

**ROCKINGHAM COUNTY CIRCUIT COURT  
HARRISONBURG, VA**

**MINUTE**

**BOOK**

**19**

**1838**

Virginia to wit

A record held for the County of Rockingham at the Court house thereof on the 10<sup>th</sup> day of January 1838 for the trial and examination of Madison Ham alias Madison McCauley who was committed to the Jail of this County on suspicion of felony and stands charged with feloniously stealing and carrying away two horses the property of David Brown.

Present

Beachy Harrison Abraham Smith M. H. Harris  
Robert Bratton John A. Sterring J. S. Justice

The Prisoner was led to the bar in custody of the jailor and being charged with the felony for which he was committed pled Not Guilty Thomas Clarke Esq. was assigned to the Prisoner as his Counsel by the Court and thereupon sundry witnesses to wit Ingepted St. Estes William Estes John Rohr Esq. French S. Duff & Richard Blatterbeck were sworn and examined and the said prisoner being fully heard in his defence the Court upon due consideration are of the opinion that he is guilty of the felony whereof he stands charged and for the same is triable in the Circuit Superior Court of Law & Chancery for the County and thereupon he is remanded to the Jail of the said County there to remain until discharged by Law Be it remembered that on the 10<sup>th</sup> day of January 1838 Ingepted St. Estes William Estes John Rohr Esq. French S. Duff & Richard Blatterbeck appeared in Court and severally acknowledged themselves to owe and be indebted to his excellency David Campbell Governor of Virginia and his successors in office in the sum of \$100 each to be paid of their respective goods and chattels Lands and Tenements to the use of the Commonwealth to be rendered upon the condition that the said Ingepted St. Estes

Estes John Rohr French S Duff and Richard Blatterhuck  
 shall make their personal appearance on the 1<sup>st</sup>  
 day of the next superior Court of Law & Chancery  
 to be held for this County which will be on the  
 8<sup>th</sup> day of May next then and then to give  
 evidence ag<sup>st</sup> Madison Ham alias) Madison  
 Mcbally charged with felony then the above  
 Recognances to be void also to remain in full  
 force

ordered that the Court be adjourned

Peachy Harrison

Virginia to wit 3

A Court held for the County of Rockingham on Monday the 13<sup>th</sup> day of January 1838

Presind

John S. Campbell, Jacob R. Renshaw, Isaac P. S. G. Foster.  
Charles C. Spear

A Book of Conveyances and other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1<sup>st</sup> to the 31<sup>st</sup> day of December 1837 inclusive, was returned into Court by the Clerk thereof and being examined is ordered to be posted up at the door of the Court house of said County and be entered on the Minutes as the Law directs which List is as follows

- ~~not found~~ A Deed for Land Joseph Maugzy & Wife to Gulden Gottlieb
- ~~ditto~~ A Deed for Land Henry Garrison to A. Bryan in trust for Moses Tuma
- ~~ditto~~ A Deed for Land Silas Stanton & Others to Solomon M. Hunter
- ~~ditto~~ A Deed for Land Philip Seiver & Wife to Solomon Seiver
- ~~ditto~~ A Deed for Land Jacob Roads to George Raden (son of John)
- ~~found~~ A Deed for Land A. Steffman & Henry Kezid to Land Starts heirs
- ~~found~~ A Deed for Land Henry Kezid to Anthony Steffman
- ~~found~~ A Deed for Land Anthony Steffman to Henry Kezid
- ~~not found~~ A Deed for Land Peter P. Koontz & Wife to Isaac Thomas Mich. Effergen
- ~~ditto~~ A Deed for Property Elizabeth Young to A. S. Gray in trust for Thompson
- ~~\*~~ A Deed for Land Benj. Solomon to A. Bryan in trust for Robert C.
- ~~\*~~ A Deed for Land George Arley to John Melbanis in trust for John D. Zirkel
- ~~S. B. 1 / 24~~ A Deed for Land Augustus Waterman to Peter Good
- ~~not found~~ A Deed for Land Dr. David S. Long to Allan C. Bryan in trust for Catharine Good
- ~~ditto~~ A Deed for Land Wm. Melbanis & Wife to James Bleigh
- ~~ditto~~ A Deed for Land George Hoop to Edmond Rosenberger
- ~~ditto~~ A Deed for Land James Graves to Thomas Lowrey
- ~~ditto~~ A Deed for Land James Graves to John Greenleaf

not found ~~Deed~~ for Paul James Graves to Jacob Miller Jr.

