor with a Jury do go upon the Lands in
Dispute between the Parties on the first Thursday in next
month and lay out the boundaries and of the same at
the charge of the party against whom the right of such bound
shall be determined & return such Survey to the next Court.
Ord that the Sheriff attend the said Surveyor and remove
force if any should be offered as refusable to an Act in
that Case made & Provided.
Copd Ord. the Sheriff pay Asher Waterman Ten Pounds out
of the Depositum for the present year so much expended
on finishing that part of the Creek Court House which
remains unfinished.

Ord. Land McWilliams be appd Gdn to John & Mary Bundoro Orphans of Colm Bundoro Dec.d he having appeard to the same and with Saf entered into Bond & Cond as the Law directs.

Ord. the Court be adjd until to Court in Course.

Wm Henry

Monday to Wit

At a Court held for the County of Rockingham at the Court House the 25th day of January 1796.

Present. Benj.a Harrison / Wm Henry / Edm.d Harrison & / Joseph Bryan } Gent. Justicy

Ch.r Deed Davis to Davis ackg.d & ord.r

Same Davis to M.r Davis The same.

Same Davis to Davis The same.

Same Tate dup to Lam ackg.d Wife ackg.d & taken & ord.r

Same Smith dup to Beard Wife ackg.d & taken &c.

Same Smith dup to Cravens ackg.d Wife ackg.d & taken & ord.r

The last will & Testament of Henry Hyson Dec.d was produced in Court & prov.d by the Wit thereto & ord.r and on the motion of Elizabeth Hyson & George Armentrout Exr.s & Exr therein named a Certificate is Granted them for obtaining a Probat thereof in due form they having with Saf entered into & ack.d Bond. and made Oath thereto as the Law directs —— Ord. John Bright Peter Armentrout Robert Dinkey & Shepard Instrong or any three of them being first Sworn be appd to appraise the Estate of the Sd Dec.d & make return thereof to the Court &c.

90

At a Court Called and held at the Court house of Rockingham County on Friday the 5th day of January 1796 in 20th Year of the Commonwealth for the Examination of Thomas Lokey and Sarah Lokey his wife who were recognized to appear here this day by Ezekl Harrison Gent. On the Suspicion of Felony, And Stands charged with Feloniously ~~Stealing and taking away from the house of~~ breaking and entering of the dwelling house of and Ann Lokey and Stealing ~~and taking away~~ thence one Linny Blanket and Linny Petticoat to the Value of twenty five Shillings

Present Benjamin Harrison
William Henning
Andrew Shanklin and
John Wayt } Gent. Justices

The prisoners Appeared in Court in discharge of their said recognizance and having heard Witnesses to what hear the Crimes whereof they Stand charged. And thereupon pladed not Guilty, whereupon came divers witnesses to wit. Ann Lokey Barbara Pickering, Elizabeth Mathews, Polly Pitt, who being Examined touching the premisses whereof they Stand Charged, And the said prisoners being fully heard in their defence by their Counsel

The Court adjourned the Question upon Consideration of the Circumstancies of the Case as it appears to them are of Opinion that they ~~be discharged from the~~ are not Guilty of the Offence whereof they Stood charged and that they be Dismissed from their said Recognizance &c

Then the Court Arose

Benjn Harrison

Note.

See the Proceedings of January Court 1796. Continued on the opposite side

6th On the Motion of Christopher Kephart Adm.r of the Estate of Henry Kephart Dec.d is granted him he having [illegible] Law entered into & acknowl.g bond & made Oath thereto as the Law Directs —

Ord.d Philip Armintraut, Peter Keefer, Eagles Bowyer & Robert Dickey or any three of them being first Sworn be appt.d to appraise the Estate of the said Dec.d & make Report thereof to the Court as the Law Directs.

Jack.s Andrews. N.S.

Capt. Crookshanks. N.S.

Croudson's. The same. N.S.

Robinson's Lincoln Count.y Pet.n

A Deed Cline Imp.t to Brooke. acknl.g? wives acknl.g taken &c.n

Att.d Att.s Lambert Attas.t Cond.n & Order Attas.t &c. Benj.a Baigher who was Sum.d as a Garnishee & not appearing &c.

An Instrument of Writing Peter Mercier to Philip Buckner acknowledged & O.K.

Court &c. Gulpshen upon a Recognizance for a breach of the Peace on the Complt of William Henton (and the s.d appt.d in Court in Discharge of his s.d Recogz.ce and being heard) the Court are of Opinion that he be bound to his Good behaviour for a year & a day towards all the Good Citizens of this Comth & more particularly towards the s.d Wm Henton in the Sum of Eighty Dollars, that is to say the said Gulpshen in the Sum of £40 Dollars & two Securities in the Sum of Twenty Dollars each or else Lodge in Gaol. Whereupon Solomon Matthews & John Armstrong appt.d in Court & undertook for the s.d Stephen Gulpshen (he being under the Age of twenty one years) acknowledged themselves Indebted to his Excellency Rob.t Brooke Esqr Governor of this Comth & his Successors in office in the Sum of Eighty Dollars that is to say each of them in the Sum of forty Dollars to be levd of their Goods Chattels Lands & Tenements and for the use of this Comth to be rendered.

Yet upon these Conditions that if the afores.d Stephen Gulpshen (who is under the Age of Twenty one years) shall be of Good behaviour towards all the Good Citizens of this Comth & more particularly towds the afores.d Wm Henton for one year & a day then above Recogz.ce to be void &c.

Ord.[d] Deed Franciscus duc to Lightner was presented in Court and
Rec.[d] the Same being Authenticated According to the Usages & Customs
of Foreign Deeds was Ord.[d] to be Recorded.

James Beggs Presented his a/c. in Court for Services rendered as a
Commissioner of the Revenue Law for the year 1795. which was Exam.[d]
& allowed £10. he having made Oath thereto as the Law directs

Ord.[d] Solomon Jones a writ for the Comth. v. Gulpin and 2 days attend.[ce]
Copied. Thomas Higgins the same for same 1 day ——
Ord.[d] Harris v. Akins ~~Continued by Plaintiff~~ Dis.[d] Pltf. Costs.

Ord.[d] Sa.[l] Akins a writ for Akins ad. Harris and 3 days attendce

Ord.[d] Alexander Akins same ——

Ord.[d] Lamman v. Miller Cont.[d] Depl.

Ord.[d] Hiser v. Grim Cont.[d]

Ord.[d] Ray v. Bodine Ns.

Ord.[d] the Sheriffs Pay Asher Waterman for 1118. out of the
Copy. Assessment for the year 1795. for so much expended for finishing
Part of the Court House which Item. contained agreeable
to an Order made at a Preceding Court. And that so
much of the Order of Said Court Last be Rescinded

Absent Josiah Baxter Gent

Present John Mayt. Benj.[a] Fawcett } Gent.
& Josh. Asher Waterman }

Waterman.[t] v. Norman. Dis.[d] by C.

Copy. James Ewing & James Beggs having resign.[d] as Com.[rs] of
the Revenue Law for this County the Court Proceeded
to appoint Successors whereupon it is Ord.[d] that Andrew
Thanklin & Jos. Fawcett be appt.[d] Agreeable to an Act in
that Case Made & Provided that they qualify thereto Accordingly

Copy. Ord.[d] That Henry Smith be appointed Surveyor of that part of the
Road whereof John Crawford was formerly Surveyor and that the Usual
Sylvatics be allowed him for his pain to work thereon and keep
the Same in good repair according to Law. ——

A Deed Armentrout Exr. to Roper Ackt. wife acknd. & taken & Ord.[d]

James Bagg produced in Court a Commission from under the Hand of Robert Brooke Esqr. Govr. of Virginia and the Seal of the Comth thereby appointing him as a fit person to act in the Comsn of peace within this County. Who thereupon took the usual Oaths prescribed by Law.

Ord that the Court be adjourned to Court in Course

Benjn Harrison

Monday 1st Feb.

At a Court held for the County of Rockingham at the Court House the 22nd day of February 1790.

Present

Benjamin Harrison
William Herring
Andrew Shanklin
John Erwin
Joseph Baxter

} Gent.

Ord. An appraisment bill of the Estate of David Garvin Dec.d Ret.d Ord

Ord. Peter Miller Exr to Miller acct Dg.d Exrs acct Dg.d Returned Ord

Ord. An Inventary & appraisment of the Estate of Silas Hart Dec.d Ret.d Ord

Ord. Peter Culp Exr to Lapp acct Dg.d Exrs acct Dg.d Returned Ord.

Cop.d On the Motion of Mathias Cook It is Ord.d he be permitted to Ord. Make an Inclusion of his Lands Bounded by the Lands of Jacob Lingle, ~~Lodowick~~ Haines, Peter Haines Jun.r & Col. Long, Henry Kisling Stephen Conrod, Adam Sellers, Henry Monger & Stephen Bregden he having Prov.d to the Satisfaction of the Court that he had Complied with the Law in that Case made & Provided.

94

Ch. A Deed Smith to Smith Prov^d by the Oath of Joseph Smith a Witness thereto O/K

Ch. A Deed Beemer Exr to Huffman ack^g^d Wife ack^g^t taken O/K

Ch. An Inventary & Appraisment bill of the Estate of Paul Beard Dec^d & Ret^d O/K

Ch. A Deed Berry Exr to Rader ack^g^d Wife ack^g^t taken O/K

Ch. An Appraisment bill of the Estate of C. Frances Green Dec^d Ret^d O/K

Cop. On the Motion of Matthew Harrison It is Ord^d Matthew Harrison be permitted to make an Inclusive Survey of all his Lands adjoining the Lands of George Baxter, Thomas Hopkins, Levi Hopkins, Colin Fulkerson, Archibald Hopkins, & Davis Berry, he having Prov^d to the Satisfaction of the Court that he had Complied with the Law in Such Case made & provided

Ch. On the motion Colin Johnston Adm^r of the Estate of Colin Johnston Dec^d is granted him he having entered into Bond Sec^d & Taken Oath thereto as the Law Directs

Cop. Ord^d Dan^l Holston, Jacob Coobard, Arch^d Hopkins & Evan Thomas or any three of them being first Sworn be app^d to Appraise the personal Estate of the S^d Decedent & make Report thereof to the Court &c

Ch. A Deed Tyson to Shipman ack^g^d O/K

Ch. A Deed Briggs Exr to Helmerick & Houser Ack^g^d Wife ack^g^t taken O/K

Leyton Yancey Gent Produc^d in Court a Commission from under the Hand of Robt Brooke Esq^r Governor & Seal of this Commonw^th Wherein he is Ap^p Sheriff of this County for the year 1795 whereupon he Ent^d in bond Sec^d & took the Oath of Office Pursuant to an Act^t in that case made & provided which said bond was Ack^g^d by the Obligors O/K

George Johnson & Mary Johnson Orphans of Colin Johnson Dec^d Ap^p in Court & made choice of George Chrisman their Guardian who with Sec^d entered into & Ack^g^d bond Conditioned as the Law Directs — which is O/K

Dec. 7 Deed Mathews to Dougl

Ord. On the motion of Lewis Lunt Atty. for Charles Lofland & Charles Lofland Jr. Commissioners Between Aldermg &c

Ord. Deed Repsde Jury to Esqr. The same Ackd, & the same to Nancy Ackd & wife Ackdgt. Taken Separately &c

Ord. Ord. Christian Miller be appd Overseer of that part of the road whereof Frances Neely was late Surveyor and that the usual hands attend to work on the s.d road & he appd for his gang to work thereon & keep the same in good Repair &c

Ord. The Last will & Testament of Mary Yonkard was presented in Court & prov.d by the Oaths of the Wits. thereto &c and on the motion of Samuel Baker one of the Exors therein named a Certificate is granted him for obtaining a Probat thereof in due form he having with Lewis Lunt entered into & acknowledgd bond & made Oath thereto as the Law directs — Mathias Wheelbarger the other Exor therein named having appeared in Court & refused to take Join in the Probat thereof which is Ord.

Ord. Wilcox & Lemmon Defendants upon a bond taken for the Delivery of Property — Notice & Judgment & Execution awarded.

Ord. Deed Cook &wife to Reese Ackdg & wife Ackdgt Taken &c

Ord. Ord. Martin Whitmyer, Mathias Wheelbarger, Jas Beard, & Mathias Hinson, or any three of them being first Sworn be appointed to appraise the Estate of Mary Yonkard & make Report thereof to the Court &c

Ord. Layton Yancey Gent Sheff enters his Protest against the insufficiency of the Public Goal of this County

Ord. Lake vs Andrews Ns. 11

Ord. Patterson vs Lincoln cont. Dft. 11

Ord. Dunlap vs Lemmon Two Suits cont.d

Ord. Bean vs Hite cont.d for want

Ord. Story vs Huffmans cont.d

Ch. Guinn vs Young cont. ll

Ch. Stoltz vs Vance parties heard Judgt. for Petition Costs

Ch. King vs Robinson Two Suits cont. ll

Ch. Lennon vs Miller cont. &c.

Ch. Wise vs Grimd. cont. ll

Ch. Ray vs Bodine Dis. agd.

Ch. Boyles vs Markle cont. Defts ll

Ch. Wm. Jackson a suit for Boyles vs Markle aut. 2 days attend.

Ch. John Boyles, same for same. Two days

Ch. Shanklin vs Protzman cont. &c.

Ch. Capt. vs Crookshank. cont. l

Ch. Croutson vs Crookshank. hear. Judgemt. for Petition Costs.

Ch. Daniel Lee a suit for Croutson vs Crookshanks aut. 1 days. Travell 30 Miles in Com. the same in Return

Ch. Lewis Adm. vs Heiney Defts Calls. Judt. for note Ins. Costs

Ch. Lickle vs Fred N.S. ll

Ch. Harrison vs Lemmon. Defts call. Judt. for note Ins. Costs

Ch. Lowry vs Harrison N.S. ll

Ch. ~~Lyle~~ Jamison vs Joseph Defts call. Judt. for Record

Ch. Spangler vs Lemmon Defts call. Judt. for note Ins. Costs.

Ch. Graham vs Shanklin Defts call. Judt. for note Ins. Costs.

Ch. Kepler vs Jamison cont. Defts ll

Ch. Boyd vs Miller cont. Defts l

Ch. McFarland Exor vs Black. cont. Defts ll

Ch. Shugart vs Lemmon cont. Defts

Ch. McCoy vs Harrison N.S.

Ch. Ahl vs Lam Attas vs Garnishee quashed.

Ord On the motion of Leyton Yancey Gent Atty. Wm Smith is admitted his Deeds to Eleven Adversely

On the motion of Victor George Charles Locke and he having produced Credentials of his Ordination and of his being in regular communion with the Christian Society of Lutherian of which he is reported a member to the satisfaction of the Court & having taken the Oath of allegiance to this Comth. Can entered into bond Reqd. conditioned as the Law directs a Testimonial is granted him for the Solemnization of Marriage agreeable to an Act. to Regulate the Solemnization of Marriages &c.

On the Motion of Richd Ferguson the law produced Credentials &c of his ordination &c of the Methodist of Episcopal Church &c the same as above

Ord. Harrison is more Attacht. Dis.d agt.

On the motion of Alexander Herring leave is granted him to Turn the road leading through his Land as follows to wit Beginning at his fence on the East side of Cooks Creek Adjoining on the line between George Snodden Heirs & entitled it forms a Junction with Gratton Road & both the same to the Old Road.

Absent Benj.a Harrison & Wm Herring

P. A Waterman & Jas Beggs

Ord. the Court be adj.d until to morrow Morning 10 O Clock.

And Franklin

9°

Tuesday to Wit

February 23rd 1796.

Present

Andrew Shanklin
John Hays
John Ewin Esq
Asher Waterman
} Gent

The Court proceeded to the Completion of the County Levy, a Statement of which is as following to Wit

Amot brought forward from December Court 1795	$ 162, 18 Cts
To Samuel Cooner for two days Hawling when at Work on the Road	4, 00
" Grasier Heffner for keeping the Corps of John Stickler three days	3, 00
" Lewis Peebler one days Waggonage on the road	1, 66
" Daniel Dickenson Half a day ditto	0, 66
" Sinclair Hartly for 5 young Wolf Skelps	5, 21
" Daniel Fabricius for two days Waggoning on the road	4, 00
" John Harry for keeping the Court House the Preceeding Year	8, 00
	$ 189, 01
Sheriffs Commission County Deposit and	399, 99
	$ 589, 00

C W/3 By 2356 Tithables at 25 Cts. $ 589, 00

Ord. the Sheriff collect off of each Tithable Person Twenty five Cents that being the Proportion of the present Levy

100

Chos. McKinsay vs Aikens Plea Gelmer & Alexander Aikens Def.

Chd. Smith vs Kingary Dis'd Agreed

Chd. Sweitzer Appellant vs Peter Kester Def.

Chd. Davis vs McDowell W.E. set aside C.A. & C.A within 5 years. Found & Costs

Comth vs Smith M.G. Found & Jury Sworn to wit

Joseph Lair, William Stone, Solomon Matheny, Daniel Dickerson

Chd. William Richardson, Adam Butt, John Argenbright, John Donavin, Isaiah Shipman, Jehue Gunnel, Thomas McKinsey, Peter Brown.

Verdict & Amercement Ten Dollars. Fined

Chd. Copy'd Fred'k Brickman a wit for the Comth agst Smith all'd 10 days after.

Chd. Mary Brickman the same for same. the same ——

Chd. The Comth vs Helmick Order Information to be filed Cont'd

Chd. Harmon vs Garvin order to Stay Execution till May Court next.

Chd. The Comth vs Pence Cond'n for Dispensation

Chd. The same vs Lowry the same.

Chd. The same vs Dunlap M.S. Ag'd

Chd. The same vs Phillips M.S. Ag'd

Chd. The same vs Pettry M.S. Ag'd

X The same vs Earhart Rec'd & Dismissed

Chd. Watsford vs Malcome Errors Continued

Stockard vs Erwin Plea w'd Judgment Confession on Pl'ts Assumpt.

Chd. Damages — Judgment

McGuire vs Stone Jury Sworn to try the Issue to wit.

Chd. Samuel Tallman, Reuben Miller, John Carlisle Jr.

Roger Mallowry, George Sitler, John Hunton, Bathewel Herring, Joseph Rogers, Henry Tallman, Ezekiel [redacted], Logan Joseph Searly, & John Howland. Verdict for Def't Judgment

Ch. Peter Brown awit for Stone ab. Mcguire adm. 1 Day allo.
To Christy Dunove the same.
Do Jacob Keisly the same ——
Ch. Benjamin Thompson a Writ for Mcguire & Stone adm. 1 Day
Ord. the Court be Adj.d until tomorrow Morng. 9 Clock.
Wm Terry Jr

Tuesday 29th day of March 1796.

Present

Ezekiel Harrison, John Wagh
Joseph Baylor & Asher Waterman } Gent. Justices

Ord. the Rules be held in the Clerks office on Thursday the 31st
day of this Instant and on the day after the fourth Monday in
April next as the law in that case directs —

Smith & Trout, Jury Sworn to wit
Ch. John Hill, George Reader, Randolph Quinn, Thomas Hatton,
Daniel Reagen, Robert Hempkill, Roger Mallowry, Thomas Harrison,
Michael Brown, Anthony Reader, Isaac Kyser, & Benjamin
Thompson, Verdict for Plt. pr. D. Damages 40/ Judgment

Ch. Deering & Hutton, con.d Award
Ch. Duck & Conrad con.d
Ch. Conrad Plt. & Lewis. Con.d } Award
Ch. Mathews & Carrick. Con.d Plt. ditto.
Ch. Williams Plt. & Green Con.d
Ch. Stephens & Lotting. Con.d Plt.
Ch. Richey Plt. & Carthree. Two suits Dis.d for want Sec.y for costs —

Taylors, & Hustons. Order Survey to be made by the ~~agreeable~~ Original Patents
Cod & Wd. agreeable to the pretentions of the parties - to be executed on the first Monday
in May next & Returnable to next Decemb.