~~Deed~~ for Property Richard Blallock to French S Duff in trust for Daniel Ragan.

not found ~~Deed~~ for Paul Eugene Crain & others to Christian Miller  
ditto ~~Deed~~ for Paul Emanuel Grabbit to Peter Stolsenger

ditto ~~Deed~~ for Paul Tobias Beam to Peter Stolsenger

On the Motion of Marcus Gammas executor names in the  
C last will of Jostney Auster and executor, who enters into  
bond with security in the penalty of \$1000. and makes oath there  
as the law directs, a certificate is granted him for obtaining a probate  
thereof in due form, and it is ordered that ~~James M. Scott~~  
John Gammas Peter Felton and James M. Scott or any 3  
P of them being first sworn do appraise the estate of said Jostney  
Auster and make report to the Court

Richard P. Fletcher a commissioner of the Revenue tax in  
this County for the year 1838. came into Court and with security  
+ entered into and acknowledged their bond as the law  
directs, which bond is ordered to be Record

Orders that the Careen of the poor bond James Scott  
+ 13 years old in September last, to Jonathan Peck, to learn the  
C Farming business as the law directs, who is to receive for  
his care and ~~pro~~

Settlements of the estate accounts of, Jesse Blair, Abraham  
C Moyer, John Stearns, & Peter Lowman, were examined by  
the Court and ordered to be Record

A settlement of the account of Jacob Frey as Guardian  
for his wards Daniel & Frey Jr. was returned examined by  
the Court and ordered to be Record

Sarah Stoutens Orphan of Casper Stoutens and now  
14 years of age, came into Court, and made choice of Hugh  
+ St. M. Center as her Guardian who enters into bond with  
security in the penalty of \$1000 as the law directs

On the Motion of Adam Lamb & Adam Caplinger, an injunction is granted them to stay all further proceeding on a judgment recovered in this Court in the name of John Caldwell (in aid for the benefit of Green N. Samuels) until the further order of the Court. But the effect of this injunction is to be suspended until the said Adam Lamb & enters into bond with security in a penalty, at least equal to double the amount of said judgment, and files with the Clerk a return of all errors therein.

Writing purporting to be the last will and Testament of Barry ~~Winters~~ <sup>Winters</sup> and was presented in Court and was pronounced by the Judges to be drawn to be Read.

Writing purporting to be the last will and Testament of John Lowry <sup>de Lora</sup> and was presented in Court, and was pronounced by the Judges to be Read, and on the Motion of John Albright executor named in the said will, who enters into bond with, Daniel Cyle, William

copy will for error for

Cyle & Amos Albright his security in the penalty of five thousand Dollars and made oath thereto, as the Law directs a certificate is granted him for obtaining approval thereof in due form, and it is ordered that Warren Ledy, John Carpenter, George Keigel & Jonathan Peal or any 2 of them being first sworn as appraisers the estate of said John Lora and make report thereof to the Court.

On the Motion of Robert <sup>de W</sup> Palmer, who enters into bond with security in the penalty of \$500. \$1600. and made oath thereto as the Law directs, administrator of all and singular the goods and chattels of the John St. Butler and is granted him in due form.

Ordered that Benjamin F. Roalston be appointed Guardian for his Children, Elizabeth & Abraham Roalston, by <sup>his wife</sup> ~~his family~~ Catharine Peary a Daughter of Abraham Peary and ~~is~~ <sup>was</sup> the said Abraham being under 14 years of age, and the said Elizabeth being over 14 years of age, came into Court and made choice of Mr. Benjamin as her Guardian who entered into bond with security as the Law directs.

A Writing purporting to be the last will and Testament of Joseph Byrly and was presented in Court, and was proved by the Oaths of the Witnesses thereto and Ornaments to be Received, and as the Motion Joseph Byrly, the executor named in the said will, who enters into bond with security in the penalty of \$14,000 and ~~was~~ made oath thereto as the Law directs, a Certificate is granted ~~there~~ here for obtaining a probate thereof in due form, and it is ordered that Robert M. Hyde, Christian Garber, Christian Mallet, John Sarge & John Roads or any 2 of them being first sworn as appraisers the estate of s<sup>r</sup> Joseph Byrly dec<sup>d</sup> and make report to the Court.

A Settlement of the estate accounts of John Neesh dec<sup>d</sup> was returned, examined and ordered to be Received.

James Clark a Commissioner of the Revenue Law for 1838 + came into Court and with security entered into bond as the Law directs, which bond was acknowledged by the parties thereto & ordered to be Received.

An appraisement bill and sale bill of the estate of Peter Byrly dec<sup>d</sup> were returned examined & ordered to be Received.

An appraisement bill and sale bill of the estate of Geo Lewis dec<sup>d</sup> were returned examined & ordered to be Received.

Southern Trusts ag<sup>t</sup> James Fry upon an attachment The Constable having returns as the attached executes in the hands of John Swank and summons here a Garnisher who appears in Court and being sworn declares he owes m<sup>ts</sup> to the Defendant the sum of \$31.50 cents which will due to month from the 1<sup>st</sup> day of this month and the Court being satisfied of the Pl<sup>ts</sup> claim, it is ordered that

the Debt receive against the said Defendant <sup>with delay from 15 Aug 1838</sup> of \$30, the debt in the  
 attachment mentioned, and the costs of this attachment, and it is  
 ordered that the said Geo Swartz pay to the Debt the  
 said \$31.50 cents. when the same shall become due on account  
 of this Judgment

On the Motion of Jacob A. Mettels against Serv Lewis and  
 it is ordered that Richard P. Felder be appointed a commissioner  
 to examine state and settle the whole account of S. Lewis and  
 make report thereof to the Court.

On the Petition of Abraham Thomas, to allow a part of the Public  
 Road leading from Mocks Gap to New Market, which ather then  
 is to be made on the Land of the Petitioner, to cut from a point  
 exactly opposite the dwelling house of the Petitioner, and running  
 on the bank of the Spring branch, to the line of Benjamin Gouss  
 land, and with that line to Servills Creek. when it will  
 intersect the present road, it is ordered that said Gouss, Geo.  
 Brunner, John Cleve & Benjamin Gouss, or any 3 of them  
 being first sworn, do show as they the said alteration, and make report  
 thereof to the Court of the conveniences and inconveniences attend-  
 ing the said New way, as well to individuals as to the  
 Public.

An appraisement bill & Sale bill of the estate of Abraham  
 Berry and was returned and ordered to be signed

John " Remover, upon a Notice for money paid by the Debt  
 to S. Coffman & Co. the Defendant being called not appearing, and  
 Notice being given, it is considered by the Court that the Debt  
 be received against the Debt of \$133.06 cents with interest from the  
 21<sup>st</sup> day of October 1837 till paid & Costs.

A Report made by the Viewers agreeable to the Petition of George  
 Parby P. was returned into Court by the Viewers, and ~~disapproved~~  
~~the~~ Peter Koblitzes though whose Land said Road is to run  
 being interested, appeared in Court and Objected to the

Opening said Road, whereupon by consent the said same is ordered  
until Next Court.