Ch. Keenan vs ~~Hutt~~ Black. on the Motion of the Pltf. by his Attorney
leave is granted him to amend Writ in this cause by inserting William in the
room of John that being the Christian name of the 3d Pltf.

Ch. Collins vs Leonard W.C. set aside Jon Assault & Battery & Jury Sworn
to try the Issue to wit.
Samuel Gilmer, John Taylor, Andrew Jamison, Hugh
Currier, Robert Quinn, Philip Miller, Benjamin Erwin, George
Carpenter, Philip Pimel, Samuel Chandler, Matthias Myers, &
John Carthrea jr. Verdict for Pltf. for 1d Damage & Judgment.

Mc. Miller vs Gilmer & Robert McGuffin C.B. W.C. set aside Conditions
Sepr. m.d. & Joinder

Mc Wayt vs Shanklin & Thos. Harrison C.B. office Judt. set aside Sayn.
& Joinder

Ch. Lewis Swearingen a suit for Smith vs Trout all? 1 day allo.

Ch. Abraham Painter same for same. 1 day.

Ch. Matthias Miller same for same 1. day

Ch. Miller vs Boyd. John Espelin S.B.

Ch. William Fenton a suit for Davis vs Shipman all? 2 days allo.

Donaghe vs McGuffin Jury Sworn to try the Issue to wit
The same Jury as in Smith vs Trout Except
Ch. Nickman in the Room of Mich.l Brown Verdict for the
Defendant & Judgt

Ch. Bell vs Ireland Scire fa. Shangler S.B.

Ch. Shangler vs Smith (Desd of C).

Ch. Coffland a/s.t vs Miller office Judgement Reversed & Desd by order Pltf.

Ch. Dunlap vs Bell & James Scarbright S.B. for Defendt

Ch. John Swick a writ for Henry Leonard. all. 1 day.
Ch. Philip Stephey the same 1 day.
Ch. Christian Stahner the same — 1 D.
Ch. Michael Hoover
Ch. Jacob Graves a writ for Collins agt Leonard 1 day.
Ch. John Stouffenire the same 5 days —
Ch. Michael Trout the same — 2 days.
Ch. Boyd vs Megill Dis.
Ch. The Justices vs Skidmore Extrs Cont.
Ch. Davis vs Shipman Cont.
Ch. Lincoln vs Allen Jr. Cont.
Ch. Fenton vs Fenton Jr. Cont.
Ch. Davis vs Buckland Cont.
Ch. Miller & Moore Cont.
Ch. Robenson vs Robensons Extrs Remanded to the Rules.
Ch. Robenson vs Lincoln Cont.
Ch. Cater vs Seely Cont.
Ch. Waggoner vs the
Ch. Long vs same
Ch. The same vs same
} Cont.
Ch. Coscarow vs Hoover Cont.
Ch. Crimmon vs Minick Cont.
Ch. Wynn vs Southards Dis. & ag.
Ch. The same vs Loughery Dis.
Ch. Leavitt vs Donally Cont.
Ch. Vail vs Littlejohn Cont.
Ch. Bryant vs Allen Dis. by order Jall
Ch. Hadley vs Miller Dis. by Plt order
Ch. Mayl vs Marshall
Ch. Mayl & Co vs same
Ch. Gilmer vs same
} Office Judgement in these several Cases set aside & Payment & Joinder

1044

3

~~Matthews~~

Mr. Gunn in Person come for further Survey

and Matthews Rose a Writ for Donaghe agt. McGuffin, all.d 1 day & travelg 12 miles in Com.y of Fermanagh once

Mr. Patrick Brady same for same 1 Day & travelg 16. miles & one

Mr. John Irvine same for same 1 day

~~Adam Irvin same for same day.~~

and John Donaghe same for same 1 Day & travelg 12 miles & one

and Rich.d Gladden same for same 1 day &

and Philip Nagg a Wit for McGuffin agt Donaghe all.d 1 day & travelg 33 Miles in Com.y of Fermanagh once

and Adam Gray same for same one day

and John Irvin same for same 1 day & travelg 16 Miles & one.

and John Rose same for same 1 day & travelg 12 miles & one

and Gad Gilmore same for same all.d 1 Days attendance

and Gustus King same for same 1 Day

Hilburn & Matthews Jury Sworn to Enquire of Damages. to wit

Mr. James Curry, William Stone, John Eyrle, Dennis Lanahan Robert McGuffin, John Carthrea jun.r, Christian Miller, George Sitter, James Burgess, George Keeton, Rich.d Gladden, & Alexander Graham Verd.t for Plt. for Plt. for £15. 12/- Damages & Costs

Ord. the Court be adj.d until Tomorrow morning 10 Oclock.

Wm Henning

Wednesday to wit. March 30th 1796

Present. William Henning, Andrew Shanklin, John Nagle, Ezekiel Hanson and John Ewin } Gent.

Dunl 45

Dunlap vs Ewin, Bell & John Taylor S. B. for John Graham—

Brown vs Hanison & Jud confs. with stay of Execution until August court.

Sugarts Hrs vs Robinson Jury Sworn to Enquire of Damages to wit Gad Gilmore, Benjamin Gaines, Thomas Harron, David Forgue, Saml Chandler, John Smith, Robert W. Giffin, John Hicks, Henry Burgess, Alexander Graham, John Carthrea jr and John Boyce by the Consent of the Parties and leave of the Court Juror withdrawn & Continued until nex Court

Holmes vs Rutherford Jury Sworn to try the Issue Join'd to wit the same Jury as in Sugents & Robinson Returnd Verdt for Plff for the Debt in the Decr Mnd & 1p Damages— & Judgment.

Huston Exr vs Allen & The same Jury as in Holmes and Rutherford Returnd Verdict for Plff for the Debt in Decr Mnt & 1p penny Damages & Judt.

John Ewins a Witness for Sugarts Hrs vs Robinson Attd 3 days Attce and 20 Miles traveling to Court and the same in Returning

Carter vs Scobey— Contd

Ewin Exr vs Burgess & Jud Confessid with Stay of Execution until the first Day of September.

Ordered that Mary Summers, Catherine Summers, Susanna Summers, and Barbara Summers, Poor Children of Peter Summers, be bound out by the Overseers of the Poor according to the Law.

John Carthrea a Wit. for Israels ads Carter Attd 3 days Attendance.

Ordered That Overseers of the Poor bind May Summers Daughter of Peter Summers unto Evan Thomas acord. to Law.

Prot Asher Waterman Gent.

Hoe Wayt Exr vs Pence. William Hening S. B.—

Dunlap vs Ewin, Bell & Ezekiel Harrison S. B. for the Deft Thomas Harrison, and John Wayt S. B. for the Deft Asher Waterman,

Ordered that the Overseers of the Poor bind Catherine Summers daughter of Peter Summers unto Joseph Crotzer jr according to Law.

10 6 5/6

Ordered that Susanna Summers Daughter of Peter Summers be bound unto John King, by the Overseers of the Poor according to the Law. ~~Also that~~

Ordered that Barbara Summers daughter of the s^d Peter be bound out by the overseers of the Poor unto Strickler according to the Law.

Present Benjamin Harrison Gent.

Thomson vs Hawkins In Chancy, This cause came on to be heard on the Bill Answer and other Exhibits, Whereupon It is ordered. Adjudged, and Decreed. by this court that the same be dismissed and that the Defendant recover of the Complainant his Costs &c.

Shanklin &c vs Ewin & Bell &c In Chancy this cause coming on to be heard upon the Bill answer & deposition in the cause And the Arguments of council being heard the Court are of opinion that the said Judgment be injoined as to Ten pounds Hicks and the same be made perpetual for that sum. and that the pltfs in the said Injunction do recover his costs of the said Defts &c & on the motion of the Defts this cause is retained as an Issue at the Bar of this Court

Ch. Thompson vs Davis
Ch. Hopkins &c vs Devire
Ch. Hopkins &c vs Devire &c
Ch. Thompson's Extrs vs Regan
Ch. Keizer ... vs Pince
Ch. Hull ... vs Regan
Ch. Lester ... vs Thierry

} Court

Ordered that this Court be adjourned until Court in course.

Wm Herring Jr

At a Court Called and Held for the County of Rockingham at the Court House the 8th day of April 1795. in the 20th year of the Commonwealth, for the Examination of Robert Donnally who was Committed to the Gaol of this County by John Wayt Gent on Suspicion of Felony, And Stands Charged with feloniously Stealing taking away from the Stable of John Harry One Mans Saddle and Bridle of the Value of Twenty Dollars.

Present William Fleming
Andrew Shanklin
John Ewin Snr
Asher Waterman
John Wayt
} Gent Justices

The Prisoner being fetched to the bar in Custody of the Jailor and thereupon came the Deputy Attorney for the Commonwealth and Divers Witnesses to wit — John Harry Same Allen, John McClure, Jacob Hillis, Tobias Smith & Joseph Lovely —

Being Sworn and Examined Touching the premises whereof the Stands Charged and the Said Prisoner (by his Counsil) pleads not Guilty and being fully heard in his Defence the Court upon Consideration of the Circumstances of the Case as it appears to them are of the Opinion that he is not Guilty — — — — of the Offence Wherewith he Stands Charged and that he be Discharged.

And the Court Arose

Wm Fleming

108

Monday 1st week

At a Court held for the County of Rockingham at the Court house the 25th day of April 1796.

Present { Benjamin Harrison, Frances Hertly, Ez.d Harrison & Joseph Baxter } Gentlemen

Ord.d An Appraisment bill of the Estate of Geo.g Swemaker dec.d ret.d

Ord.d Ditto a Sale Bill of Ditto. the same

Ord.d A Deed of Mortgage Neigay to Smith Ackl.dg.d & ref.d

Ord.d A Deed Turner &c to Springle Ackl.dg.d by Turner & ref.d

Ord.d An assign.t bill of the Estate of Jn.o Kyle dec.d ret.d & ref.d

Ord.d A Deed Swemaker to Richey ackl.dg.d & ref.d

Ord.d Ditto Ditto to Bickle &c the same

Ord.d Ditto Argabright to Argabright Prov.d by the wit thereto & ref.d

Ord.d Do Price to Miller Prov.d by the wit & ref.d

Ord.d Do Coomer &c to Rader Prov.d by Adam Rader one of the wit thereto & the privy exam.n of the Sd Coomer taken & ackl.dg.d as the Law directs.

Ord.d Ditto Denton &c to Rugg ackl.dg.d & wife exam.d & taken & ref.d

Ord.d Barnet to Snider ackl.dg.d & ref.d

Ord.d An assign.t bill of the Estate of John Johnson dec.d ret.d & ref.d

Ord.d Deed Dum to Helmerick &c ackl.dg.d by Jno. Baxter Att.y in fact &c & ref.d

Ord.d Deed Coomer &c to Lutchwoler ackl.dg.d & wife exam.d & taken & ref.d

Ord.d Ditto to Peckler the same

Ord.d Deed Douglass to Douglass Present.d in Court & certified under the Law Covering Forreign Deeds & Was ordered to be Recorded & ref.d

Vend. Shultz dec. to Peters adm. &c. wife adm. Sworn DM.

Vend. Dec. Ditto dec. to Peters. Sworn by three of the wit. thereto DM.

Vend. Ditto — Ditto to Wren. The same.

Vend. Maggot dec. to Maggot. Two Exors. adm. wife adm. Sworn DM.

Vend. Dec. Shultzer, dec. to Cook. adm. &c. adm. Sworn DM.

Vend. Ditto Krotzer dec. to Lair adm. &c. adm. Sworn DM.

Vend. Ditto Lair dec. to Krotzer. The same.

Vend. Ditto Swimpacker to Leamer Sworn by 3 Wit. thereto DM.

Vend. The last will & Testament of Jacob Hoffman was presented in Court & Sworn by the Wit. thereto DM. And on the Motion of the Exors. therein named a Certificate is granted them for obtaining a Probat thereof in due Form they having with Lutz entered into & acknowledged Bonds Oath thereto as the Laws direct. Ord. John Lancaster Esqr. Henry Weitzel & Wm. Brant &c. or any three of them being first Sworn be appd. to appraise the Estate of the Dec. & make Return thereof to the Court as the Laws direct.

Copy to Exors. Copy to Appraisers

The last will & Testament of Jacob Meyer Dec. was presented in Court by Stephen Conrad one of the Exors. therein named & Sworn by two of the wit. thereto DM. And on the Motion of the said Exors. a Certificate is granted them for obtaining a Probat thereof in due Form he having entered into Bond &c. and made Oath thereto as the Law direct — And it is Ord. to be Certified that Christiannee Meyer Widow & Relict of the said Dec. & Exr. named in his said last will & Testament appeared in Court & refused to take upon her the Burden of the Execution of the said will — Ord. Wm. Brown Jacob Bare, Esqr. & John Hammer Yeoman & Jacob Beck or any three of them being first Sworn be appd. to appraise the Goods & personal Estate of the said Decedent & make Report &c.

Copy

The last will & Testament of Conrad Peterfish was presented in Court & Sworn by the Oaths of two of the wit. thereto DM.

Vend. X. Doct. Sol. Mathews dec. to Chesney adm. &c. wife adm. Sworn DM.

Copy

Ord. Wm. Herring & Joseph Baxter Gent. be appointed to settle the Estate &c. of James Duncan dec. with Andrew Cuthbert the adm. &c. of the said Decedent & make Report thereof to the Court.

110 9/10

Ord. Ord. the Overseers of the Poor dcrd Elizabeth Cash to Michael Lemmons as the Law Directs

Ord. ditto Sarah Cash. to Henry Miller as above.

Ord. A Deed Wray & to Bell fully proven as to Ray & Taylor & the Com.rs of the Privy exam.n of S.d Taylors wife. returned Certificate & Ord.

Ord. Bowman Dem.t to Rhoades. Act. Dg.d Dem.t Act. Dg.t taken & Ord.

Ord. Long & Long. Act. Cog.d & Ord.

Att. v.s Lamber upon an Attach.t

Benjamin Reicher Sworn a Garnishee who declars he has in his hands one old chaff bed part filled, Two Pillow Cases filled with Trifling effects an old upper Bed with an old Cover - a bolster par old cover the Property of the said Dep.t Ord. Condemnation & that the Stuff Matter Sale thereof & pay the money arising in Satisfaction of the Pltf Claim & the S.d Pltf. Prod.d in Court & Prov.d an Acc.t S.d Dep.t for £6. Judg.t for the same Lev Fieri. & that the Pltf have Execn for the Residue

Ord. The last Will & Testament of Wm. Erwin Dec.d was presented in Court & Prov.d by the Oaths of the Wit thereto & Ord.

Ord. On the Petition of Sam.l Erwin for Leave to make a Resurvey of his Lands in the County of Rockingham She having Prov.d the Notice thereof as Frances Erwin Benjamin Erwin Polen Erwin Wm Curry Sam.l Miller Robert Davis by Matthias Harrison & Notice being Confessed as to Andrew Erwin, and Notice of the same being Advertised as the Law Directs & it is Ord.d She be Permitted to make a Re-survey of his Lands aforesaid bounded by the Persons aforesaid & by [illegible] and that the Surveyor of the S.d County do go upon the S.d Lands & Resurvey the same & at the Charge of the S.d Samuel Erwin according to his Directions and the Original or Authentic title papers Letting Care not to encroach upon the Possession of any other Person and to return a fair Plat & Certificate of S.d Survey into this Court and that the Sheff attend S.d Surveyor & remove force if any Should be offered

Ord. Ord. Conrad Rowder be a Sup.d Surveyor of the Road in the room of Benamens Beck whereof he was late Surveyor & that he do with the usual hands allotted work on the S.d Roads Work thereon & keep the same in Good Repair

Ord. Adam Price be appd Overseer of that part of the Road whereof Daniel Price was late Surveyr & in the room of the s.d Daniel & that he do with the hands allotted to work on the s.d Road Work thereon & keep the same in good Repair

Ord. A Deed Miller &c to Hetty Acknlegd Dupr Certifyd Later 10/

Molly Roler came into Court & made choice of Daniel Hankman as her Guardian who with Surety entrd into & Acknlegd bond Condition'd as the Law directs —

Ord. Eve Steel came into Court & made choice of Jo Bowman as her Guardn who with Surety entrd into & Acknlegd bond as by Law directed

Ord. Tallman to Tallman Provd by the Oaths of the Wit thereto 10/

Ord. An Appraisment bill of the Estate of May Lyonhard Decd was ret 10/

Ord. an appt bill of the Estate of Jno Steinbiter Decd Ret 10/

Ord. Letters apt to Swagger Ex Harrison J.O.

Markle to Boyle on the Mot. of the Pltf. Leave is granted him to the Defts of Alexander McCruden Defend to see on his giving the Deft Reasonable notice of the time & place of taking the same.

On the Motion of Hugh McCall adf. License is granted him to keep Tavern at his House in this County on his Entering into bond with Smith Lofland Esqr in the Clerks office as the Law directs —

On the Petition of Wendle Reed Leave is granted him to make an Inclusive Survey of his Lands in this County adjoining the Lands of David Shaffenger, Conrad Roler, Peter Longa, Solen Roler, John Black Valentine Huffman Leonard Leitwiler Conrad Bixby & Abraham Smith. he having Complied with the Laws in that case made & Provided

Ord. A Deed Tallman to Spitler Provd by the Wit thereto 10/

Ord. Ditto Executrix to Anon Acknlegd 10/

Ord. Mary Dye to Crowns Acknlegd Upr Acknlegd Later 10/

Ord. Deed. Keyser Dye to Yost Provd by the Oath of the Com of the Privy exam of his s.d wife & Certifyd in the Law directs —

Adjd the Court be Adjd until to Morrow 10 o'Clock

Benj.a Harrison

117 11

Tuesday 26th April 1796.

Present Andrew Shanklin
John Erwin
Frances Hardy &
Asher Waterman
} Gent. Justices.

Vide An appraisement bill of the Estate of Henry Cophart. Vide Folio.

~~Law Docket~~

Rhea v. Wyntah Sate Fi. Fa. Depn a notice for Monday & Tuesday Court to give Bill his Dft. is Satisfaction of a Judgt. Sept. Law & Equity. agt the Pl. Jones produces Commissn. & Interrogts for Exd. & Wm. Erwin from 1st. December 1795 Vide fo. 158 Cobbs.

Mc Jack v. Andrews N.S. /

Ord Bean v. Hill. Contd. a w?

Mc Guinn v. Young Dfs. ag?

Mc Young v. Roberson Judgt. & note Pet. Costs.

Mc The same v. Same. The same

Ord Roberson v. Lincoln Contd.

Ord Meic v. Lynn Contd.

Ord Dunlap v. Summers Two. Petitions Continued.

Mc. Shanklin v. Protzman Contd. Sett.

Ord. Culp v. ~~Culp~~ Crookshanks Defts Atty. Judgt. & Petition Pet. Costs.

Ord. Tindle v. Tarr N.S. /

Ord Lemmon v. Miller Contd.

Mc Lowry v. Harrison parties heard & Dismiss'd with Costs.

Present Benj. Harrison Gent.

Mc. Kefner v. Jamison Defts Atty. Judgt. & Note Pet. Costs.

Mc. Deed Shanklin to Harrison Acknowledg'd Fo. 2

Mc. Ditto Harrison Deed to Lanehan Acknowledg'd Fo. 2

Mc. James Gaines a Writ for Harrison & Lowry Atty. 2 days Attendce and 18 miles Travelling to Court and the Same in returning.

Mc. Samuel Erwin Same for Same One day

Mc Frances Erwin Same for Same Two days

Ord Wm Fatima Harris Black Judgt. & note Pets Costs

12/13

And Boyd & Miller Justices Hearbe Pltf. Jur. Ex. Jn. 19 Jn. 11.° Hearts —

And McCoy & Harrison admrs Judgt. for Petition when Assets —

And On the Motion of John Dare Ordinary License is granted him
on his Entering into Bond with Sec.y in the Clerks Office as the Law
directs —

And Samuel Gay the same —

Capt. Asher Waterman & Wm Herring — Gent be appointed to settle the
Estate &c. of John Dundore Decd with Lewis Sawyer Hatter
the Dundore Admin.r of the said Deceased & make Report thereof
to the Court as the Law directs —

And Mrs Turner a writ for Boyd & Miller allo 2 days.