On the Motion of James White administrator of Mary Stuffman  
and it is ordered that Richard P. Fletcher be appointed a  
Commissioner to examine state and settle the estate accounts  
of said Mary and make report to the Court

On the Motion of Barbara Stuffman administrator of Henry Stuffman  
and it is ordered that Richard P. Fletcher be appointed a Comm-  
issioner to examine state and settle the estate accounts of  
said Henry and make report to the Court

On the Motion of Simon Seap executor of Nicholas Seap  
and it is ordered that Joseph Maury be appointed a comm-  
issioner to examine state and settle the estate accounts of said Nicholas  
and make report to the Court

On the Motion of Joseph Dewey administrator of Francis Dewey  
and it is ordered that Richard P. Fletcher be appointed a  
Commissioner to examine state and settle the estate accounts  
of said F. Dewey and make report to the Court

Wentworth  
Present P. Harris and  
John Chaney

This cause came on this 15 day of January 1838 to be  
heard as the papers heretofore filed in this cause, and upon the  
proposed report of Commr. B. Scholow, when in this day returned  
into Court, and conferred, no exception being made thereto,  
and the Court being satisfied that the proposed partition  
of James Wentworth to take the said Williams (the share at the  
valuation of three Mew is reasonable and that the same  
will be to the intent of all parties interested, do therefore  
appoint Charles C. Spear, John Chrisman & Lewis B. Smith  
to appraise the said Williams at a cash valuation and to report  
thereon proceeding to Next Court

Attestment purporting to be the last will and Testament of Jacob Rankin was again presented in Court for probate, and the Court having heard the evidence of argument of Counsel, upon Consideration whereof, are of the Opinion that the Testator was not of disposing mind and memory at the time of making the said Attestment, and therefore is not his last will which is ordered to be entered of Record.

Ordered that the Court do adjourn until to Morrow morning at 10 o'clock.  
Peachy Harrison

Tuesday the 16<sup>th</sup> of January 1838

Present -

Jacob Rankin, McComb S. Harris, Augustus Waterman  
and Richard P. Fletcher . . . . . E. L. Fisher

- Rankin & Byrd on writ against Rankin
- Smith & Effinger vs Rankin
- Effinger vs Smith on Petition for writ of Habeas Corpus
- Weller & Harrison Dismissed

Attestment out - Hayes representatives, the Cherry.

The Defendant Jacob Hayes being dead, it is agreed that this suit shall stand and be heard in name of David Flood the administrator of said Jacob Hayes dec'd. and by like consent, the accounts between the parties are referred to Commissioner Fletcher to be by him examined stated and settled and to the Court reported with any matters thought pertinent by himself, or requested to be so stated, and the said Commissioner is authorized to proceed in the presence of either of the parties, who have reasonable notice of his appointments or adjournments

George Rogers . . . . . appellant

vs  
Jacob Newman . . . . . appellant  
In an appeal from a judgment of a Justice of the Peace for this County. This day came the

CP to  
[initials]

Parties by their attorneys, and the Court having examined the records and heard the evidence and argument of Counsel, are of the Opinion that the Judgment recovered by the said appellee against the appellant is erroneous. Therefore it is considered by the Court that the same be reversed and annulled, and that the appellant recover against the appellee his costs expenses in prosecuting his appeal aforesaid here, and the Court proceeding to give such Judgment as the said Justice ought to have given. It is further considered that the appellee recover against the appellant and John H. Pence \$8.01 cent with interest from the 13. day of October 1826 till paid, and 50 cents the Constable's fee for serving the warrant, & the Clerk's fee for entering the same, & for any execution thereon & ~~Costs of the Court~~ ~~as aforesaid~~ ~~by the Court~~

Patton v. Downman Controversy by Court

William Stier . . . appellant

vs  
Geo. G. Brown . . . appellant

§ upon an appeal from a Judgment recovered by the appellee against the appellant before a Justice of the Peace for this County.

on the 14<sup>th</sup> day of March 1835. This day came the parties by their attorneys, and the Court having seen and inspected the records in the case, and the arguments heard, are of the Opinion that there is error in said Judgment: Therefore it is considered by the Court that the same <sup>said</sup> Judgment be reversed and annulled, and that the appellant recover against the appellee his costs expenses in prosecuting his appeal aforesaid here, and the Court proceeding to give such Judgment as the said Justice ought to have given, it is further considered that the warrant in this case be dissolved, but without prejudice to either party, in the prosecution of any warrant that may hereafter be brought ~~before~~ by either of the parties

Stier vs. Downman Controversy for the Appellant



Virginia to wit

At a Court held for the County of Rockingham on the 7<sup>th</sup> Monday evening the 19<sup>th</sup> day of February 1838.

Present

Peahey Harrison, Jacob Ruck, Reuben Moore  
James L. Shipman E. G. Jenkins

A list of Courtyans and other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1<sup>st</sup> to the 31<sup>st</sup> day of January 1838. Both days included, was returned into Court by the Clerk thereof, and being examined by the Court is ordered to be entered on the Minutes, and like list to be posted up at the door of the Court house of said County, and is as follows.

- found Ad for said David McGehee to Peter Good
- not found Ad for said David Hartman to Thomas Harrison
- ditto Ad for said David St. Helton to William Oled
- ditto Ad for said Abraham Beerys exec to Joseph Kerouin
- ditto Ad for said same to same
- Found Ad for said Mary J. Moore to Reuben Moore
- found Ad for said Joseph Manzey to Margart Oled
- not found Ad for said same to John Shoemaker
- ditto Ad for said Joseph Bartlett to Frederick Myant
- ditto Ad for said same to John Lawson
- ditto Ad for said same to same
- ditto Ad for said Adam Long to John Cherryholmes
- ditto Ad for said James Johnson bothes to John Coward
- ditto Ad for said Samuel Fisher to Robert Cooke
- Found Ad for said Henry Perrin heir to H. J. Moyer bothes
- ditto Ad for said Edward Stevens to Mary McCune
- not found Ad for said Carlos Long to William Gather
- ditto Ad for said Catharine Stagers P to M. Barth Jr.
- found Ad for said M. Showalter P to D. Whetstone
- not found Ad for said Jesse Burkholder to Robert Higgins
- ditto Ad for said The President Directors of Farmers Bank of Virginia to Geo. M. Taylor

75

- ditto Ad vs for davis Abraham Smith to Matthew Storey.
- found Ad vs for davis John Quirkle to Jacob & Abbe Quirkle
- not found Ad vs of G. eff. for davis P. John Maggart to his son Reuben Maggart.
- ditto Ad vs for davis davis and severly P. to Moses Sanson
- ditto Ad vs for davis Abraham Flora to D. H. Gambell in Trust for John S. Flora
- ditto Ad vs for davis R. P. Fletcher (as Trustee) to Isaac Chew
- ditto Ad vs for davis John Sefo P. kin of M. Saylor. to Jacob Carron
- ditto Ad vs for davis Philip Miller to L. Zimmerman
- ditto Ad vs for davis same to James Boardman

McClelland to Harrison, foreman and John Nyle, John Reath, John Shonnato, Joseph Moyer, Absolam Wright, Henry Berry, Samuel Steadwell, Henry Wanger, Amos Alwright, Daniel Zetty, John Mow, George Selt, George Casper, Amos Rogers, John Gray, Saml Tulester, Master Hair, Christian Shaw & Jacob Shonnaker.

were sworn a Grand Jury of this County, who received their charge and returned from the bar to consider of their presentments and after some time returned into Court, and made the following presentments, to wit, An indictment agt Thomas Clark for a assault & battery a true bill, an indictment agt D. Skute for an assault & battery a true bill, an indictment agt his Rader as Surgeon of road a true bill, an indictment David Smith for not keeping a trap a true bill, an indictment agt Samuel Woods, for detaining Specimen Leguas without license a true bill, and the said Grand Jury having no further business before them they were discharged, and it is ordered that Summons be awarded against the said several Defendants, to answer the said indictments returnable here at May Court next.