And John Black the same

And Hugarts & Simmons Judgt. & Petition Dis.d Hearts.

And Graham & Johnson Attys. Dis.d Cost.

And Moore & Benton Pltf. Judgt. & Petition agt. Benton only Hearts.

And Cravens & Roler Dept Coll.r & Judgt. &c

And Same & Toda Pltf. Judgt. & Sup.d Jur Hearts.

And Mrs Keeler a writ for Miller and Boyd 2 days attendance Cost.

And McWilliams & Lam N.S. //

And Sherman & Shanklin Dept. Coll.r & Judgt. &c

And Cowgles & Travis Judgt. & Note Int. Costs

And Hing & Pine N.S. //

And Harmon Exor. & Penn Plt. N.S. //

And Jackson & Hudlow N.S. //

And Jones & Boyers N.S. //

And Conrad adm.r & Deck dis.d Cost.

And Reeves agt. & Bodine N.S. //

And Loftland & Sulaven Dis.d (without costs agt. Pltf.)

And an Instrument of writing from Shanklin to Thos Harrison & ack.d &c.
&c. —

6 Ord.d On the motion of John Boyd Ordinary Licence is granted him on
his entering into bond with Ralph Leftus, & David David Spangler
as his Security in the Clerks office as the Law directs

Ord.d Boyles & Machall Parties heard & Determ.d with Costs.

Ord.d George Colember a writ for Miller & adv Lemmon allow.d 2 days

Ord.d John Martin Same.

Ord.d Bonie Cushaw Same

Ord.d On the Petition of Matthias Amon &c. for a view of a way from the Grist Mill of the s.d Matthias Amons Mill a straight Course crossing the North River at Coals ford near David Scotts, & from thence to the Rockfish road near Peter Keplingers the nearest best way It is Ord.d Reuben Harrison, Frederick Spangler, William Cravens, George Snodden, or any three of them being first be appointed to view the same & make Report of the Conveniences and inconveniences attending the same as the Law directs

Ord.d Courth in Reighert order Ley.m to be filed by the 3.d Dept. Sheriff

Ord.d Address Henderson dec.d to Divirs presented in Court & Proved by Deph Divir & Mary Divir two of the Wit thereto & the Commission for the said Depts. taking the priv.y examination of the s.d Hendersons Wife returned Certified as the Law directs

Ord.d On the Petition of Thomas Campble &c. for a view of a way for a Road beginning at the Cry Ponds and leading from thence thro.d the Plantation of the said Thomas Campble to Brocks Gap the nearest and best It is Ord.d John Craven, Robn Herdman & Benjamin Harrison, they being first sworn be appointed to view the same & make report of the Conveniences & inconveniences attending the same as the Law directs

By Virtue of a Commission of the Peace Sign.d &c. to Robt Brock Gent.n &c. of this Courth wherein Wm Kelly, Charles Lewis & Robn Wren are appointed a additional Magistrates who personally appeared in Court and took the Oaths of fidelity & the usual Oaths appertaining to their office pursuant to an Act.s &c. in that case made & provided

Ord.d the Court be adj.d until the next Court in Course

Benj.a Harrison

At a Court Called & held for at the Court house of Rockingham County Friday the 29th day of April 1796 in the 20th year of the Comth for the Examination of Shadrick Butler who was Committed to the Goal of this County by John Wayt Gent. on Suspicion of Felony And Stands Charged with Feloniously stealing Out of the Saddle bags of Jas Clark & Sam.l Landes, Carrying away from the House of Peter Nicholas Divers Sums of Money to wit from Jas Clark the Sum of £18.10 or thereabouts from Saml Landes £94 or thereabouts of the Value of the Sums aforesaid.

Present

Benjamin Harrison
Andrew Shanklin
John Rice
Benjamin Fawcett
Joseph Baxter
John Erwin

} Gentlemen Justices.

The Prisoner being led to the Bar in Custody & and thereupon Divers Witnesses to wit James Clark, Samuel Landes, Catharine Keagy Jacob Nicholas, Ann Nicholas, Caty Sprinkle, Peter Nicholas & Eulian Nicholas were Sworn & Examined touching the Premises whereof he Stands Charged And he having pleaded N Gr. and being fully heard by Jas Allan his Attorney & the Court upon Consideration of the Circumstances of the Case as it appears to them are of Opinion that the said Shadrick Butler is Guilty of the said offence And that for the same he is Triable in the District Court Whereupon he is remanded to this Goal of this County & to be from thence removed to the District Goal of Staunton there to be kept until Discharged by Law.

Mem.o Jas. Clark, Sam.l Landes, Jacob Keagy & Caty Sprinkle Deposeth and Sayeth as follows to Wit

James Clark Deposeth that on Tuesday the 19th of this Inst. he came to the House of Peter Nicholas in the County of Rockingham in Company with a Certain Sam.l Landes, that they took off their Saddle baggs & carried them in the House where they Lodged all Night that the next day when they were going away, he the S.d Jas Clark discovered when he went to his baggs on his Horse they appeared some what Lighter than they had done, that on Examining he found his Bags had been Cut & his Money taken out to the amount of £18.10. or thereabouts, that on Missing the same he made Peter Nicholas with whom he had Lodged acquainted with it that S.d Nicholas informed him all the People that were about the house when he came were there & that he did not know who could have done it, unless it was Shadrick Butler whom

the the s.d Nicholas had in his Employ — that he the s.d Clark had seen the Butler [illegible] in the inside of the s.d Nicholas House and Dog.s out at the Doore — that on Examining the s.d Butler he could make no Satisfactory Discovery — that at or near a Cherry-tree Nursery where he the s.d Jas Clark had seen the s.d Butler, M.r Kuiger & he found one bag of the Money that had been taken & which was claimed by Landers —

Samuel Landes Deposeth that on the 19th Inst he came to the Dwelling House of Peter Nicholas in Company with Jas Clark where they stay.d all night — that they took off their Saddle-bags & Carried them in the House, that the next Morning when he & his comrade Clark were about to ride to a neighbours of P.r Nicholas they desired M.rs Nicholas the wife of the s.d Peter to take care of their Saddle bags untill they should return — that on their return to the s.d Nicholas & when they were agoing away they Discovered as went to put their bags on their Horses they had been cut & their Money taken out — that on Acquainting the s.d Nicholas acquainted with the Circumstance, he Observ.d that all the People that had been about his House during the time they had been there, were there still & that he did know who could have done it unless it was Butler, that he the said Sam.l Landes accusing him with stealing the money he the s.d Butler denied he had been in the House while they had been there in the evening, and Made use of very Abusive Language and said he believed this Deponant & Clark brought no money with them — that on his denying he had been in the House Clark convicted him he had seen him in there to which he the said Butler replied Why should I not I be in the House I am at work here & when I work I consider as my home — that the Purse of money that was found by Kuiger was his. Except 15.s French Crowns which had been put into his Purse unknown to him

Christian Kuiger Deposeth that on Wednesday morning (which was the day that Clark & Landes missed their Money) the s.d Peter Nicholas & Jas Clark called at his House and informed him of what had happened and said they expected Butler had taken it & bid it & that they were agoing to make a search for it — that shortly after they left his House he concluded he w.d go to Nicholas's & help them to search for it — that when he got to s.d Nicholas and when he came out with Others to search for the Money he found laid in a Cherry tree Nursery a Purse of Money which contained £33 — and 15.s Foreign Crowns which was claimed by Sam.l Landes & Jas Clark said that was in it except 15.s Foreign Crowns which Clark said was his — which was all they could find.

Caty Gremble Deposeth that late in the Evening on Tuesday the 19th Inst she saw Shadrick Butler at or near the Cherry tree Nursery where Jacob Kuiger found the Purse of Money which was claimed by Sam.l Landes — that previous to her seeing him there, she saw him pass through the Yard & that knowing him immediately who he was she got up from her Seat as she was Setting in the House of Sam.l Nicholas & went to the Window & found it was

Butler — that she saw him in the Portico of the House of Peter Nicholas, and appeard as if he was going into the House and about a quarter of an Hour before she saw him in the Nursery — that when she saw him in the Ld Nursery he was Stooping down — that she did not know who he was until he came to the fence which was by the House when he put his hands upon the Ld fence and looked up & down the Road —

Be it Remembered that Jas Clark, Saml Landes, Sebastian Krager, Caty Prindle, Jacob Nicholas, Ann Nicholas, Peter Nicholas personally appeard in Court ~~Ann Nicholas wife of the said Pr~~ severally acknowledged themselves Indebted to his Excellency Robert Brooke Esqr Governor of this Comth & his Succesors in Office in the Sum of £200 each to be levied of their respective Goods & Chattles Lands & Tenements and for the use of the Comonwth to be rendered

Upon these Condetions that they & each of them shall well & truly make their personal Appearance at the next Staunton District Court to be holden on the first day of September Court then & there to give Evedence against Shadrick Butler who stands Charged with feloniously stealing from out the Ld Saddle bags of Jas Clark, Saml Landes divers Sums of money to wit from Jas Clark £185.10 & from Saml Landes £9.14. or thereabouts and shall not depart thence untill Discharged by Law then the above recognizance to be void otherwise to remain in full force.

The Court arose. Benj.a Harrison

Monday to Wit

At a Court of Quarter Session Held at the Court House of Rockingham County the 23rd day of May 1796.

Present

Benjamin Harrison
John Ewin
Joseph Baxter
Benjamin Faucett
Charles Lewis
} Gent. Justices

Arga. Enright Vs. The Administrators of Cuthbert Harrison Dec.d for money on a 12 Mo. Sep.t bond as his Sett.t to Samuel Breeden ~~_____~~ Notice confess.d by the Admrs Judgement & Execution Aw.d & Dam.s & Costs ~~_____~~ Bar for £11 3. 6.

Ch.d ~~Ex.t~~ ~~/~~ from 22nd Dec.r 1795. till 1st. Court

Grand Jury Sworn to wit

Adam Solomon foreman, David Coffman, Thos Shanklin, William Herron, Thomas Gordan, Joseph Benton, George Settes, Thomas Herron, Henry Burgess, Charles Beard, Paul Tingle, Adam Andrew, William Pierce, Daniel Boughey, Nathaniel Harrison, George Philips, Tillery Taylor & Peter Conrod & ~~_____~~ Gasper Ellsford. who being Sworn ~~_____~~ received their Charge & retired from the Bar & after some time returned into Court & Agreed on the following Presentments to wit. Rockingham County to wit We P. Vanderhoff being further Appearing before them they are discharged & Order Process do Issue thereon returnable as the Law directs ~~_____~~

Ch.d Enright Vs. McGuffin Arthur Davis & Jo. W.E. set aside Judgment & Joinder

Copies Ch.d Crook Shanklin Vs. Harshue Ref.d to George Pence, George Carpenter and their Aw.d & the Award of their Umpire (in case of disagreement) to be made the Judgement of the Court

Ch.d Herring Vs. Huston Court to Aw.d

Ch.d Combs & Vs. Sinks & } Court to Aw.d
Duck Vs. Conrod ~~_____~~

Ap 1795 Mathews vs Carnell Contd pltf and Deft

Thd Lincoln vs Allen Deft ag.

Thd Williams vs Green Contd "

Thd Wise vs Merchant Deft ag.

Ap 27th On the motion of Walter Davies Esq. the Admr of James Dinnen Deft ob tender up their a/c of their administration and that they appear at July Court next to settle the same with the Court.

Thd Davis vs Buckland Contd "

Thd Miller vs Moore Contd "

Ord Fredk Strangler be appd Capt Charles Dennis first Lieutent Martin Jacob Charles Fawcett Cornett of the Company Cornd by the 58 Regt of the Rockingham Militia Pursuant to an Act in that case made & provided And that they be recom. to his Excellency the Governor accordingly.

Thd Breedens Exor vs Hamilton Judgent Confd agreeable to Speciality Debt Costs with stay of Exon 6 Months.

Thd Hamilton ass. vs Kingsbury Henry Fry S.B.

Thd Pence vs Burke David Munger S.B.

Ap Weaver vs Plumb upon a motion for money to Hugh Donaghe:

Thd as his Secy. Notice prov. & Judgent for £26.7.7 dat from the 4th Monday in July 1795. Costs & Exon awd

Thd Carter vs Kennedy Contd

Thd Bell vs Mathews Dr David Coffman S.B. for D. Mathews.

Thd Carter vs Seevely Contd pltf.

Thd Robertson vs Lincoln Contd pltf.

Waggoner vs The Jury Sworn to try the Issue to wit

Thd William Shipman, John Shipman, Peter Harrison, George Helmerichhausen, Wm Hamblin, John Epstein, Daniel Ragan, Baz. Ragan, David Strangler, Robert Megill, Christy Vance, & John Johnson, Verdict for Deft & Judgement.

120

Gilmer vs Mackall Defendt Judgement Confessed with Stay of Execution until June Court next

Beard pltf vs Lowry & Abraham Perry Defts

McKee vs Dunlap late Sheriff Notice proved Court

Absent Benjamin Harrison Gent

Present Edwd Harrison Gent

Harrison vs Auchan

on the Motion of the Complaint Suggesting that he has brought his Suit against the said Defendant to Perpetuate Certain Testimony &c the said Cause And It Appearing to the Satisfaction of the Court that the following Witnesses are Aged & Infirm a Commission is awarded him to take the Depositions of John Fareharne, Edwd Shanklen, Saml Hemphill, Andrew Shanklin, Patrick Quinn of Delaware &c when the Defts Reasonable Notice of the time & place of taking the same

Hopkins vs Divers Court

The same vs Divers Pltf same

Ord. the Rules be held in the Clerks office on Thursday the 26th day of this Instant and on the day after the fourth Monday in June & July next Pursuant to Act in that case made & Provided.

Present Benj. Harrison Gent.

Ord. the Court be Adjd until Tomorrow Morning 9 Oclock.

Benj. Harrison

Tuesday the 24th May 1796.

Present

Edw. Harrison Joseph
Baxter, James
Beggs & Charles Lewis
} Gent Justices

No 1
Case
Thos Merron
vs
W. Craig
In Chancy

This day came the Pltf by his attorney and it appearing to the Satisfaction of the Court that the Order of Publication made in this cause on the Twenty fourth day of November 1795 last past hath been duly ..... Published and the Deft failing to enter his appearance and answer the Plaints Bill he Proceeded to take the same for confessd. On Consideration whereof and the Sundry exhibits & the Deposition of John Mayo & James Curry in the cause filed — The Court are of Opinion that the fifty acres of Land in the Pltf. Bill Mentioned was intended to have been assigned to him by the Deft for his Security in becoming the Defts. bail which fifty acres of Land they do Order to be Sold for the Purpose of Reimbursing the Pltf the sum of Twenty Seven Pounds Eleven Shillings & 8d — with Interest thereon from the fourth day of June 1793. until paid which sum it appears from the Receipt filed in the cause, the Pltf has been compelled to pay as Security for the Deft. It is therefore Ordered adjudged and Decreed that James Curry & John Mayo be appointed Commissioners for that Purpose who after advertising the time and Place of the Sale of said Land for one Month in the Virginia Gazette do Proceed to sell the same for Ready Money to the highest bidder and convey the Same to the Purchaser a Purchasers agreeable to this decree and Act of Assembly Arising from said Sale that the Commissioners do pay unto the Pltf the aforesaid Sum of Twenty Seven Pounds Eleven Shillings & Eight. Pence with Interest thereon from the aforesaid date until payment ..... Together with his Costs expended in Prosecuting this Suit, — and the Costs attending the Said Sale, and that the Overplush if any the said Commissioners do pay unto this Court for the use of the Deft or his Legal Representatives &c

Long vs Ahl In Case

Jury Sworn to try the Issue to wit

Matthias Long, John Gum, Bethuel Herring, Philip Hall Bayl Ragen, John Gum, Robert Gum, Joseph Gum, William Hamilton John Farburn, David Harnett & Nicholas Peary

Verdict for Pltf for £3 Damages Pledg.

No. William Herring Gent

Long vs Ahl

Jury Sworn to try the Issue to wit

Joseph Matthews, Abner Gwin, George M. Trout, John Kring, Randolph Gwin, James Curry, Michael Deck, John Henry, Richard Ragen, Isaac Hyer, Peter Countz, & John Miller, Who find for Plff for 40/. Damages & Judgment

Nihil Kessler vs Penn Cont. Dismd

Harrison ass'e vs Kessler Jonathan Shipman G. B. Office Judgt Set aside Dismd & Joinder

Smith Lefland & Co.

Mc Cain vs Kessler W. Set aside Conditions Performed & Joinder

Wrattan exor vs King Dism'd Pltf Costs.

Gwinn vs Rymel W. set aside Gt & Joinder Jury Sworn to try the Issue to wit

Christian Coomer, Matthias Long, Philip Hull, Michael Deck, John Gwinn, Baz. Ragan, Gab. Gilmer, William Shanklin, Bathuel Herring, Robert Gwinn, Nathaniel Harrison, & David Harriott.

for Def Burgess

Moore vs Kelley & Archibald Rether for Def G. B. W. set aside Dismd & Joinder

Jacob Rinehart a Witness for Long vs Ahl allow'd 2 days attendance

& Conrad Hamburger the same for same 4 days.

Def Peter Ahl appeared in Court and Delivered up his Licence for Celebrating the Rights of Matrimony, which is Revoked and made Null & Void

Hull vs Ragan Jury Sworn to try the Issue to wit

Jacob Nicholas, David Gilmore, John Henry, George Huston, Enoch Roads, Jonathan Shipman, John Rush, George Pence, Daniel Feaney, Thomas Hooton, John Miller, George Sites, & the Plaintiff Produced in Court $117.14 in Discharge of two Judgments Obt. by the Deft. vs Said Deft. & John Gwinn & Dan. Gwinn his Securities which is Admitted by the Pltf as a Complete exoneration as to the s'd John Gwinn & Daniel Gwinn from their Securityships for the payment of the Amounts of the

" aforesaid Judgement obtained by the said Plt. agt the s.d Defd. which is to
" remain in the Clerks office untill the finial determination of this Suit &
" the Injunction (in Chancy)" and then to be paid to the Party
" entitled to receive it" Ordered &c.

Mr. Daniel Quin a Witness for Hutchins Rager allow.d 2 day.
Do. Philip Hute The Same The same 2 day. Travelling 12 Miles
Comming & Returning Twice
Do. James Scaright The same 1 day. & Travling 12 Miles One.
Do. George Carbough 2 day.
Do. John Quin 2 day.
Do. John Farburn 1 day.
Do. Bathewel Herring 1 day.
Do. Randolph Quin 1 day.

Ord.d the Court be Adj.d untill tomorrow Morning 9 Oclock.

And.w Shanklin

Wednesday 25th May 1796

Present. Andrew Shanklen
John Wayt Benjamin Fawcett & Joseph Baxter } Gent.n Justices

Do. Kesler vs Sheriff &c Cont.d Plt.
Harrison assl vs Protzman
Do. Jury Sworn to try the Issue to wit
John Meade, Felix Shelpman, James Green, Richard Ragen,
James Conduit, Adam Price, William Allen, Philip Kesler,
Thomas Carr, John M.Cale, Handle Vance & John Epler,
Verdict for Plt. 2 debt &c
Verdict for Plt. 1 Cent Damages & Judgment.

Do. Sprinkle vs King. The Same Jury as in Harrison vs Protzman
Verdict for the Plt. for debt & 1 Cent Damages & Judgment.

124 19

Chd. On the Petition of Patience Fortune setting forth that she is a Free woman & is now held as a Slave by a certain Arch.d Hopkins of this County which appearing to the satisfaction of the Court Counsel was accordingly assigned her who having made a report according to Law the s.d Patience is permitted to sue in said Court in forma pauperis, and that a Commission be awarded her take the Depositions of such Witness as may be Material in the Cause first she be permitted by her pretended Master &c do on her giving Reasonable notice of the time & place of taking the same.