An inventory of the estate of Henry Miller decd was taken and returned to be Read  
 An the Motion <sup>made</sup> for a Long exec of Henry Miller decd. it is ordered that Richard P. Fletcher be appointed a commissioner to examine the said and settle the estate accounts of the said Miller and make report to the Court

C An appraisal held and sale held of the estate of Elizabeth Mathews did now return, names & orders to be recorded.

C On the motion of James T. Graves exec of John Haynes and it is ordered that Joseph Maury be appointed a commissioner to examine state and settle the estate accounts of J. Haynes and  
P. make report to the court

+ Ordered that the owner of the poor boy Joseph a Free boy of  
Colum., to John St. Perry, to learn the farming business as the  
C law directs, who is to receive for freedom dues \$20

C Smith is now upon a presentment, for retaining a negro.  
For reason appearing to the court this prosecution is dismissed at  
the Defendants Costs & Disput accordingly

+ Ordered that the owner of the poor boy, John Van Kinsler  
a free Negro, 12 years old the 19<sup>th</sup> day of January 1838 to  
Jonathan Shaver to learn the farming business as the law  
directs, who is to give him for freedom dues \$20, and also at  
C the at the time of his freedom share worth \$75.

+ Ordered that the owner of the poor boy Abigail a free  
girl of color, 9 years old the 15 May 1838 to David Smith  
exec. as the law directs, who is to receive for freedom dues  
C \$20 when of age

+ Nancy Decker, Lydia Decker & Elizabeth Decker Children of  
John Decker by his late wife Elizabeth formerly Elizabeth Berry  
now 14 years of age came into court and made choice of  
Abraham Decker as their guardian, and it is ordered that  
the said Abraham Decker be appointed guardian for Catharine  
Decker & John Decker children of the said John, ~~now~~  
~~the~~ ~~years~~ of age, by his said wife ~~to~~ Elizabeth formerly  
Elizabeth Berry, now 14 years of age, he having entered into  
bond with security in the penalty of \$15.00 as the law directs

C On the motion of John Brown adm of Mary Sanders  
and, it is ordered that Richard P. Fletcher be appointed a  
C. Commissioner to examine state and settle the estate of

account of said May Lammis did and make report thereof to the Court

A report of the Surveyor of an alteration in the Public Road leading  
C Procks Gap, made agreeable to the Petition of Brothers Thomas, was  
returned examined by the Court, and the alteration, drawn to be  
established, agreeable to the same report. P

William G. Thompson, procons in Court a commissioner appearing  
has a father of the peace for this County, who thereupon took  
x the several Oaths of Office as the Law directs, which is  
drawn to be Certified

On the Motion of Henry Bellman, who made oath  
C thereto, and with security entered into and acknowledged bond  
in the penalty of \$1500. as the Law directs, a certificate is  
granted him for obtaining Letters of administration on the  
estate of Jacob Prock dead in due form, and it is ordered  
that John Shaver, Christian Munk & Christian Funtz  
being first sworn do appraise the estate of said Jacob Prock  
and make report thereof to the Court

David Wenton Sheriff of this County came into Court, and took the  
several Oaths of Office as prescribed by Law, which is drawn to  
x be Certified.

On the Motion of David Wenton Sheriff of this County, George  
H. Chrisman, Jacob A. Mitchell, Nathel Erwin, John D. Plester  
x George Mannan, Elway Hattley, & Peter Smith, and also were admitted  
his deputies, who appears in Court and took the several Oaths of  
Office as directed by Law, the Court being satisfied that the said  
several persons aforesaid, are all men of good character, not heavily  
burdened with debts, and good demerit, which  
is drawn to be Certified

On the Motion of Samuel H. Lewis esq of Charles Lewis did  
C it is ordered that Richard P. Fletcher be appointed a commissioner  
to examine and settle the estate account of said Lewis  
and make report to the Court