Kester vs Hervey &c by Consent of the parties Order Survey is awarded to be executed on the first Monday in August.o Next as the Law directs —

Chd. Maggot Exr vs Meeting Cont.d //

Chd. Shipman vs Shaler Cont.d Plt. //

Chd. Breeden Exors vs Protzman Cont.d //

Chd. M.Clain vs Kessell Cont.d //

Chd. Dawson vs M.Dowell Cont.d //

Chd. Bell vs Ireland M.E. Set aside Paym.t & Joinder Jury Sworn to try the Issue to Wit The Same Jury as above except Daniel Ragen in the room of Hanale Vanf.t Verdict for the Plt for debt & the Declaration Mentioned & 11/3.o Damages. & Judgment.o

Chd. Gambile &c vs King Cont.d //

Chd. Ireland vs Gains Cont.d //

Chd. Lynn vs Harris Cont.d //

Chd. Waggoner vs Price Cont.d //

Chd. Lincoln vs Robertson Cont.d //

Chd. Sink vs Amon, Cont.d //

Chd. Wayt vs Mackall Plea Warr.o & Issue Confes.d

Chd. Wayt & Taylor vs The Same The Same

Chd. Hopkins &c vs Whitmyre Cont.d //

Chd. King vs Richardson Cont.d //

Mo. Searight apt. vs. McGuffin Court. //
Mo. Lincoln vs. Matthews & Court Dis.d ///
Mo. The same Pt. vs. Matthews & Court //
Mo. Robertson vs. Sugart Court. //
Mo. McKinsay vs. Allen Court //
Mo. Windslow vs. Mackall Court //
Mo. Fletcher vs. Mulen & Court //
Mo. Laymon vs. Howard Court. //
Mo. Lanahan vs. Breeden exor Court. //
Mo. Smith vs. Doulton Dis.d //
Mo. Nelen vs. Black Court. //
Mo. Bassett vs. Summers Court. //
Exon. Ell
Mo. Dunlap vs. Bell & Court. //
Mo. Shaff vs. Moore Court. //
Mo. Long vs. Black Court. //
Mo. Davis vs. Shipman Court. dest. //
Mo. Shipman vs. Davis Court. pltf. //
Mo. Robertson vs. Lincoln Court. //
Mo. Nixon vs. Minick Dis.d no Information //
Mo. Couth vs. Donally Court. //
Mo. Hite vs. Little John Court //
Mo. Sugarts &c. vs. Robertson Court. //
Mo. Feeney apt. vs. Matthews the Dismission awarded & the Rules set aside and remanded to the Court
Mo. Christman vs. Alley & dis.d //
Mo. Shipman apt. vs. Shanklen Andrew Shanklen & Thomas Harrison jr.
Mo. J. B. Offin Judgment set aside Dayt & Jointer
P. Bey vs. Harrison &c. } Court.
John Evans . . . }

pl.

Mch. Malcom vs Rachford Court dept.

Lynn vs Rymel The same Jury as in Yesterday

Mch. Verdt for Pltf. Judgement

Present Wm Herring

Hinton vs Hinton Dr. By Consent of parties by their Attornies It is Ord that Wm Herring, Matthew Gamble & John Taylor do Examine, State & settle Accounts between the parties & that they moreover proceed to divide & lay off the Lands in the proceedings mentioned & make report thereof to this court and that the Surveyor do attend &c. if Necessary for that Purpose.

~~Davis vs Shipman Wm Hinton atd 3 days Attendance~~
~~& Isaac Kiser Do Same Do Same Do 5 days Attendance~~

Mch. Hall vs Ragon The same Jury as Yesterday. Verdict for the Pltf. for £61 Damages and on the motion of Defdt by his Attorney a new trial is granted him on his the Defts paying the costs of Court. to which Opinion the Pltf by his Attr Excepts in the following Words to wit When this Verdt was rendered &c Prays that these his Exceptions may be seald &c which is done Accordingly.

Mch William Hinton a Witness for Davis vs Shipman atd 3 days attendance

Mch Isaac Kiser the same for the same atd 5 days,

Mch Long vs Long Court

Mch Markam vs Boyles & William Jackson Gn Bail Not Guilty

Jury Sworn to try the Issue to Wit.

William Latham, William Akins, Handle Vance, Lehue Lynn, Joseph Green, Peter Hinton, Lewis Hyles, Julius Shelton, Isaac Pepper, Peter Lantz, Adam Price, & Henry Long, Sworn withdrawn & Verdt for Defts Costs.

Ord. Coontz vs Depoy Fallo ganatt. W.C. set aside N.G. Jon Apt. to Lender.
Jury Sworn to try the Issues to wit
Samuel Chandler, Mark Crewland, Philip Rymel,
Gasper Cleffera, Jacob Lemingfelter, Isaac Eyer, John Espler,
James Burgess, John Hall, Adam Bair, Samuel Gilmer
Thomas Kerr Verdict for Plt for £20 Dollars Damages.
Judgement

Ord. Magdalene Hannah a writ for Mackall, vs Boyle all.d 2 days atto.
Ord. Bonina Cushaw 2 days.
Ord. Magnus Cushaw days.
Ord. La Lemmons 2 days.
Ord. Gilbert Turner 2 days.
Ord. Gasper Cliffra 2 days.
Ord. Wm Cushaw a writ for Boyles a vs Mackall all.d 2 days atto.
Ord. Thomas Kerr same 2 days.
Ord. John Latham a writ for Shipman vs Davis all.d 3 days atto.
Ord. David Harnett a writ for Shipman vs Shuler all.d 2 days atto.
Ord. Wm Downey be Sum.d to appear here at June Court next to Shew Cause if any can or Knows to say why his Children should not be bound Out as the Law directs it being Suggested by Sam.l McWilliams one of the Overseers of the poor that he is not in Circumstances to raise them in a decent Christian like manner agreeable to an Act in that case made & Provided.
Ord. Thos Adam Losh a writ for Coontz vs Depo. Plt all.d 2 days.
Ord. Nathl Harrison same 2 days.
Ord. Susanna Losh same 2 days.
Ord. Peter Coontz same 2 days.
Ord. Andrew McCall a writ for Rymel a vs Gum all.d 2 days.
Ord. Christian Sitler same for same 2 days.
Ord. the Court be adj.d until Court in Course. Wm Stevens Jr

Monday to wit

At a Court held for Rockingham County the 27th day of June 1796.

Present. Benja Harrison, William Nevins John Even & St. Mertley Gent Justices.

A Deed of Bargain & Sale from Jacob Harpole Junr to Samuel Dehart was Presented in Court and Certified by John Stuart Clerk of Greenbrier, which is Ordered to be Recorded.

A Deed of Bargain & Sale Oberg Wait &c to John Crim was presented in Court with the acknowgt of the S. Wait &c & Certificate under the Hand & Seal of Abraham Nule Mayor of the Corporation of Winchester and the Commission of the Privy Examination of Mary Ann Wait returned Certificate is Ordered to be Recorded.

Deed Wait &c to Richwine the Same The Same

A Deed Krim Junr to Zirkle acknowlg & Ordered to be Recorded

Ditto the Same to Grove &c The Same The same

Ditto Krim Junr to Zirkle acknowlg & Ordered to be Recorded

Ditto Easterly Junr to Foulard acknd & OR

The same to Bowhang the same

Do Woody Junr to Marsh acknd wife acknd taken & CR

Do Mann Junr to Price was Presented in Court and Certified by John Stuart Clerk of Greenbrier County & OR

Do Price to Kesling acknd & OR

Do Road Junr to Driver acknd wifes Acknowld taken &c

Ord. That Ephs James Baggs & Joseph Baxter Gent be
Exp. appointed to Settle the State accounts of Henry Funk Decd
Ch. with the Admr & make Report thereof to the Court

Ord. Abel Stowes Lease & Release ackdg. wife acknowgt. & OR.

Ord. Do. The Same to Bryant. The Same. The Same

Ord. Do. Pittner Lease to Levick ackdg. wife acknowgt. & OR.

Ord. On the motion of Richard and Agnus Newman poor persons
to Sue James Newman in the form of Paupers for reasons
appearing to the court the Same is granted

On the Motion of John Peter Fish who made and Together
with Security entered into bond an acknowgt. thereby in the penalty of four
Hundred Dollars as the Law directs, Certificate is Granted him for
Obtaining Letters of Admon d. b. n. of the E. decedents Estate with the will annexed.
the said Will being Proven at a former Court.

The Last Will and Testament of Conrad Peter fish

The Exrs of the Last Will and Testament of Conrad Peter
Ord. fish having refused to take upon themselves the burthen of the
Execution thereof, on the Motion of John Peter Fish who
made oath, Together with John Hammer his Security entered
an Admrs. bond in the condition as the Law directs Certificate
is Granted him for obtaining Letters of Admon of the E. decedent
Exp. with the will annexed the said Will being Proven at a former
Court. And it is Ord. that Michael Deck Henry Cook Wm.
Penn & Nathl. Merchant or any three of them being first sworn
Ch. be appointed to appraise the Estate of the E. decedent and
make report thereof to the Court as the Law directs.

Ord. Helphey &c to D. Helphey Provd by Oaths of the Witnesses
there to & OR.

Ord. Do. Fraley Exr to Fraley Provd by Oaths of the witnesses
there to & OR

Ord. Do. Helphey &c to Fraley Provd by the witness thereto & OR

Feb 9th 1858. Bailey Dux to Armstrong Prov. by the witnesses thereto J O R.

Do Hetherington Dx to Hetherington the same the same

Robt Bare Dux to Grove acknd J O R

Do Grove Dux to Bare acknd J O R

Feb 10th Garber Dux to Flora acknd wife acknd taken J O R

Feb 10th Flora Dux to Johnston acknd wifes acknd taken J O R

Feb 10th Bailey Dux to Hamburger acknd wife acknd taken J O R

Feb 10th Do The Same to Same the Same

Present Joseph Baxter Gent.

Barbary Moyer came into Court and made choice of Daniel Baughman as her Guardian, he having entered into bond Security as the Law directs

Feb 10th Dan Moyer Dux to Earley acknd wife acknd taken J O R

Feb 10th Yurin to Wanger acknd J O R

Feb 10th Michael Lindsay who was recogn'd to appear here this Day to ans'r the Complaint of Frances Helmuth for a breach of the peace. Appear'd accordingly and having been fully heard in the Case & Defence. It is Ord'd that he be Discharged

Feb 10th Conth vs Helmuth Dism'd upon his recogz. Parties here & Dis'd

Feb 10th Conth vs Carthues Dis'd

Feb 10th The Same vs Price & Cont.

Feb 10th The Same vs Lowry Cont.

Feb 10th The Same vs Helmuth Order Information.

Feb 10th The Same vs Bryant The same

Feb 10th The same vs Roden The same

Feb 10th The same vs Pelly N.B.

Feb 10th The same vs Phelps N.B.

Feb 10th The same vs McDaniel N.B.

Feb 10th A Deed of B Sale from Dave Hoe to John Sinclair & Pr. wife's Acknow & Delivery & Recog. J O R. C

Feb 10th Conth vs Rughart Cont.

A Deed of Bargain & Sale from Philip Kiplinger & Barbara his wife John Kiplinger Catherine his wife John Lamb & Peter Lamb & Hezekiah Hazzardas & Abigal Kiplinger to Peter Kiplinger was Presented in Court and ackn.d by John Kiplinger, John Lamb, Peter Lamb, & Abigal Kiplinger, and the Privy examination of the Wife being taken as the Law Directs, and the ackn.g of Philip Kiplinger & Barbara his wife Certified by Adam Otto & Jacob Schnebly Two of the Magestrates of Washington County in the State of Maryland and Certified by Elie Williams Clerk of the said County Court of Washington, & the Seal of s.d County thereunto annexed, and also a Certificate of the ackn.g of Philip Kiplinger & Barbara his wife under the hand of Thomas Arnold Clerk of Burbon County in the State of Kentuckey & the Seal of the s.d County thereunto annexed, the same is ordered to be Recorded

Present Charles Lewis Gent

Absent Joseph Baxter and

Jo.s Kerkley Gent.

Court is Adj.d

Ord.d that Abraham Smith be appointed Overseer of the Road Leading from the Town of Harrisonburgh to Staunton beginning at the run between B. Smith & Plantation & continue as far as Edward Shanklins on Cooks brook in the room of James Stuart Decea.d and that the Usual Tithables work thereon & Keep the same in Good Repair according to Law.

Rec.d Deed Lady due to Lapsley acknd & wife acknd taken & Ord.d

Miller vs Blythe upon an attach.t The Sheriff having returned on an Spinning wheel &c Judgt for 4.6 per Note & Interest Costs It is ord.d that the Sheriff make sale of the said Effects and pay the same to the Pltf in Satisfaction on his Judgt debt & that he have execution for the Residue

Ord.d that Handle Vane be appoint Overseer of that part of the Road when of George ab. Trout was in the room of the s.d Trout, and that the usual Tithables work thereon & Keep the same in Good Repair

Ord. Jacob Anderson Dis. ∥
Ord. Bean vs Nite Cont. ∥
Ord. Story vs Huffman Cont. ∥
Ord. Irwin vs Young agd. ∥
Ord. Robertson vs Lincoln Cont. ∥
Ord. Dunlap vs Somers 2 Petitions Cont. ∥
Ord. Shanklen vs Protzman Dis. ∥
Ord. Lemmon vs Miller Parties here. Judgt per note ~~of~~ In Courts
Ord. Benonah Coshaw ~~a witness~~ for Miller vs Lemmon 2 days.
Ord. George Clemens the same The 3 days.
Ord. John Murry The same The same 3 days.
Ord. ~~M~~Williams vs Same Cont. ∥
Ord. Hannah Mace a witness for Lemmon vs Miller all 2 days.

Ord. that Jacob Eversole be appointed Overseer of that part of the road
Copy from Thomas Gordon to Joseph Baxter in the room of George
M Lr Smith and the usual Tithables work upon him and keep the
1
same in good repair

On the Motion of John Ewen & John Herdman Exors mentioned
Ord. in the last will & Testament of William Ewen Deceased a Certificate
is Granted them for obtaining a Probate thereof in due form
they having entered into bond & Security & made oath thereto as the law
directs. the said will having been fully proved at a former Court

XX Held from Philip P Kiplinger Exr John Kiplinger Exr. Peter Kiplinger
Exr. John Lamb Exr. Peter Lamb Exr. Frederick Moyers Exr. and
Abagal Kiplinger to Mardon Whetmore was presented in Court
and acknd by John Kiplinger, Peter Kiplinger, Peter Lamb. John
Ord. Lamb, & Abigal Kiplinger and the Privy examination of them said
wife ~~be~~ taken as the Law directs, and a ~~do~~ the acting of Philip Kipling
Deed being ~~testamr~~ certified ~~by~~ from under the hand of
Thos. Arnold Clerk of County Court of Burbon in the State of
Kentuckey and the Seal of the said County thereunto annexed
and the Acknd of Frederick Moyers Exr being certified by Adam
Ott and Jacob Schnebly two of the Justices of the County of Washing
ton in the State of Maryland, and certify ~~Eliz Watkins~~

Under the hand of Elie Williams Clerk of the Co. County of Washington, and the seal of the Co. County thereunto annexed
The Same is Ord

Ch. King & Rine Judgt & note Interest & Costs.
Ch. Harmons exor & Penn &c The Same The same
Ch. Jackson & Hudlow Contt. Pltf. /
Ch. Jones & Bowyer Contt. N.S. /
Ch. Reeves affe & Bodine Judgt & Note Ints Costs
Ch. Crow & Barker Contt Pltf. /
Ch. Crockshanks & Pickering Judgt & Note Int Costs
Ch. The Same & The Same The Same
Ch. Johnstons exors & Enright The Same
Ch. Tibbles & Donnally Discd. /
Ch. Garven & Taylor Judgt & note Int Costs
Ch. Paul & Harrison Dismt Contt /
Ch. Mayt Mc & Graves Judgt per note Int Cost.
Ch. The Same & Ragen The Same
Ch. Lee & Kenton The Same
Chan. Gamble affe & Hamilton Dsd /
Ch. Woods & Higgins Judg per Note &c.
Ch. Spangler & Rockafe The same
Ch. The Same & Graves The same
Ch. Doup & Cook Contt. /
Ch. King & Songer Contt /
Ch. The same & The same Contt. /
Ch. Cook & Lincoln Contt /

Ordered that Jacob Burkholder, John Blair, John Hecks
Sr. Adam Firebaugh or any three of them being first Sworn be
appointed to appraise the Estate of William Ewen deceased
& make Report thereof to the Court

Ch. Tibbles & Trim Disd by Return /
Chan. Moss & Grimm Contt /

† 134 b

Deed of Bargain from Coonrod Fox to Rader was presented in Ct. Court and further ana fully acknowledged by the Jr. Coonrod and is Ordered to be Recorded

X Deed of Bargain from Andrew Cutler Sen.r James Bowyer Sen.r Chd. etc to John Driver was Proved by the oaths of the witnesses thereto as to Cutler, and acknowledged by James Bowyer and the Commission of the Privy examination of the said Driver being returned certified is Recd.

Chd. The Same to Hugh Driver the Same

Do. John Driver Sen.r to Vickers acknowd his wife acknowd Cert. Recd.

Do. Philip Keplinger Sen.r Peter Keplinger Sen.r John Lamb Sen.r, Peter Lamb Sen.r Frederick Moyer Sen.r & Abigal Keplinger to John Keplinger, was Presented in Court and acknd by Peter, John, Peter, Abigal Keplinger and the Privy examination of there wives taken as the Law directs, And the acknowd of Philip Keplinger Barbara his wife certified from under the hand of Thomas Arnold, a Clerk of the County of Barbour in the State of Kentucky, and the Seal of said County thereunto annexed, — and Chd. # the acknowd of Frederick Moyer Lettey his wife certified by Adam Ott and Jacob Schnebly Two of Justices of the County of Washington in the State of Maryland, and certified from under the hand of Elie Williams Clerk of said County and the Seal of the Sd. County thereunto annexed the same is Ordered to be Recorded.

The Court doth Recommend to his Excellency the Governer of Virginia the follow Gentlemen as fit Persons to be Commissioned in the 58th Regiment of the Rockingham Militia —

Capts. Martin Rite Capt. in the Second Battelion in the Room of Jacob Kazer who Resigned

James Hoard Lieutenant in the Room of Achary Berry who has Removed out of the County

Henry Meyers Ensign in the Room of Martin Rite

Jacob Hessling Capt. in the Room of Peter Hessling who has Removed

Jacob Nicholas Lieutenant in the room of Jacob Hessling

Oliver McCasling Ensign

Lewis Bowyer Capt. in the Room Augustine Price who has Removed to Kentucky.

George Gilmore Lieutenant in the Room of Lewis Bowyer.

John Sinjare Ensign in the room of George Gilmore.

Ord that the Sheriff make Sale of the Estate of Stephen Rogers deceased and Give three Months Credit taking bond and Security for the Punctual Payment of the same — and return his proceedings thereing to the Court.

Ord that he Likewise make sale of the Estate of the estate of Daniel Joseph Pees. the Widow and Relict of the said deceased having refused to take upon her self the Burthen of the Administration of the said estate, and that he Give three months Credit taking bond & Security for the Payment of the Same

Ord that the Overseers of the Poor for this County Levy Downey & George Wells as the Law directs

Ord that Downey be bound to Mark Newland as the Law Directs.

Richard Furgason's Testimonials for the Solemnizing the rites of Matrimony was produced in Court by Saml Williams with a Certificate from under the hand and seal thereof testifying this relinquishment of his right to perform the duties of s.d Court, which are accordingly ordered to be made Null and void.

1790 8 9 The Court doth recommend to his Excellency the Governor of Virginia, Ezekiel Harrison, John Ewin and John Rice as fit persons to execute the office of Sheriff of this County for the ensuing Year.

Ordered that Godphrey Ore be summond to shew cause if any he can why his Children shall not be bound according to Law It being suggested to the Court that he is not in Circumstances to raize in a Decent and Christian like manner as the Law Directs

Ord. that the Court be Adjourned until to Court in Course

Benj.a Harrison

At a Court of Oyer Terminer, held at the Court house of Rockingham County the 25th day of July 1796. for the Tryal of Pompey a Negro the property of Josiah Harrison of the said County, Charge with Felony for Feloniously stealing from Jesse Roff four Bars of Iron and carrying the same away out of the forge of Solomon Coffman in said County on the 12th day of June 1796. of the Value of £6.

Present. William Herring, Ezekiel Harrison, Frances Slaughter, Joseph Baxter, Charles Lewis } Gent. Justices.

The said Slave being led to the bar in Custody &c. and being charged as aforesaid and the Court having Assigned him Archibald Stuart Esqr. Attorney at Law as Counsel, pleaded not Guilty whereupon Divers Witnesses to wit. Edward Nicholas Solomon

Matthews, Abraham Pickering

9/10 were Sworn & Examined touching the Crime wherewith he Stands charged. and the said Hyre being fully heard in his Defence, The Court upon Consideration of the Circumstance of the Case as it appears to them are Opinion that he is not Guilty of the Offence wherewith he Stands charged And it is Ord. that he be discharged And that he be conveyed to his Mr. Master.

Mem: Ed. Nicholas a Writ ad. 1st. day.

The Court Arose.

Wm Herring

At a Court held for the County of Rockingham at the Court house on Monday the 24th day of July 1786.

Present

Wm Herring
Ezr Harrison
Francis Hertly
Benja Harrison &
Peter Waterman

Gent.

Ord. An appraisment bill of Estate of Fredk Blank dec'd returned &c.

Ord. A Settlement of the Estate of Mark Riggs Junr returned &c.

Ord. Rhoda Bowman dau. to Casper Hoffman an infant wife acknowledged & order to be recorded.

Ord. The same to John Burkhart the same

Ord. The same to Bowman the same

Ord. The same long to Lynn acknowledged &c.

Ord. A Deed Fredk Krim &c. to Wm. acknowledged wife acknowledged & order to be recorded

Ord. Lynn &c. to the same acknowledged wife acknowledged & order to be recorded

Ord. A Deed Miller &c. to Miller acknowledged by the parties thereto and the Privy Exam. of the female thereto taken as the Law directs & order to be recorded

Ord. The same Miller to Mr. Miller the same.

Ord. A Deed Harrison to Sutzer acknowledged by the parties thereto & order to be recorded

Ord. A Deed Boucher to Miller acknowledged &c.

Ord. A Deed Harrison dau. to Rodes. wife acknowledged & order to be recorded.

135 10

Ord. Deed Kerby to Conrad Ackd. & Ord.

Ord. Deed Celine Berg to Miller Ackd. & ord. & Certificate Ord.

X Deed Bear to Grove Recites Ackd. & Certificate &c.

Do Grove to Bear the same

Ord. Do Bell to Bell Ackd. & Recites Ackd. & Certificate Ord.

Ord. Do Bell to Bell the same.

Ord. Appt. Wm Herring & Asher Waterman Gent. be appt. to settle the Estate of Freedk Blank dec'd with the Exrs & make Report thereof to the Court.

Appt. Colin Harrison be appt. Survey of that part of the Road whereof Jab Bosang was late Overseer and that the usual hands attend to work on the same be appointed for his Gang to work thereon & keep the same in Good Repair as the Law directs

Henry Simmerson Orphan of George Simmerson came into Court & made Choice of Henry Perkey as his Guardian who with Sec. entered into & Ackd. Bond &c. the Law directs

Appt. Colin Mayt & Asher Waterman Gent. be appt. to settle the Estate of James Ferrier dec'd with Andrew Carter the Surviv. Admr & make Report thereof to the Court.

Ord. An appraisment Bill of the Estate of Jab Coffman dec'd Ord.

Appt. Ord. the Overseers of the poor bind & apply Wm Orphan of Peter Wm ag.d Eleven years in June last past to Colin Vance as the Law directs

Appt. Ord. George Brown Orphan of John Brown dec'd be bound to Peter Andrews as the Law directs.

Ord. Haynes vs Lemmon Ven. upon a bond taken for the Delivy of Property.

Verdict Pron.d Judgmt & Exon award.d as the Law directs.

Appt. Ord. Magdelina Rife Orphan Christy Rife be bound by the Overseers of the poor to Jac.b Koogle.

Ord. Bean vs Kittle Contd. Law

Ord. Story vs Huffman Contd.

Ord. Robenson vs Lincoln Contd.

Ord. Wise vs Grim Contd.

Ord. Dunlap & Dunmore & Two Petitions Cont'd //

Ord. M.Williams & Lam, Ludgt. p.t Petition Costs. Dept. Call.d Ind.t a/c J.S.

Ord. Lones & Bowyer Cont'd //

Ord. Jackson & Hudson Cont'd //

Ord. Paul & Harrison Oldham Cont'd //

Ord. King & Longer Cont'd //

Ord. The & & Longer Cont'd //

Ord. Love & Cook, Dept Call.d Ludg.t p.t Petition Lat Costs

Ord. Joseph Aldoffer a suit for Some all.d days Attce

Ord. Harry a/c & Deggan Dept Call.d Ludg.t Lat Costs

Ord. The Same & Same, The Same.

Ord. The same & Same. The Same.

Ord. Harrison & Gallean Dft. Ludgt & Gallean only for £3.16. Lat Costs.

Ord. Cash & Shute Cont'd //

Ord. Moreland & M'Clung Dept Call.d Ludgt £6.11.10½. Lat 1st Nov.r 1794 Costs.

Ord. A Sale bill of the Estate of John Johnson Dec.d Cd. 1814

On the Motion of Francis Kenty Gent It is Ord.d & Decree.d that Jacob Swaggerty be Sum.d to appear here at Sept.r Court next to shew Cause why Mary Lee, Orph.n of Zepheniah Lee Dec.d should not be taken from him and rebound as the Law directs.

Ord. Curry & Fraser Cont'd //

Ord. Bryson & Baughn Parties heard & Dism.d

Ord. Peter Cowan a Witness for Baughn a.s Coop allow.d 1 day Attendance

Ord. George Pence The Same — The same

Ord. Hoghead & Feaney &c upon a bond taken for the delivery of Property

Notice only Prov.d Ludgt. & Execution awarded as the Law directs. & Feaney

Ord. Andrew Shanklin & Benj.n Fawcett Gent be appointed to Settle the Estate a/c of Thomas Bryant Dec.d with the Excors. & make Report thereof to the Court &c

Ord. The Court be adj.d until Court in Course. Benj.n Harrison

Monday to wit.

At a Court held for the County of Rockingham the 22nd of August 1796.

Present. Benjamin Harrison,
William Herring
John Ewell
Joseph Baxter
James Briggs
Charles Lewis. } Gentlemen Justices.

Grand Jury Sworn to wit Aron Solomon foreman Thomas Gordon, John Malcome, John Mike, Ponemas Dick, Andrew Andrew, William Robertson, Richard Ragan, Adam Strgatecle, James Burgess, James Lake, Gasper Mefford, Micky Sayler, George Mallabel, Nathaniel Harrison, Charles Bedford, & Benjamin Tallman. who rec.d their Charge, retired from the bar & after some time ret.d into Court and Agreed to the following presentment to wit, We present &c and nothing else appearing to us they be Dismissed and that the Sheriff pay the Witnesses for their attendance upon the Grand Jury.

Ord. Maggott vs Conduett, Henry Bar L.B.

Ord. Whitney vs Akins Dis.d by Agreement filed

Ord. Spangler vs Cravens, Jos. Cravens L.B.

Ord. The Com.th vs Pontz Upon a Recogniz.ce on the Complaint of Margaret Crookshanks, The Defts appear.d in Discharge of their Recogniz.ce whereupon Margaret Crookshanks was Sworn & Examined & other Witness on behalf of the Defts. touching the Complaint wherewith they are charged upon Consideration, the Court are of Opinion that they severally be Dismissed

Ord. Maggot &c vs Workman Dis.d by Att.

Ord. Herring vs Heston Contd. Ffacw.

Ord. Matthews vs Carroll ffacw.

Ord. Beard &c vs Lowry &c Office Judgment set aside Paymt. Found.

Ord. Davis vs Shipman Contd. Depft.

~~Davis vs Shipman~~

Ord. Andrew Jamison a Writ for Davis vs Shipman allo. 5 days.

Ord. Isaac Kyan the same allo. 3 days.

Ord. Harry ass.e vs Henry George Refused S.B.

Ord. Corrie vs Deck Mich. Deck S.B. Office Judg.t set aside pay.t Found.

Ord. Corn.k vs Donally Dis.d

~~Hotle vs Littlejohn~~

~~Ord. the Court be adj.d until tomorrow Morning~~

Ord. the Court be adj.d until tomorrow Morning 9 o'Clock.

Joseph Baxter

Tuesday the 23.rd August 1796.

Present

Benjamin Harrison,
William Herring
John Lewis &
Joseph Baxter

} Gentlemen Justices

Ord. Fry vs Smith &c on the Motion of the Compt. setting forth that he is about to institute a Suit in Chy in this Court & it appearing to the Court that some of the Defts are infants Heirs at Law of Darius Whitmore Dec.d It is Ord. Sam.l Whitehead do be Guardian to Defend the Said Infants in the Said Suit

Thos. McMaggott vs Contract. The Defts brought into Court & delivered
up by his Special bail & Jury in Custody. By the pltfs Atty
Oyr the Rules be held in the Clerks office on Thursday the 25th of this
Instant for the day after the fourth Monday in Sept. & Oct. next
Pursuant to an Act in this case made & provided

Thos Malcome vs Watford, Errors Argued & Reversed & Entry of Verdict

Thos Justices vs Hickmon Error &c

Thos Connor vs Scribs Chancy Decree agreeable to award.

Thos Deeds vs Conrad Dismd Decree & Costs awarded.

Thos Davis vs Buckland George Kessell L.B.W.C. 1st as. to G.G.
Lounder Court by Consent at Defts Costs

Thos Harmon vs Kessell John Mann Security for Costs.

Thos Hitte vs Kettleyoken Jury Sworn to Enquire of the Damages
to wit Walter Davis, John Malcome, Lewis Lewis
Adam Harman, James Quinn, Nicholas Lentz, Jacob
Kyzer, Thomas Gilmer, Robert Curry, Esq. Logan, George
Heuston & Andrew Wilson Verd. for Pltf. Dollrs & Cts Damages.

Thos James Meadows a Writ for Walter McMaggott dec. alld 1 days
Travelling 120 Miles in Coming & same in Returning
Martin Crawford the same for same alld 1 days attd

Thos Sergart Hoy vs Robertson Jury Sworn to try the Issue to wit
Robert Hempshill, Philip Wolf, Saml Coomes, Barth.
Herring, Daniel Harrison, John Heuston, Peter Conrod
Joseph Beely, Hugh Divier, John Henry, Robert Rutherford
Andrew Jamison. Verd. for Pltf Dollrs Damages.

Thos Ireland vs Graves Dismd at y Defts Costs

Thos Shipman vs Davis Contd

Thos Reuben Moore a Writ for Sergart Hoy vs Robertson alld 2 days.

do Hopkins vs Dixon vs Levy Sworn to try the Issue to wit
The same as in Hitt's & Kettleyorkin Except David
Harnett in the room of John Wallace. Juror withdrawn
Hont

do Levy vs Levy cont

do Hopkins vs Dixon Reid

do Pence vs Burk office Judgmt reversed & dism by ord. ffts.

do Kessell vs Pence W.E. set aside & G. Declaration Levy Sworn to try the
Issue to wit Thomas Gilmer, Ez Logan, Alex Nelson, Jas
Quinn, William Harmon, Quinton Baily, Jab Lincoln, David
Harnett, Dan Pollston, George Hunton, Jad Gilmer, Walter Davis,
Verdict for Defft & Judgt

Co/d do George Carpenter a writ for Kessell vs Pence all 4 days attd
Co/d do Daniel Feaney the same 4 days.
Co/d do Joseph Birdy 4 days.
do Susanna Lyra 4 days.
do Henry Kessell 4 days.

Co/d do Michael Crabarger a writ for Pence vs Kessell 4 days.
do John Wallace the Same 4 days & travelling 15 miles in
Com & the Same in att twice
do Geo Pence the same 4 days.

do Strayer vs Whitmyer upon a bond cond for the delivery of
property & verdict pro Judgmt & Exon acc

do Dan Harnett a writ for Chapman vs Shooter all 2 days.
Dy all causes on the Issue Docket not call to be cond

1445 9

Waggoner vs Price on the motion of the Defft by his Counsel for reasons appearing to the Satisfaction of the Court a Comn is awd Issue to take the Depo. of George Mallow Decease Evidence on his giving the pltf Reasonable notice of the time & place of taking the same

Ord. the Court be adjd until next Court in course

Wm Herring

Monday to wit

At a Court held for the County of Rockingham the 28th day of September 1790.

Present William Herring
Eyre Harrison
Joseph Baxter
~~Benjn Haocock~~
John Irvin
Gent. Justices

The Inquisition of the Jury taken on the Lands of Thos Jackson Decd & returned into Court by Matthew Gamble Escheator of this County was read & ordered to be recorded

Deed from Kyser Exr to Yount proved by the Witnesses thereto & O R

Gamble Exr to Waterman & Thos Deeds proved by the Witnesses thereto and the Commission of the Privy examination of his wife returned certified is O R

A Power of Attny from Dunn to Baxter was presented in Court and proved by the oath of John Hopkins & Ord'd to be certified

Deed B Sale Lewis Exrs to Mallow acknowd by Layton Yancey & Mrs Herring & Ordered to be certified for further Ord

Ord. Adam Rife Jun to Andrew Ackmond wife Ackmond taken & R

Ord. do Smith Jun to Gum Ackmond wife Ackmond taken & R

Ord. do Malcom Jr to Fetchmires Ackmond wife Ackmond taken & R

Ord. do Pickering Jun to Fry Ackmond wife Ackmond taken & R

Ord. do The same to Smith The Same

an Instrument of Writing from Philip Buckner to John Morrison Proved by the Oath of one of the Witness Thereto &c

Catherine Gum came into Court and made Choice of Henry Bouldin as her Guardian who with Security entered into Bond & Security as the Law Directs

Mary Smith came into Court and made Choice of Taylor Yancey as her Guardian who with Security entered into Bond & Security as the Law Directs

The Last will and Testament of Thomas Gorden Decd was Presented in Court by Thomas Gorden the Exr therein named and Proved by the Oaths of Two of the Witness thereto & R and on the Motion of the said Exrs a Certificate is Granted him for Obtaining a Probate thereof in due form he having entered into Bond & Security, and made Oath thereto as the Law Directs, And it is Ordered that Thomas Shackleford John Hopkins, John Headman & John Miller or any three of them being first Sworn be appointed to appraise the Estate of Thos Gorden decd and make report thereof to the Court as the Law Directs

Ord. Adam Meldon Jun to Wise Ackmond wife Ackmond taken & R

Ord. ditto Bryan Jun to Irving two Deeds Proved by the Witnesses thereto and the Latter examination of his wife taken as the Law Directs is

& R

Ord. ditto Moore Jun to Moore Ackmond wife Ackmond taken & R

Ord. ditto Turner Jun to Letty Ackmond wife Ackmond taken & R

Ord. ditto Newton Jun to Bell Ackmond wife Ackmond taken & R

Ord. ditto Irvin Jun to Bentley wife Ackmond taken & R

A Power of Attorney from M.c Dowell to Rigs Proved by the Witness thereto & is ordered to be Recd

Ord. Linkle Deed to Good acknowledg wifes acknowled taken & Recd

Ordered that the Overseers of the Poor bind Andrew Davis Orphan of Wm Davis Decd aged Ten Years last May unto Jacob Leigh as the Law Directs

Ey. That the Overseers of the Poor bind Joseph Brown Orphan of John Brown unto Peter Sowerwine as the Law Directs

Ey. That Daniel Dickerson be Summoned to appear at the next Court to Shew Cause if any he Know to say why John Miller Capt. should not be taken away from him and be bound to some one else, it being Suggested by James Quinn one of the Overseers of the Poor that he is Ill Treated

McCranahan vs Stanton Ro upon a Motion upon a bond taken for the delivery of Property Notice Proved and Judgement & Execution awarded accordingly

Ord. Deed of Relinquishment from Doxey to Thompson acknowledg. & Recd

On the Petition of Reuben Harrison &c Ordered View of a way leading from the New Bridge at the Widow Harrison across Smith Creek at the Widow Harrison and to Intersect the Great Road leading from Staunton to New Market, It is Ordered that Benj.a Talbott John Bright, John Reeves & John Armentrout or any three of them being first Sworn, be appointed to View the same and make Report thereof to the Court of the Conveniences and Inconveniences attending the Same &c

On the Motion of Mathias Fry Leave is granted him to keep ordinary at his house in this County for the term of one year, on his Entering into Bond and Security in the Clk Office as the Law Directs

Ord. The Settlement of the Estate of John Demoore Decd returnd and O.K.

On the motion of Layton Yancy, It is ordered that Charles Lewis be Summoned to Court to Shew cause why Levi Lewis her Son should not be bound out by the overseers of the Poor as the Law directs It being suggested to the Court, that She is not of ability to Support him as the Law Directs

Ordered that Peter Kendee Orphan of William Kendee aged 15 years Last august, be bound by the overseers of the Poor unto John Owens Jnr to learn the Shoemaker Trade according to Law Present Boyd Harrison Gent

Ord. that Madelean Rife orphan of Christian Rife be bound to Wm Runnion Jnr as the Law directs, and that the former Order be Rescinded

Ord. Adam Henderson to Divide further fully Proved by the oath of Gawin Hamilton one of the Witnesses thereto & O.K.

Ord. Petition Pickard due to Carpenter acknowd wife acknowd taken & O.K.

On the Motion of Robert Grattan exor of John Grattan Decd for a Resurvey of his lands lying in this County Notice being Confessed by Isaac Wise, Adam Wise, Lewis Sawyer, Christian Kunsman & Conradman Poole and Notice of the Same being advertised as the Law directs. It is Ordered he be permitted to make a Resurvey of his lands aforesaid & bounded by the Persons aforesaid and that the Surveyor of this County go upon the lands & Resurvey the same at the Charges of the said Robert Grattan according to the directions of the same and the Original or Ancient Title Papers taking care not to intrude upon the Possession of any other Person and that he return a fair Plat of the Survey into this Court

Ord. that Christian Kagy be appointed to Overseer of that part of the Road where of Gab. Gilmore late Surveyor of in the room of the said G. Gilmore, leading from the Court house of this said County to Dry River Gap, and that the Usual Tithables be allotted him for his Gang to work thereon and keep the same in Good Repair

Ord. Ord that Peter Fifer be exempted from Paying County & Parish Poor Tax
No. Leiss for reasons appearing to the Satisfaction of the Court

On the Motion of Abraham Smith It is Ord that Bathew Herring George Snodden, John Rider & William Fowler, or any three of them being first Sworn be appointed View the road leading through Daniel Gunnells field & the way it runs at Present and make report thereof to the Court of the Conveniencies and Inconveniencies attending both ways as the Law directs &c

Spangler & Harrison admr upon a Notice for Attorney Service by the Testator in his life time as an attorney for the said Plt Notice Proved and Judgment & Execution awarded as per Receipt Attorneyship Int Costs

Ord Smith to Spangler acknowld & R

ditto Alford Lea to Spangler acknowld wife acknowld taken & R

ditto Christmon to Christmon acknowld & the wife of Jacob Christmon being Privately examined as the Law directs to R

ditto Christmon &c to Branamon acknowld wifes acknowld taken & R

ditto The same to Christmon acknowld & the wife of A Christmon being Privately examined as the Law directs is R

Ord that the Sheriff pay unto Clayton Yancey £45.4/6 as Per account & Vouchers with Interest on the same from 9th Nov. 1795 to be paid out of the Money that was levied for keeping in Repair the Roads across the Blue Ridge commonly called Swift Run Gap according to the act of Assembly in that case made & Provided

An Account of the Guard on Robert Donnelly in the Goal of this County being returned and Examined is ordered to be Certified

The same for guarding Shadrack Butler the same

The same to the Sheriff for Each Counts & the same

A Settlement of the Estate of Charles Shoults Decd returned and R.T.C.