CP A date bill of the estate of Volantius Folsom decd. was returned  
examined & ordered to be Returned

CP On the Motion of Samuel H. Lewis executor of Margaret A Bowyer  
decd. it is ordered that Richard P. Fletcher be appointed a  
commissioner to examine state and settle the estate accounts of  
said Bowyer and make report to the Court

CP On the several Motions of John R. Pheasant & Adam Allen  
~~Brooks~~ and they having paid (each to the sheriff) <sup>as per receipts filed</sup> 93 cents. It is  
ordered that License be granted them to keep private entertainments  
at their respective houses until May Court next

CP On the Motion of William B. Myson, Esq. and he having taken  
the Oath prescribed by Law, is admitted to practice as an attorney  
in this Court

CP It is ordered that James Erwin & Jesse McCord be committed  
to the Jail of this County and there to remain until the  
X morrow morning at 10 o'clock for a contempt offered the Court  
in committing abroad in the presence of the Court.

CP On the Motion of John Nicholas executor of Tyne R. Brown decd  
it is ordered that Joseph Manzy be appointed a commissioner  
CP to examine state and settle the estate accounts of said Brown  
and make report to the Court

CP On the Motion of John Nicholas, it is ordered that Joseph  
Manzy be appointed a commissioner to examine state and  
settle the estate accounts of said John Nicholas as guardian  
CP of Lucy Ann Fether, orphan of Philip Fether decd and make  
report to the Court

CP On the Motion of Leonard Tutwiler executor of John Tutwiler decd  
it is ordered that ~~Thomas~~ Richard P. Fletcher be appointed a  
commissioner to examine state and settle the estate accounts  
CP of said Tutwiler and make report to the Court

On the motion of Samuel Moffell, who made oath there, and entered into bond with security in the penalty of \$2,500 as the Law Decrets,

a certificate could be granted him for Obtaining Letters of administration on the estate of Michael Gore decedent, (with the last will of the said Michael thereto annexed) in due form the said will having been proved and admitted to Record at June Court 1835. and it is ordered that George Roads, Peter Zetty, Jacob Bourneau, & Peter P. Koontz, or any three of them being first sworn do appear the estate of the said Gore and make report to the court, and it is further ordered that the said, George Roads, Peter Zetty, Jacob Bourneau & Peter P. Koontz, or any 3 of them be appointed commissioners to lay of and apportion the 10 acres of Land devised by the will of said Michael Gore to his Daughter to attend <sup>for life</sup>, and make report thereof to the court

For reasons appearing to the Court, it is ordered that Jasper McCaul this day Court be discharged from a contempt, he forthwith discharged.

On the motion of John Stevens administrator of Elizabeth Stevens and it is ordered that Richard P. Fitch be appointed a commissioner to examine and settle the estate accounts of said Stevens and make report thereof to the court

It is ordered that Reuben N. Harrison be appointed Guardian for Percie West orphan of John West decd. under 14 years of age who entered into bond with security in the penalty of \$20. as the Law Decrets, and on the motion of the said Reuben N. Harrison Guardian of said Percie West, it is ordered that Peter P. Koontz, Peter Zetty & George Roads be appointed commissioners to lay of and apportion to the said Percie West, the Land devised to her by her Father John West decedent, and make report thereof to the court

County P. v. Keblinger, on a Petition for a writ.

It appearing that Henry Kepling is interested in the opening of the said road, ~~it is ordered~~ that who appears in court, and enters himself a Defendant, and by consent of the parties, Writs of Habeas Corpus & Damnum are awarded the said Peter Keblinger and Henry Kepling each, to be directed to the sheriff of this County and to be executed on the 6<sup>th</sup> day of March next. Returnable here at March Court next.