Sprenger ~~vs Harrison~~ vs Davis ~~on Motion of Hoyle~~

Upon Deed of Bill of Sale from Bell Hus to Bayly acknowlgt. wife acknowledged before the Law Court is Rd

Ord that William Robertson be appointed overseer of that part of the Road (whereon) Peter Crim was late Surveyor in the Room of the Jno Crim leading from Trout ford to Harrisonburg ~~that as fair to the Pond be near~~ Friars, and that the usual Tithables be allotted him for his gang to work thereon and keep the same in good Repair

Ord Bean vs Nolte Contd ||
Ord Story vs Huffman Contd ||
Ord Robertson vs Lincoln Contd ||
Ord Wise vs Crim Contd ||
Ord Dunlap vs Jones Two Petitions Contd ||

Absent J. Ewen Gent.
Present B. Tavenner Gent

Ord Jackson vs Hudlow Contd ||
Ord Zirkle vs Frend Judgt & Note Interest Costs
Ord Curry vs Travis Judgment for £2.11.9½ from 1st July 1796 Note sued Costs
Ord Jones vs Boaye Contd ||
Ord Paul vs Harrisonburg Contd ||
Ord King vs Jones Two Petitions Contd ||
Ord Cook vs Lincoln Contd ||
Ord Johnston vs Hunter Judgt & Note Inter Cost
Ord Austin vs Harris Contd ||
Ord Harvey vs Travis Judgt & Note Interest Cost
Ord Shugart vs Donnaly Judgt & Note Int Cost
Ord The Same vs The Same
Ord Hosher vs Rea N.S. pd ||
Ord Lamerion vs Matthews N.S. pd ||
Ord Gold vs Hunter Judgt & Note Int Cost
Ord Bright vs Buckland Dismd ||
Ord Harrison vs Salvage Contd ||
Ord Laird ass. vs Executrix Contd ||
Ord Sweeny vs Yaley N.S. pd ||
Ord Snider vs Keyser N.S. pd ||

Ord that John Eppler be appointed overseer of that part of the Street where of John Boyd was late Surveyor of in the room of the Sd Boyd and leading from John Hikes past Mr. McWilliams, and from the J. Eppler corner on the West Street down to Fredrick Spangler corner and that he usual Tithables be allotted him for his gang to work thereon & keep the same in good repair

Rice to Morrison Ls Sergt Dd Note Sets Hook

Nicholas Shaver came into Court and made choice of George Sites as his Guardian he having entered into bond and Security as the Law directs

Ord that George Sites bind Nicholas Shaver his ward unto John Lincoln for untill he arrives to the age of Twenty one years to learn the Trade of a Tanner

Ord that this Court be adjourned untill Court in Course

Wm Herring Jr

At a Court Called and held at the Court house of Rockingham County on the 24th day of October 1790 in the 15th Year of the Commonwealth for the Examination of Michael Shave who was Recognized to appear here this day by Ezl Harrison Gent on the Suspition of Felony and Stands Charged with Felonously Stealing away from the Bed house of John Lewis Fifty or Six Bee Hives To the Value of Shilling

Present Benja Harrison
William Herring
John Rice Ezl
Joseph Harrison
Baxter
} Gent Justices

The Prisoner appeared in Court in discharge of his said Recognizance, and thereupon Came Divers Witnesses to wit ~~Lewis Pike &c~~

Henry Cline

who Sworn & Examined touching the Crime whereof he Stands Charged and Hearing ~~Nl~~ and being fully heard in his ~~Case~~ Defence the Court upon Consideration of the Circumstances of the Case as it appears to them are of Opinion ~~that he is guilty of the~~ ~~Offence charged in the Indictment~~ and that he be discharged. Benj^a Harrison

Monday to Wit

At a Court held for the County of Rockingham 24th day of October 1796

Present Benj^a Harrison
William Hunny
John Roe Ezekiel Harman
& Joseph Baxter
} Gent. Justices

x ~~Dis~~ A Deed Hamilton to Gilmore ack^d and Or. C.
~~Dis~~ A Deed Rob^t Graham & wife to Ireland ack^d wifes Acknow^d taken & C.R.
~~Dis~~ ditto Thompson Dux to Heatherly Proved by the Witness thereto and the Commission of the Privy Examination of his wife Returned Certificate & C.R.
~~Dis~~ ditto Carns Dux to Miller Acknow^d wifes Acknowledgt taken & C.R.
~~Dis~~ Fry Dux to Brannen Acknow^d wifes Acknowledgt taken & C.R.
~~Dis~~ Coffman Dux to Brannen Acknow^d wifes Acknowledgt taken & C.R.
~~Dis~~ ditto Miller Dux to Carns Acknow^d wifes Acknowl^d taken & C.R.
x ~~Dis~~ Roadamer Dux to J. Roadamer a deed of Releasement of Sarah his wife Returned Certificate and Law taken & C.R.
~~Dis~~ ditto Bowyer Dux to Hanford Settle Acknow^d wifes Acknowl^d taken &c
~~Dis~~ ditto The same to Gay the same

Ord. Francisco to Teste Presented in Court and being authenticated agreeable to usual forms of Other foreign deeds the same is O.R.

Ord. Stille Negy Fus to Dickerson admrx. wife admrx. taken & O.R.

Ord. An Appraisment Bill of the estate of Thomas Gordon Return'd O.R.

Ord. Commission of the Privy examination of Mary Easterly wife of George Easterly Return'd Certificate & O.R.

Ord. Edward Bell to Bell acknowledge & O.R.

Ord. Gamin Fus to Arkenbright Proved by the Witness thereto, & his Comp. of the Privy examination of his wife Return'd Certificate O.R.

Ord. The same to Brown & Logan the same

Ord. Smith Fus to Spainer wife Defendt. taken & O.R.

Ord. Letter of attorney from Carver to Lambden &c Prov'd by one of the Witnesses thereto Ordered to be Certified

Joseph Fawcett Produced his acct. as Commissioner for this County amounting to 45 days. which was examined Allowed by the Court &c.

Ord. Edward Smith Fus to Evans Proved by Two of the witnesses thereto & O.R.

On the Petition of John Graham Guardian to Granville Irwin to make an Ordinary Survey of his Lands Joining the Lands of

On the Petition George Moore came into Court and made choice of John Graham as his Guardian who with Security entered into an acknowledged bond Condetioned as the Law directs Present Joseph Baxter Gent

Present Boyd Fawcett Gent.

Ord. Deed of Bill of Sale Mount Duncan to Boyd admrx. wife admrx. taken & O.R.

Ord. Attorney Gamin admrx. wife admrx. taken & O.R.

Ord. Letter Roadman Agent to Boon the Relinquishment of Mary his wife returned Certificate is O.R.

Ord. The same to Irwin The same

Ord. that Ann Shanklen & John Ewen & Benja Harrison or any two of them be appointed to settle with the Overseers of the Poor for the Parish County of Rockingham, in this and report their report thereof to the Court

Thomas Dudley &c upon a Notice upon a bond taken for the delivery of Property Notice Proved & Judgt & Execution awarded accordingly

On the Motion of John Ward Leave is given to Build a water Grist Mill on his Lands in this County & dam over the same, It is Ord. that a writ of Adquod Damnum issue to him to be executed on the 24th of this Instant agreeable to an Act &c of Assembly concerning Mills dams & Other Obstructions of water Courses.

Ord. that Daniel Dickerson who was Summoned to appear here at this Court to shew Cause why Henry Miller should not be taken away from him and Bound to some one Else. It is ordered that the same be dismissed and that the Apprentice return to his Master

Ord. that a Commission issue to Benjamin Turner on the Motion of the Defts to take the Deposition of Charles Davis Delenepha on his Giving to the Reasonable notice of the time & place of taking the same

Ord. Lamman & Matthew &c. Judgt

Ord. Snyder & Kesler &c. Judgt

Ord. Sweeny & Waters &c. Judgt

Ord. Sherman & Emerson &c. Judgt

Ord. Gilmore & Mackate &c upon a Notice upon a bond taken for the Delivery of Property Notice Proved & Judgt & Exn awarded accordingly

Ord. Harvey &c. & Huggan Judgt for Note Interest & Costs

Ord. is & Dunlap late Sheriff &c Notice Proved & Judgment & Execution awarded according

1st Ch.

Ord. 4th

Ord. that Andrew Shanklen & Asher Waterman Gent be appointed to Settle the estate a/c of Saml Miller Decest with the exrs & Make report thereof to the Court

Ord. that Andrew Shanklen & Asher Waterman Gent be appointed to Settle the estate a/c of John Miller Decest with the exrs & Make report thereof to the Court

Ord. Hopkins & Higgans Judgt as Per Petition & Costs.

Ord. that all the Petitions ~~that were then depending~~ what now remains on the Docket that has not been Called be Dismd.

Ord. that the Sheriff pay unto John Boyd £16. 5 2 Cents out of the Depositum for this year 1796 if so much be in his hands

Surrender

Deed of ~~Release~~ from Lord Fairfaxes exrs to Reans exrs was in Court Proved & ~~ordered to be recorded~~ by Gabriel Jones one of the exrs of the Late Lord Fairfax, and the same is ordered to be Certified as the Law Directs

Ord. that Christian Kagy be appointed Overseer of that Part of the Road where of Gabl Gilmore was late Overseer, in the room of the said Gilmore, Leading from the Court House of the said County to Dry River Gap, from the Bear Wallow, Limited at present to the bounds of James Riggs, and that he Cause all hands Liable to work thereon and Keep the same in Good Repair and that the former Order be Rescinded

Ord. that John Moore Reuben Moore & Lewis Conrad or any three of them be appointed to View the Road Leading from New market to Keezletown Roads, as Near as Wolfram Knowstad, beginning at Shulcum Roads, and that they View the way proposed for the Road to Mr Dowells, and that they Report to the Court Mr Dowells to Run beginning at Roads Running to the Court House and make Report of the Convenience and Inconvenience

attending both ways &c

Ord that the Court be adjourned to Court in Course

Benj.a Harrison

At a Court of Oyer & Terminer held at the Court house of Rockingham County the 2nd day of November 1796 in the 21st Year of the Commonwth for the Trial of a Negroe Slave named Daniel the Property of Gabriel Jones. on the Suspicion of Felony and Stands charge with feloniously Stating and Murdering Joseph a Negro man Slave the Property of the aforesaid Gabriel Jones

Present Benj.a Harrison on William Herring
Charles Lewis Sinclair Kentle Gent. Justices.
John Ewen, John Wayt Gent
John Wren

The Negroe Slave Daniel of the County aforesaid the Property of the said Gabriel Jones, being arraigned and charged with the Felony aforesaid, upon his arraignment Pleaded not Guilty, Thereupon came Divers Witnesses to wit, Jacob Frederick Matt, Dinor, & Larkin Lindsay

were Sworn and examined on Consideration whereof the Court are of Opinion that the said Daniel is Guilty of the Offence whereof he Stands Charged and that he be Remanded to the Publick Jail of this County and there to Remain untill Tuesday the 13th December Next and then to be Hanged by the Neck untill he be is Dead and it is Ord that the Sheriff attend and see that the above Judgment is duly executed, and this said Court are of Opinion that he the said Daniel is worth Three Hundred Dollars.

and the Court arose

Benj.a Harrison

At a Court of Quarter Session Held at the Court House of Rockingham County the 28th day of November 1796.

Present Benjamin Harrison
Edmund Hamtelin
John Irwin &
Benjamin Fawcett — Gent Justices

No. Ryder vs Shipp Dismd agreed
No. Haggomer vs Price. The same

No. Samuel Blackburn Esqr produced a Licence to practice as an Attorney in the Courts of this Comth. who having taken the Oaths prescribed by Law is permitted to practice in this Court.

~~No. Hay vs Cook Pet Inst set aside Peter Roler J.B.~~

No. Hay vs Cook. Peter Roler J.P. Office Inst set aside Pay & Costs.

No. Kirby vs Ragan Richard Ragan J.P. Office Inst set aside & Pay Costs.

Grand Jury Sworn to wit

Aaron Solomon, Foreman, Jacob Simcoke Adam Argabright, John Bowman, Hugh Devire, Daniel Funkle, John Wise, Jacob Riffe, George Rader, Andrew Carrele, Joseph Cockerham, William Herring, Jacob Nicholas, Daniel Leany, John Peter fish, Christopher Ammon and John Devire, who Retired their Chamber, & from the Bar ~~receiving their Presentments~~, & after some time returned having made the following Presentments, to wit, We present &c and there appearing no more business before them they are Dismissed and it is ordered that Process Issue according to Law.

Present William Herring Gent.

Ord Joseph Pine &c Court &c for Infa.

Ord The same vs Brants The same.

Ord The same vs Baker. The same.

Ord The same vs Lowry. The same.

Ord The same vs Helmick, The same.

Ord The same vs Phillips The same.

Ord The same vs Reighart. The same.

Ord The same vs Petty. The same,

Ord Dean vs Crawford &c upon an Att[t] The Sheriff having returned Exec[n] to him whereupon came the Parties by their Attorneys, and being fully heard, It is considered by the Court that the same be dismissed,

Ord Harris Exr &c vs Lord &c Smith Lofland & B,

Ord John Wise, upon a Writ of ad quod Damn. Dis[d] with Costs

Ord that this Court be adjourned till to morrow morning 10 o'clock

Benj[a] Harrison

Tuesday November 29th 1796

Present Benjamin Harrison
Andrew Hamilton
Ezekiel Harrison &
Ashton Wademan
Gent Justices

Ord that the rules be held in the Clerks Office on Tuesday 29th of this Inst and on the day after the fourth Monday in the months of December January, & February next pursuant to the act of Assembly &c

Ord Long vs Black dism[d] agreed,

Ord Henning vs Huston Contd award

Ord Mathews vs Carrele Contd

Ord Laymon vs Howard Adam Saush 1 B. Writ, E, set aside G. I. & Joinder

Ord Davis vs Shipman ~~Contd~~ on the motion of Defts Atty a Compsn is awarded time to take deposition of George Keizek, De hun Esqr, on his giving the Pltff previous notice of the time & place of taking the same, and the same is Contd

Ord Shipman vs Davis, Contd

Ord Williams &c vs Green The same,

Ord Christly Miller vs Black, John Boyd 1 B. Pgt & Joind.
Present William Henning Gent.
Mathews vs Coetine, Shff granted to stay all further proceedings on an Execution sued out of this Court agast the Pltff, on his entering into Bond and Security in Clerks Office in the County of £45 according to Law

Ord Shipman vs Shuler, Contd Pleas.

Ord David Hamit a Writ for Shipman vs Shuler proved 2 days att the Richard Weeks- the same for the same, the same

Ord Sink vs Simon Contd

Ord Davis vs Buckland Ve. E, set aside G. I. & Joinder & Contd Pltff,

Ord Miller vs Moore, Contd

Robinson vs Lincoln, Jury sworn to Try the Issue to trie.
Ord Randolph Guinn, John Carthrea, Samuel Swithet, Andrew Jamison, John Hopkins, John Huston, Nicholas Sink, Samuel Chandler, John Taylor, James Kile, Alexander Graham, & Peter Kuster
Peter & Verdt for the Defendant, and on the motion of the Plaintiff a new Tryal is granted him without Costs &c

Ord Vernon assee vs Hoover Contd

Hopkins &c vs Davis Jury sworn to try the Issue to trie the same
Ord Jury as in Robinson vs Lincoln except Philip Miller and Robt Guinn in the room of Samuel Chandler & John Hopkins Peter & Verdt for Pltff £10. 16. 10 Damage & Costs

Ord[t] That William Herring have leave to bind his William boun
for the term 3 years & six month by the consent of s[d] ward in the presence
of Harrison his ward unto George Sitts to Lear the Trade and
Mistery of a Gun Smith.

Ord[t] that the Court be adjourn[d] until 10 Clocke to morrow
Morning.

Benj[a] Harrison

Wednesday 30th December 1796

Present { Benjamin Harrison, Andrew Shanklin, Eyre[s] Harrison, Usher Waterman } Gent[n] Justices

Dawson vs M[c]Dowell by consent of the parties by their Counsie[l] with
Agents of the Court, All matters in Difference between the parties are
Submitted to the Diffision of Robert Grattan and Alexander M[c]Clain
whose award, and in case of Disagreement the award of their Umpire to
be the Judgment of the Court.

Dawson vs M[c]Dowell, by Consent of the parties and with the Leave
of the Court all Matters in Difference between the parties
are referd to the Diffision of Alexander M[c]Clain & Robert Grattan
with Leave, in case of Disagreement, to Choose an Umpire, whose
award to be the Judgment of the Court.

Sprinkle vs Ragan upon an Attach[t] Garn[t] &c
the Sheriff having returned Eff[ts] in the hands of Richard Regan & Daniel
Ragan, which is ordered to be Cont[d] for the more particular
Declaration of the Garnishee Richard Regan.

Ord[t] That Conrod Irick be summoned to next Court to
Shew cause why his Children Should not be bound out by the
overseers of the Poor according to Law & being suggested
that he does not raise them in that manner as the Law directs

Present Charles Lewis Gent.

160

Hall vs Regan Jury Sworn to try the Issue to Wit
Joseph Cocanour, Daniel Davison, John Lincoln, James Kyle, John
Sayler, Samuel Chandler, John Carthrea, Alexander Graham, John
Sayton, John W.Cale, Hugh W.Cealley, & David Spangler, who
retired, ~~Verdict for~~ order to be Con.d until tomorrow.

John Nesbit a Wit: Sayler vs Huston all.d one day Att.e and
~~travelling~~ 32 miles travelling to Court and the same in returning.

Plaintiff Pentz a Wit: for Kyser vs Brookshanks all.d 1 days Att.d

Plaintiff Leonard Sutherlen a Wit: Myers &c ads Kesler all.d four days Att.e

Plaintiff Phillip Kesler a Wit: for the same vs the same 5 days Att.e

~~Robert Shanklin a Wit: for Miller vs Gilmore &c.~~

Ord.t the Court be adjourned till to Morrow morning 8. Oclock

Benj.a Harrison

Thursday the first day of December 1796.

Present Benj.a Harrison
Andrew Shanklen
Benj.a Sawell ~~H~~
Charles Lewis &
Asher Watkins
Gent. Justices.

Hall vs Regan The same Jury as in Yesterday Verdict
Jury withdrawn & Continued.

Wit. Present Lewis Sheriff
Gent.o

Ord. Pd. John Gunn a Wit. for Ragan ads Hale all.d 2 days att.a
Ord. Pd. Charles Beard the same for the same ..... 5 days
Ord. Pd. Robert Rutherford the same for the same 7 days

Ord. Pd. Daniel Gunn a Witness for Hale vs Ragan allow.d 6 days
Ord. Pd. Francis Stuart a Witness for Hale vs Ragan allow.d 7 days.
Ord. Pd. John Fairburn the same same 8 days.
Ord. Pd. Benja. Smith the same same 7 days.
Ord. Pd. Randolph Gunn the same same 6 days.
Ord. Pd. Bathurst Herring the same same 5 days.
Ord. Pd. Alexand.r Herring the same same 6 days.
Ord. Pd. George Carbough the same same 6 days.
Ord. Pd. Philip Miller the same same 8 days.
Ord. Pd. James Searight the same same 6 days and
Travelling 12 miles and the same in Returning
Ord. Pd. Philip Hale the same same 8 days The same as Seaght.

The Court doth Recommend unto his Excellency the Governor of Virginia the following Gentlemen as Proper and fit Persons to be Commissioned as Officers in the 38th Regiment of the Rockingham Militia, as follows to wit

Daniel Harrison Capt. of the Rifle Company of the first Battalion in the Room of Charles McClain Resigned. & Held a day
Robert Shanklen Lieutenant. in the Room of Daniel Harrison
Capt. John Effler Ensign. in the Room of John Boyd Resigned

Ord. that all the Causes that now remain on the Docket that has not been Call.d be Continued

Ord. that the Court be adjourned until Court in Course.

Benja. Harrison

Dec Monday to Wit

At a Court held for Rockingham County on the 26th day of December 1796.

Present. Benjamin Harrison, William Hiring, Andw Shanklin, James Baggs, John Ewin & Lovick Baxter } Gent Justices.

Dupp State vs Shipman,
— Ditto Craving to W. Williams
— Ditto Harrisons & Attach
Ditto, Rife &c to Coffman Ackd & R.R.C.
— Ditto Lane to Martin Coffman Lane—

Wateman &c to Coleman &c 3 Deeds proved by the Wit. thereto, & the Ack Knowled Sally the Wife of Asher Waterman taken as the Law Directs: O.C.

Mary Gumm orphan of Norton Gumm Dec'd came into Court and made Choice of Dennis C. Briant her Guardian, who with Security entered into Bond & Acknowledged Condition as the Law Directs—

A Power of Atty, Shipmon to Waterman, was Ackd & R.C.

On Mot. of Writing Transporting the Emancipation of a Mulattoe Girl Patty, Ackd by A. Shanklin & O.C.

Ord that Sheriff pay Asher Waterman Seven pound sixteen shgs for work done to the Court house, out of the Depositum of 795 if so much there be in his hands

Ord, that Charles Lewis & John Wren Gent be appointed to settle the Estate accounts of Andy Bramagamore Dec'd and make return an Estatement thereof to Court.

Copy & paid Entered

Margaret Grace daughter of James Grace came into Court and made choice of James Baggs as her Guardian, who with Security entered into Ackd bond in One hundred Dollars, conditioned as the Law Directs.

An Inventy of the Appt of the Estate Conrad, Peter Fisher Dec'd returned.

O.C.

— ditto Sale Bill of the Said Estate returned & Ord

Ordered

Upon the Motion of Henry Bayer. It is ordered that the Admr of Henry Kephart Decd, be Summoned to next Court to render an a/c of the Estate of the said Decedent,

Ord that Henry Prisoner be permitted to keep at his house in this County on his entering into bond with Jacob Rife his Security in the Sum of Five Hundred Dollars as the Law Directs,

Ord Comth. vs Kerbaugh Order, Inf.

Ord The Same vs The Same. O. The Same.

The Court doth recommend Henry King as a proper and fit person to be commd as an Ensign under Capt. John Lincoln in the fifty eighth Regiment of Rockingham Militia,

Ord Upon Ireland's Wife to Kesler Atts, & Wife's acknowledgt taken as the Law directs & O.C.

Ord Comth vs A. Kyser. Parties heard & Dismd

Ord The Same vs Same heard & fined according to Law

Ord The Same vs D. Frobey. The same.

Ord The Same vs Ge. Frobey. The same.

Ord The Same vs Kingary O. Inf.

Ord Ayt. Abraham Ruthrufs be bound by the overseers Poor David Proffet Jr to learn the Trade and Mistery of Stone mason according to the Law.

Ord Dagey vs Proffet bond & Aff Forfeited.

Ord Shryock vs Kesler &c - Deft, Costs.

Ord Crowbeyer vs Eagers &c.

Ord Smith, vs McCleavan &c.

Ord Lamer vs Mauck &c.

Ord Larson vs Kasbeer &c Present, Asher Waterman Gent.

Ord Scraily vs Donnelly upon attch. the Garnishee having returned Execd &c - thereupon came the parties by their Counsil, and by agreement of parties head, Issue & Trt. Jury Dismissed & Costs adjudged Plff.

Ord Reuben Harrison a Wit. for Scraily as Donnelly Attd - 1 day Latter

Ord Sarah Stanwix the Same for the Same - 1 days

Ayt that the Court be adjourned till tomorrow morning 10 o'Clock.

Benja Harrison

7 / 28

Tuesday 27th December 1796.

Present

Benjamin Harrison
William Harvey
Andw Shanklings
John Hayes
} Gent. Justices.

The Bank vs Hite and Set aside Cond.
The Story vs Hoffman Cond. //
The Robinson vs Lincoln Dist //
The Wise vs Gray. Cond //
The Dunlap vs Summers Cond //
The Same vs Same Cond //
The Lewis vs Bowyer Cond //
The Paul vs Harrisons Admrs Cond //
The King vs Sougar Cond //
The Same vs Same Cond //
The Bank vs Lincoln Cond //
The Harrison vs Salvage Cond //
The Lard Exrs vs Augustines Admrs Cond //
The Austin vs Haines ~~Cond~~ Dist //
The Sammon vs Mathews Judt fo Note Int & Costs
The Mercy vs Yules N.S. //
The Hooker vs Rea Judt for Note Int Costs
The Harrison, agt vs Brooks, The Same
The Waterman vs The Same The Same
The Aubrigh vs The Same The Same
The Moubraker vs Mallory The Same
The Shickman vs Ewins Exrs Cond //
The Wayt. vs Mare, Cond //
The McKeehan vs Hunton Cond //
The Hanglin vs Grove Judt In to Costs

~~Davey vs Boyd's Heirs~~

Mathews vs Brock — Def't's Mot. to dismiss Int. Heard

Harvey vs Black — The same.

Ewins Ex'rs vs Divine — Cond.

The same vs Tiffany &c Cond.

Edwd Cravens vs M. Williams Ack'd & O.R.

Ewins Ex'rs vs Divine &c Cond.

The same vs Collins Def't's Mot. Int. Heard

The same vs The same Cond.

The same vs Watts — Cond.

The same vs Dunlap Def't's Mot. Int. Heard

Ewins Ex'rs vs Shanklin Cond.

Travis vs Young Cond.

Wayt vs Hall ~~Dism'd~~ Dism'd

A Deed Seaton to Shipman Pro'd by the oaths of Att. thereto & O. Kendrick

Long vs Mallory. Def't's Mot. Int. Heard

Sprinkle vs Ragan on Attach. On the motion of Plaintiff, by his Att'y, it is Ordered that Richard Ragan be Summoned to appear here at next Court with the Book's & Accounts of the Dep't,

On the Petition of John Nicholas &c ~~is ordered~~ for a view of a way from the North end of South Street the nearest and best way until it intersect the Road leading to Woodstock and also the nearest and best way from the South end of S. Street through lands of Reuben Harrison &c so as to intersect the Road now leading to Staunton, and report the Conveniencies and Inconveniencies attending the same and make report as to the Court aforesaid to Law. ~~It is ordered that John Pugh, Peter Nicholas, Chris Kiger, & Isaac Carpenter or any three of them being first sworn be appointed to view the same.~~

Wm Mesamer a Wit. for Auston vs Haines all Days attd

Ord that James Allen Esqr. be appointed to Examine into the abilities of Daniel Davison and report to this Court whether he be a fit fit person, to act as an assistant Surveyor in this County &c

Copies & Fees to Jno Nicholas

9

to hear

James Allen Esqr, having Certified agreable to an order of this Court that Daniel Dawson is Sufficiently qualified to act, as an Assistant Surveyor in this County, Therefore on the motion of Alexr Herring Esqr Surveyor of the Said County he is admitted, who thereupon took the usual Oaths prescribed by Law

William Bright came into Court and made Choice of John Bright as his Guardian and It, is ordered that he be Summoned to next Court to enter in to Bond & Security, as the Law directs,

The Court Proceeded to lay the County levy a Statement of which is as followeth, to wit.

David Holmes Deputy Atty	£83,32
Samuel M:Williams	25, 00
Ditto, for Extra Services upon the Pass Law	25, 00
Sheriff for Ex. Services	25 00

Ord the Same be Court'd to be compld

Ord that Celia Bycot a Pham of Bycot who was formerly bound unto Andw Shanklin by an Order of this Court, be bound unto Nehemiah Crawne to learn the trade and mistery of House Carpenter & Joiner, by the consent of Parties and Law, and that the former order be rescinded,

Consent of the Parties Prick, & Vs.

Ord the Court be Adjourned untile Court in Course.

Benjn Harrison

Monday 6th Court of Rockingham
Present Nels for the County, the 23rd
day of January 1797.

Present Benja Harrison
Edd Harrison
Joseph Baxter Jr
James Biggs
Gent Justices.

Adam Armentrout dx to Wm Armentrout Admrs acknowledged his Deed which was Proved
Nathl Landrum to Wm Proved by the Witness thereto
Jno Thraskirs Inventory & Appraisement bill of the Estate of Henry Kyger Returned
On the Motion of Saml Williams Gent Henry Gambill
is admitted his Deputy and Sworn accordingly
Thos Phillips dx to Phillips Proved by Two of the Witnesses thereto
and Ordered to be Recd
Jno Cook Jr Last of the Estate of John Cook Decd Returned
Thereon Appraisement Bill of the same
was present in Court
The Last Will & Testament of Barbara Mallow Decd proved by the Exr George
Mallow the Exr therein named, and Proved by the oaths of the Witts
thereto and Ordered to be Recorded And on the Motion of the Exr
who with Security entered into and acknowledged Bond, Condition
as the Law Directs, a Certificate is Granted him for Obtaining a
Probate thereof in due form, he having Made oath thereto accordingly
John Bright who was Summoned to appear at this Court to
enter into Bond for his Guardeenship of William Bright Estate,
appeared and executed the same &c

Present William Herring Gent
Absent Benja Harrison Gent

Ord. Ord that Francis Skerlly & Neil Skerlly Gent be appointed to Settle
the or any Two of them be appointed to Settle the estate account
Ord. of John Burke Decast with the Exrs and make Report thereof to the Court.

Ord Adm Warren Adm to Adam Losh Admonlgd Wife Admonlgd Costen Ord

Ord An appraisment Bill of the Estate of Patrick Fay Decast Returned Ord

Ord Ord that Charles Lewis & John Wren Gent be appointed to Settle the
estate account of John Headerick Jun Decast with the Admrs and
Ord. make Report thereof to the Court

On the Motion of Thos Sedgwick Admr of the estate of Nicholas
Ord Smith Deceased is Granted him he having entering into bond and
made Oath made with Security as the Law directs and is Ord that Robert Retherford
Jeremiah Kyle, Dennis Lanahan & George Pate or
Ord any Three of them being first Sworn be appointed to appraise the
Estate of the said Deceadent and make Report thereof to the
Court

Snapp vs Yards upon an attachment

Ord The Sheriff having Returned executed
Ord. of Sundry Property of the Defts on the motion of the
Plt by his attorney is Granted him for £3. 7/9 Int from
30th Decem 1796. and is Ord that the sheriff make sale
of the same attach Effects, and that he have execution
for the Residue &c

The Report of the Viewers of a Way for a road agreable to the
Petition of Mathias Amon &c. having returned It is ordered that Mathias
Ord. Gaspar Mefferts & Sarah Aughettree, be Summoned to next
Court to Shew cause why the Same shall not be opened agreable
to the said report.

Ord that the Overseers of the Poor Bind Thos Moore Base
Born Child of Madelina Good Age 4 year to Henry
Good to Learn the Trade Mistery of a Goodder, according
to Law

Ord On the Motion of John Wise Leave is granted him to make
an Inclusive Survey of Lands, in this County, adjoining the Lands of
Adam Wise, Henry Miller, John Lowery, Michael Wise, Henry Hausbergh
Lettitia Fifer, Christy Keagan and Rosetta Grattan, agreeable to his
Original Plots, he having complied with the Law in that Case, and that the Surveyor
Escale the same on the 15th day of March next taking care
not to intrude upon the Claims of any other Persons &c

Commth to Gloucester, upon the Complaint of Peter Ake, Thomas
Travis, & William Cagers for a breach of the Peace.
Appeared in Court, and being fully heard the Court are of
Opinion he be Discharged.

Cha Bean vs Nite Dise
Cha Story vs Hofman Cont.
Cha Hope vs Lyon Cont.
Cha Dunlap & Lomen Two Petitions Cont.
Cha Jones vs Bowyer Cont.
Cha Pond vs Harrisons admrs Cont.
Cha King vs Songer Two Petitions Cont.
Cha Cash vs Lincoln Cont
Cha Harrison vs Salvage Cont.
Cha Lanier afsd vs Archettices admrs Cont Dsft.
Cha Sweeney vs Yulee Cont N.S.
Cha Mayo vs Mace Cont. dsft
Cha Chapman vs Executors Cont.
Cha WW Keeben vs Herbert Cont. dsft
Cha Executors vs Jeffrey Judgt per Note Ints Costs.
Cha The same vs Dozier Cont.
Cha Jean Even vs Ritter Cont.
Cha Ewins Exrs. vs Collins Judgt pr afsd Int from March 8th 1796. &c
Cha Doxey vs Profett Judgt for £41.16/ with Ints from Sept 1796. &c
Cha Executors vs Gates Judgt per note Int Costs
Cha The same vs Chandlers Cont.

Present A. Saunders & Wm Cowper Esqrs
Joseph Bowers

1st

On the Motion of John Lofties administration of the estate
Ora of Ralph Lofties Decead. is Granted him he having entered
into bond and Security & Made oath thereto as the Law Directs
and it is Ord. William Divier, James Quinn, John Smith
Ord. and John Rice or any three of them being first Sworn to
appointed to appraise the estate of the said Decedent
cont. and make report thereof to the Court.

Ora Jean & Hicks of agreement from Thankam Ux & Graham Ux Proved
by the oath of A. J. Gamble one of the Witnesses thereto Ord.

Ora Travis vs Young Ord. agd.

Ora Martin Heathcot a Witness for Doxey vs Rose allowed 2 days after
Ora John Steele the same ——— the same

Ora William Smith the same today

Ora Judy Smith the same

Ora John Hawk the same

Ora Graham vs Collum & Judgt. per note Int Costs.

Ora Harrison assee vs Protzman, the defendant Brot into Court. in
custody of the Sheriff, and the Sd. having Legal Notice of the
Creditors & Plaintiff, he is admitted to take the Benefit of the Insolvent Act,
for the Release of Insolvent Debtors &c. who Subscribed a Schedule
and is discharged.

Ora ~~Protzman vs Doherty Judgt for Costs Int Costs~~

Ora Harvey vs Lowrey Judgt for £2.11 17/6½ Int from 15th Oct. 1796 &c.

Ora Shugart vs Rose Ord. Court
Dft that Irish, be bound unto John Protzer Junr by
the Overseers of the Poor apprising to Law

Ord. That Irish poor Child Coloured Girl be
bound unto John Protzer, by the overseers of the Poor according
to Law to learn the Trade & Mistery of a Farmer. &c

On the Motion of Robert McGuire, It is Ord that John Simmons be Summoned to February Court Next to shew Cause if any he can or Know to say why he should not be Taken away from him and Rebounded to Some one else. It being Suggested by the Ge. Robert McGuire that he is ill Treated by the Ge.

Ord that the Court be adjourned until Court in Course

Ind Thruston

At a Court Called and held for the County of Rockingham County at the Court House thereof on the 13th day of February 1797 in the 21st Year of the Commonwealth for the Examination of Jacob Goode who was committed to the Goal of this County by John Wayt Gent. one of Sd Justices of Peace, and Stands charged with feloniously and forcibly making an Attempt a Assault on Sally Olinger and then and there by force and against her will, had unlawfull Carnal knowledge of her Body.

Present. Benjamin Harrison, John Evans, asher Waterman, John Wayt, & Andrew Thruston, & John Rice & Joseph Baxter } Gent. Justices.

The Prisoner being led to the Bar in Custody of the Sheriff and being charged as aforesaid pleaded not Guilty Whereupon came Divers Witness to wit Sally Olinger & John Good, Philip Woolf & Samuel Coomes Lyons, Sittes & Paul Weikle who being duly Sworn and examined touching the Complaint wherewith he stands charged, upon consideration of the circumstances of the Case as it appears to them the Court are of the Opinion that he is Guilty of the Offence wherewith he stands Charged and for the same he is Liable in the District Court Whereupon he is remanded to the Goal of this County from thence to be Conveyed to the Goal of the Staunton District Court and there to remain until he be discharged by due course of Law.

1792

Memo. Sally Clenger Ann Good Lewis Sitler & Jacob Weikel —

Sally Clenger deposeth and Sayeth that on Saterday the 11th day of this Inst. (July) Jacob Good of the County aforesaid did make an assault on her the said then and there by force and against her Will had unlawful ~~Knowledge~~ Carnal Knowledge of her Body — and further Sayeth not.

Ann Good deposeth Sayeth that on Thursday the 9th. Day of this Inst. (July) that Jacob Good — of the County aforesaid ~~the~~ Between 2 & 3 Oclock of the same day he made an attempt upon her Body — but failed in ~~his~~ accomplishing his design, and further the

Lewis Sitler deposeth and Sayeth that he has been some short time acquainted the said Jacob Good & that he always heard that he was a man of ill fame, & that he heard he formerly kept a woman in the County of Shanandoah, besides his wife Who he believes to be a good decent & discreet Woman, that he also understood that he was ~~Unnatural~~ & Large in his G. Family & further the

Jacob Weikel deposeth Sayeth that he has been acquainted with the G. Jacob Good for some year that he always understood him to be a man of Bad Character, that he has understood that he has been Guilty of Keeping a woman in the County of Shanand. that he is a ~~Confirmed~~ an Unnatural & ill disposed man in his family &c

Be it Remembered that Sally Clenger Ann Good Lewis Sitler & Jacob Weikel Personally appeared and Severally acknowledged them Selves Indebted unto his excellency James Wood Esqr. Governor & and his Successors in Office in

the Just Sum of $500. each to the Levies of their respective Goods Chattles Lands & Tenements for the use of the Commonwealth to be Rendered. Upon these Conditions that they and each of them shall make their Personall appearance at the next Staunton District Court to be Holden on the first day of April Next, then to Give evidence against Jacob Good who Stands Charged with Felloniously Stabbing making an assault on Sally Clenger then and there did Force and against her will, had carnall Knowledge of her and against her will, had carnall & Carnal Knowledge of her Body and shall not from thence depart tell discharged by Law, then the above Recogs to be Void Otherwise to Remain in full force & Virtue.

Memo of the Confession of the said Jacob Good in Presence of the Court to Wit that he the said Jacob Good had Carnal Knowledge of the Body of Sally Clenger but with her Consent in Consequence of a Bargain between the said Sally & her Mother in these Words to Wit that unless she the said Sally would agree to let him have his will with her once a month that he would go a way & Leave them, to which Proposition the said Sally & her Mother agreed.

The Court arose. Benj. Harrison

17[illegible]

Monday to Wit

A Court held for the County of Rockingham at the Court house there of on the 27th day of February 1797

Present Benjamin Harrison
John Ewell & Joseph Baker & Charles Lewis Gent. Justices

On the Motion of John Gamble administration of the Estate of Matthew Gamble deceased is Granted him he having entered into Bond and Security and made oath thereto as the Law Directs, & and the Widow and Relict of the said Decedent having Released to him her right of Dower in the Estate of her said Husband

Ord. That John Taylor, Jonathan Chipman, James Berry, and Jeremiah Kyle or any three of them being first Sworn be appointed to appraise the Estate of the said Decedent & make report thereof to this Court

Ord. An assignment Dower of the Estate of Ralph Dews Deceased returned & Ord.

Ord. Deed Irving Exr to Benson acknowd. Rec. & Certified & Ord.

Ord. The Same to Bright the Same

Ord. Ditto Petty Exr to Miller acknowd. Rec. & Certified & Ord.

Ord. Do Quarles Exr to Holmes acknowd. & ordered to be Recorded

Ord. do. Good Exr to Bowman acknowd. Rec. & Certified & Ord.

Ord. do. The Same to Ralph The same

Ord. do. Ralph to Bowman acknowd. & Ord.

Ord. do. Stone Exr to Lofland acknowd. Rec. & Certified & Ord.

Ord. do. Morgan Exr to Beard Exr acknowd. & Certified & Ord.

Ord. do. Petty Exr to Miller acknowd. Rec. & Certified & Ord.

Ord. The last will and Testament of George Weaver Deceased was Produced in Court by the Exrs therein Named & Ordered to be Recorded. And on the Motion of the said Exrs a Certificate is Granted them for obtaining a Probate thereof in due form they having entered into Bond and Security, and made oath thereto as the Law Directs. and It is Ord. that Jacob Perkey, John Pence John Hinton & Peter Nicholas, or any three of them being first sworn

Ord. appointed to

appraised the estate of the said deceased and make return to
Co. the Court &c

Ordered Edward Selvin Esqr to Clerk acknowledg Deeds acknowld taken & Certd
Ordered do. Clerk Esqr to Benjamin acknowledg Deeds acknowld taken & Certd
Ordered do. Krim Esqr to Wm acknowledg ~~by Krim wife~~ ~~the wife of Krim~~
and by the Parties, and the Privy examination of Jno Krims wife being
taken as the Law Directs & Certd
Ordered do. Nathan Esqr to Lucy acknowledg Deeds acknowld taken & Certd

On the Motion of Smith Copland leave is Granted him to make
an Inclosure Survey of his Lands Lying in this County, he having
Complied with the Law in that Case, and Notice being Given
to James Smith, William Stone Revd Jno Mackall Jacob Read
& Benjamin Smith.. and it is Ordered that the Survey, go
on the said Lands and Survey the same agreable to the Jno
Smith & Edmd Porter and Authentick Title Papers. taking care
not to Intrude upon the Possession of any other Person &c
Ordered Peter Kephinger Esqr to Stone acknowledg Deeds acknowld
taken & Certd
Ordered do. P. Kephinger Esq. to the Same the same
Ordered do The Same to Barbara the same
Ordered do Mayt do Commissions for Justices to Herron acknowled & Certd

Present Lewis Gent.
Present. James Bogg Gent.

Swaggart vs Niles. Injunct granted to stay all further proceedings
Ordered on an Execution sued out of our said County against the Plaff by the
said Deft on his Entering into Bond with Security in Clerks office
in the Sum of twenty pounds according to Law

On the Motion of Solomon Vance & Elizabeth Vance Administration of
Ordered the Estate of Wandle Vance Deceased is Granted them they having entered
into bond and Security and made oath thereto as the Law Directs, and
It is Ord that Evan Thomas, Jacob Leintard, Daniel Rolston Esq.
Benjamin Linton or any three of them being first Sworn

appointed to appraise the estate of the said deceased and make
Report thereof to the Court &c

The last Will & Testament of Elizabeth Ryon decd was Presented in
Court by the Exors therein Name and Proved by the oath of the Witness
thereto and is O.R. and on the Motion of the said Exors a Certificate
is Granted them for Obtaining a Probate thereof in due form they having
entered into Bond and Security, and made oath thereto as the Law
direct, and it is Ord. that Peter Armentrout Adam Faught Nathaniel
L. Armstrong & John Bright or any three of them being first sworn be
appointed to appraise the estate of the said deceased and make Report
thereof to the Court &c

An article of agreement from Shanklen to Graham duly
Proved by the oath of Isaac Brown one of the Witness thereto & O.R.

On the Motion of Robert Jackson administration of the estate of
Norton Gum dec'd is Granted him he having entered into Bond
with William Purcap, Isaac Gum, Nicholas Peary, Dennis Bryant or
any three of them being first sworn be appointed to appraise the
estate of the said Deceased and Make Report thereof to the Court,

The Appraisment bill of the Estate of Wm Ewin dec'd was
returned to Court and ordered to O.R.

Present Ezl Harrison Gent.

Deed Miller and wife to Keggy was ackn'd and wife examined & taken
as the Law Directs O.R.

Ord that John South, James Quinn & Joseph Douglass be appointed
Guardian to Ralph Loftus, Washington, Loftus, James & Nathan Loftus
Orphans of Ralph Loftus deceased, who with Security entered into an
acknowledged Bond Conditioned as the Law Directs &c

Capias agt Jones upon an attachment The Sheriff having Returned
executed on Sundry Property of the defdt and the Pltf having shown to the
Court that defdt. Stands Indebted to Pltf in the sum of forty pounds
Virginia Currency with Interest from 1st of Novem. 1779 & Costs
It is that the Sheriff make sale of the said attached effects and
pay the Money arising from such sale to the said Pltf in discharge of

5

This debt & and that he have execution for his Costs & if any there be

Mar Adam Sulaven Sues to Knowerty Wilmoth wife & Wilmoth taken & Ord

Daniel Harrison Produced a Commission from under the hand of James Wood Lieut Governor of Virginia wherein he is appointed Capt of the Regt Company belonging to the 58 Regiment of the Rockingham Militia who took the Oath Prescribed by Law &

John Eplin Ensign the same same

Mar Bill of Sale from Smith to Sulaven Proved by the Witness thereto and Ord

~~The Report of the Jury for a Way & Road as Returned by the Surveyors, Mar. & and it is Ord that the said Road be established agreeable~~

The Report of the Viewers of way for a Road, agreeable to the Petition of John Marks &c was returned to Court, and it is Ord that Rich Rayen, George Cline, & Jeremiah Rayen be Summoned to appear here at the Court Next to shew cause why the same should not be established agreeable to the said Report &

Ord that Joseph Banks & James Baggs be appointed to Settle the Estate accounts of Christy Bain dec'd with the Admrs and make Report thereof to the Court &

Rayen Sprinkle
Capt
Rayen } Upon an attachment.

The Sheriff having Returned executed in the hands of Rich Rayen Summons him as a Garnishee who appeared & declares he has in his hands the following Property of the Defts to wit One Piece of Cloth One pair of Stockings and a Basket and the Pltf having Proved his case agt the said Defts for £7.11.5. It is Ord that the Sheriff make sale of the said Property and pay the Money arising from such sale to the Pltf in discharge of his demand & and that he have Execution for the Residue &

Present Wm Fleming Gent
Assoct Jas Breckenridge

1786

John Somerville who was Sommons to this Court to answer the Complaint of Robert McGarr, who appeared and being fully heard in his Defence by this Court It is Ord that the said Apprentice be Removed from ~~this said Master and the Estate of the Said Executors~~

to

Ord Deed Have Leave to Convey acknd. & Wife acknowd. by Hen. O'Bryan

Ord Bill of Sale and Certificate of the Emancipation of Nancy Taylor was acknowledged by John Marshall & Ack

The Viewers of the Two Ways of the Roads leading from Staunton to Newmarket Beginning at Phelimon Roads as far as Wm. Powells, and the other Way proposed for the Road to run beginning at Roads and running as far as said Wm. Powells. being returned, It is Ord that the Road leading from the County line by Phelimon Roads door along his fence up to the Corner of Wm. Powells do ~~be~~ established agreeable to the Report of the Viewers &c.

Ord Ewings Extrs. Pl. Jennison &c. upon a Bond taken for the delivery of property Notice proved & Continued Ord &c

Ord that Letters of Administration of the Estate of John Headrick dec'd. Returned & Ord that Thomas Brito & Jacob Nicholas be appointed Guardians to Mary Headrick, John, Charles Headrick Orphans of John Headrick deceased who with ~~Security~~ entered into bond & Security for direction as the Law directs.

Ord Harrison Lewis Produced in Court a Commission from under the hand & Seal of James Wood Esqr Governor of Virginia, wherein he is appointed Sheriff of this County for 1786. who with Security entered into bond with Security and made oath thereto as the Law directs,

Ord On the motion of Ezekiel Harrison Smith Lofland is admitted his Deputy & took oath according

Ord Charles Lofland the same

South agst Young Ex upon a Recogz for a breach of the
Chap Peace on the Complaint of Jacob Yount Esqr and the
said appearance in Court in discharge of his Recogz and being
heard the Court are of the Opinion that they be dismissed
with Costs

Ord Executors to Divide Cont.

Ord Settlement of the Estate of Henry Funk dec. Returned & R.

Ord ditto Sale bill of ditto — Returned & R.

Ord Shipman agst Executors dec.

Benja Gains a Writnes for Shipman ads Executors

allowd 1 day attendance

Ord that the Court be ad
to Andrew Shanklin Produced his account as Coroner
for this County amounting to £5. day which was examined
and allowed by the Court &c.

Ord that the Court be adjourned until to Morrow

Benja Harrison
Attorney Genl

Tuesday 28th February 1797

Present Benjamin Harrison
Andrew Shanklin
Asher Waterman
Joseph Baxter
} Gent Justices.

Ezekiel Harrison Gent Sheriff came into Court and
entered his protest against the Judgments of the Goal of this County. &

Ordered that Michael Baker be appointed Surveyor of that part of the road, leading from the foot of the Fork mountain, across the county to the county line, in the room of Adam Bitts, and that the usual tithables be allotted him for his gang to work thereon and keep the same in good repair according to law —

Mary Gratsinger came into Court and made choice of Adam Snider her Guardian who with Security entered into and acknowledged their Bond in the penalty of three hundred Dollars conditioned as the Law directs —

Present John Dade Gentl
Absent Asha Waterman

Upon an Attachment

The Constable having returned the execution on the Attachment and for reasons appearing to the Satisfaction of the Court It is considered that the same be dismissed with Costs. &c

The Platt of Samuel Ewing's resurvey of 2 acres returned to Court by the Surveyor of this County, and being examined by the Court, agreeable to the original & Authentic titles produced of the Opinion that the same is just and reasonable.

The Platt and Original title papers of Samuel Ewing being returned into Court together with the resurvey Made thereon by the Surveyor of the County and the Court having Examined the said Survey by the said Original papers are of Opinion that the said Survey is Just & Reasonable and do order that the same be entered in the Register of the Land Office as the Law directs —

On the motion of Thomas Sullavan father and next friend to Jeremiah Sullavan his Son, It is ordered that the nuncupative Will of Nicholas Smith, Amounting to a bequest made to the said Jeremiah of some Books, appraised at £ 0.0. be established, it being proven to the satisfaction of Court.

Ina Leggett against Proffitt, Def. pro. note Int. & Costs.

Ina Perkey vs Lindsay Def. & Note &c

Ina Hoxsie vs Hamilton the Same

Ina Corporation of Sur vs Hoover Ejectt.

Ordered that Eleanor Grace ~~of~~ daughter of Jemes Grace be bound unto Jacob Swank, Weaver by the Overseers of the Poor according to Law

On the Motion of Henry Mace a dedimus is awarded him to take the deposition of Agness Cushoe a witness in the Petition of Wayt. vs the said Mace to be read on his giving the Defft notice of the time and place of taking the same accordingly

Ina The Sale Bill of the Estate George Carshner Decd returned to Courts & Ord.

Ordered that all the Petitions on the reference docket be continued until April Courts.

Ina Hoover vs Miller -- Contd

Ina Tiffany vs Higgins - Ns. r

Ina Boyd vs Travis Contd Pltff.

Ina Harmon vs Ohey - Ns. r

Present Asher Waterman
Absent Josiah Baxter & Gurdon Curtiss

Cha 152 10 Porterfield vs Riley Robinson, Ordered that the Judgt of
last Court be set aside, and that a new Summons be
awarded returnable to next April Court &c

Cha The Sheriff having returned a Statement and Vouchers of
his proceedings in the Sale of the Estate of Dance Joseph Decd
agreeable to an order of June Court last, It is Ordered
the same be recorded &c

Cha Henry Bazel vs Earhart's Admrs, The order of Summons
made at Last December Court not being executed by the
Sheriff, It is ordered that a new Summons be awarded returnable
to April Court next &c, and that the same untill be Cont&

Cha On the motion John Harry leave is granted him to keep
a Dreary at his house in this County for one year on his entering into Bond and Security in the Clks Office as the Law directs

Cha Ulrick Showalter Writ of ad quod Damnum being
returned with Inquest of the Jury thereupon sealed as
the Law directs. And the Court having weighed the
circumstances attending the Opening the road agreeable to the
report of the Viewers thereof, are of the opinion that
the same be established, and that Damage found in
the Inquest aforesaid by the with Costs be paid in the County
Levy for the present Year, on Ezekiel Harrison having
a grad in Court to make good the residue of the
Damage so found, &c

Ordered that Ulrick Showalter be appointed
Surveyor of that new beginning at the mouth of
Brooks Gap leading down the South side of the north
fork of Shanandoah river, agreeable to the report of

1810

Viewers made thereupon, and that ~~he open the same and work~~ ~~said Road, and keep the same in good repair~~ all from the river to said road and two miles South of said Road be allotted him for his Gang to open & work thereon as far as Pittsgrove and keep the same in good repair according to law

and that John Rader be appointed Surveyor of same road from the River Pry's mill, unto Ezekiel Harrison and the tithables from the river to said Road and two miles South of said road be appointed him for his gang to open & work thereon and keep the same in good repair according to Law, and Phillemon Roark from the said Harrison to the County line, and those the tithables from the River to the said Road, and two miles South of said road be ~~appointed him~~ appointed him for his gang to open & work thereon and keep the same in good repair according to law

The Court proceeded to the compleation of the County Levy & Statement of which is as follows Viz

	Dol, Cts
To amount brought from December Court	178.32
~~To Frederick Stanger for work done as p Acct~~	
To John Hicks for waggoning Cole on the road	6.00
To John Boyd for impannelling Jury on Peter Ridinger Decd	1.06
To John Boyd for fire wood furnished the Goal	16.66
To John Harry for keeping the Goal & house	8.00
To John Turner for work done at the Court house	00.75
	$205.79
Sheriffs Commission & County Deposition	761.71
	$967.50

Cr By 2322 tithables @ 42 cts - $967.50

Ordered, that Peter Irick son of Conrad Irick be bound unto Mark Newland, by the Overseers of the Poor to learn the trade and Mistery of a Sadle & ... maker a reasing to Save.

Ordered that Smith Lofland & Charles Lofland Do under Salon Yancy Sheriff Return their list of Delinquents and Insolvents which were examined by the Court and order'd Certified.

Ordered that Samuel Williams be appointed to keep the Court House the ensuing Year.

Ordered, that Jobiathon Irick Son of Conrad Irick be bound unto Archibald Rutherford by the Overseers of Poor to learn the Trade & Mistery of a Gun Smith, according to Law.

Ordered that William Heron be appointed commissioner of Land tax in the room of ~~Charles~~ South Fawcett.

Ordered that the Court be Adjourned to Court in Course. Benja Harrison

At a Court Called and held at the Court house of Rockingham on the 8th day of March 1797 in the 21st Year of the Commonwth for the examination of William McCauley & William Gault who was Committed to the Gaol of this County by Andrew Franklin Gent on Suspicion of Felony and who stands Charged with Feloniously Stealing out of the Shop of John Bell Wilson and burglariously Entering in & near the Street in the Town of Upper Town Carrying away therefrom Two Hundred and Thirty five Dollars of the Value of the Sum aforesaid

Present Wm Hervey
John Ewen
John Wright &
Peter Waterman Esqrs

William Gault one of the Prisoners being led to the Bar in Custody of the Gaoler and thereupon came Duly Sworn to Wit William McCauley William Vanhorn & John Welsh & John Loutheis

Were Sworn and Examined touching the Premises where with the said Gault stands Charged and they having Heard the Court upon Consideration of the Circumstances of the Case as it appears to them are of Opinion that the said William Gault is Guilty of the Offence where with he Stands Charged and that the Same is Triable in the District Whereupon he is Remanded to the Gaol of this County & from thence to be Conveyed to the District Gaol there to be Kept until Discharged by Law and the aforesaid William McCauley being Arraigned and Charged as aforesaid Pleaded not Guilty Whereupon Came the Witnesses aforesaid William Vanhorn & John Welsh & John Loutheis who were Sworn and examined

186 14 15

Touching the Offence Wherewith he Stands Charged
the Court upon the Circumstances of the Case as it appears
to them and from the Confession of the said
William Gault McCauley that he is Guilty of the said
Offence wherewith he Stands Charged and that the
same is Tryable in the District Court, and that
he be remanded to Public Goal of this County from
thence to be removed to the Goal of the Staunton
District and there to remain untile Discharged by due
Course of Law.

Wm. William Vanhorn, John
Wilson & Silas Southers Cofoseth and Sayeth
as follows to wit William Vanhorn Cofoseth that
when he took McCauley he was that he did not know
any thing of the Money, I asked him did you not
take the Money he answered I did not know when it was
and I wish I did, I said to him the said McCauley
I know Gault is in Partnership with You, answer
what is your reason for thinking so. I said to him from
some Conversation that past between Gault & Mr.
Kilton on Sunday morning, he asked me what that was
I told him that Gault told me he the said McCauley
was a Dam infernal rascal, and that he believes he had
the Money and no other Person, the said McCauley replyed
and said that Gault was a rascal and that he had a great
mind to tell the Truth, — I told him he ought to tell the
Truth, I called to Mr. Wilson who was a little before and told
him that McCauley was a going to tell the Truth and
the said McCauley confessed as follows
said I took the Money but have not got it Now, nor dont
know where it is I asked him if he and the said Gault

was not to goe in Partnership he answer they were
and that he met with Gault at Mr Vrans Store who asked him
if he wold not go home with him, and Gault asked what
was the circumstances of John Vanhorn, whether he had any
who told him he had, he the said Gault asked if the could not
fix to get, who made answer they could but that it was
a pitty to take it for it belonged to Mr Wilson, Gault
answer it was no pitty Wilson would not fare it——
Gault said to McCauley you must take the money and
I will keep Vanhorn a Drinking, and as they passed
by the waggon going into Brooks house tavern in Keyle
town. they called Vanhorn in, and after being in
some little time McCauley went out and took the money
and on the Friday night following removed it the cutting
off Mr Holton and hid it amongst some Straw, and went
in to the mill, of Mr Hitle where Gault was, who asked him
if he fetched money, who answered he had, Gault says to
him that he had put in the sadling room,
is not safe there Mr Hitle waggoner you there to cut his—
Straw and he will find it to Mr Hitle yr and move it—
This deponant for the Dayth that one afore hendon of Gault
he the Deponate said he appeared to be much confused
and being asked about the money said he knew nothing
of it but what McCauley had told him Qus: did not
McCauley tell you he was a going to take the money. Ans:
he did. Qus: was you not to have a part of the money
Ans: by Gault if you'll Give me as much as will by me
a suit of Cloths he did not care.

Qus 158 16 1/2
by the Depo: what was the conversation at Wren's
Store, ~~Qus by Gault~~. between you and McAuley at
Do. he asked him if he had made and grabs he ans-
some smoul ones, and that there was a dam fine one
to be made them.

John Wilson deposeth, that after Gault was in custody
he told him that he knew that McAuley had taken the
money and blamed himself for not making it known.

John Suthers deposeth that on Friday Knight
after supper he went in company of McAuley and Gault
into the Cutting room of Dalton and after setting some
time there returned and left them the said McAuley and
Gault there, ~~and afterwards went into the mill and found~~
~~them there, And~~ and further Sayeth not

Be it Remembered that William Fairborn John Wilson
& John Suthers personally appeared in Court and severally
acknowledged themselves Indebted to his Excellency Lauder
Wood Esqr Governor of this Comth this Sessions in Office
in the Sum of $200 dollars each to be levied of their respective
Goods & Chattles Lands & Tenants and for the use of the Comth
to be rendered Yet upon these Consideration that
they and each of them shall well & Truly make their Personal
appearance at the next Staunton District Court to be
holden on the first day of ~~which~~ Court next then and
there to give Evidence against William Gault & William
McAuley who stands Charged with feloniously Stealing
from out of the Waggon of John Wilsons a Sum of

~~Two~~ 17/18 Two Hundred and Thirty five Dollars. 189
or there abouts and shall not from thence depart unto
discharged by due course of Law.

The Court arose.

Wm Fleming Jr