On the Motion of John Cowan administrator of Grace Taylor decd. it is  
 C ordered that Richard P. Fletcher be appointed a commissioner to examine  
 P the estate and settle the estate accounts of said Taylor and also make report  
 thereon to the Court

On the Motion of George Mepstead administrator of Melrose Mepstead decd  
 it is ordered that Richard P. Fletcher be appointed a commissioner to  
 P examine the estate and settle the estate accounts of said Mepstead &  
 make report to the Court

On the Motion of David Stebbins, administrator of Jacob Stebbins decd,  
 C it is ordered that Richard P. Fletcher be appointed a commissioner  
 P to examine the estate and settle the estate accounts of said  
 Stebbins and make report thereon to the Court

State for P. - O. Rourke. Controversy for Defendant.

On the Motion of Abram Coffman, an injunction is granted  
 him to stay all further proceedings on a judgment recovered in  
 the Court, by ~~the said~~ Daniel Garrison agt the said Coffman  
 until the further order of the Court, but the effect of this injunction  
 shall be to be surcharged until the said Coffman enters into  
 bond with security in as full, at least equal to double the  
 amount of the said judgment, and files with the Clerk a  
 release of all errors at law in the said judgment of proceedings

On the Motion of Adam Trobough, and for reasons appear-  
 C ing to the Court, it is ordered that he have leave to withdraw  
 P from the papers, in a suit lately decided in this Court, of Spitzer  
 against Fisher, - a Decd of Trust "Fisher agt Holt" and a Decd of  
 Loan said Trobough to Fisher, which are filed in said the papers of  
 the said suit

Settlements of the estate accounts of Henry Stiffman ~~decd~~, Joseph  
 C Sepoy, Jacob ~~Tracy~~ & David Saito, were severally returned, ordered  
 by the Court and ordered ordered to discharge

It was that the court be adjourned until to morrow morning at 10 o'clock  
Peachey Harrison

Tuesday the 20<sup>th</sup> of February 1838.

Present

Peachey Harrison, Jacob Reisk, Augustus Waterman  
and Jonathan Peab E. G. Justice

Comith v Sutherland, Alex Capis awarded returnable, here at May Court next

Com with v Stars N. G. & Green and Carter

Comith v Phoe Regglerman N. G. & Green and Carter

same v same N. G. & Green and Carter

same v Foley New Sum awarded

Moyar v Jernison upon <sup>for new attorney as all the up</sup> writ, Defense call<sup>d</sup> not appeared  
funds \$16 to the use of the Plaintiff, and Suit for costs

Rankin v Byrd ~~complaint~~ with Stagnoe - Darnum Contem

Effinger v Smith upon a Petition for a ~~res. Dismiss~~ by order of the court for the Petition ~~and award for costs~~ ~~for the same being not further prosecuted.~~

Smith v Effinger v upon writ of Stagnoe - Darnum  
By consent of the parties by their attorneys, the writ is ordered to be dismissed, at the said Defendants costs & Suit accordingly

Money v Peachey v Refus Contem

Hall v W. Mahan Contem award

Peabody v Roark Contem

Rantow v Tyler Suit for award, and Writ of Habeas awarded the Plaintiff as the law and

Graves v Shaw, jury sworn to try the issue to wit  
Peter Hoff, William Rogers, Abram Burcholow Abram McClellan  
John Frymyer, James Payne, William Smith, Jacob Shery, Harry  
H. Wiley, Martin Lansen, John M. Stevens & Jonathan Shaver, verdict  
for the Plaintiff for \$29.75 and damages with interest from 9<sup>th</sup> Nov  
1833 to be paid & Suit accordingly

Beards adms for P & Beards, Inqnt per award

Barly & Mello Content by Court

Sepo & Seagret adms, Jury sworn to try the issue to wit  
 Peter Knapf, same jury as in Cranford in Shew, Not set for the Pleth  
 for the Debt in the Delea Mentio, ~~with~~ <sup>with</sup> ~~that~~ and Inqnt, <sup>according</sup> and on  
 the plea of fully answerd for the Defendant, and Inqnt  
 accordingly for his Costs on that plea

Barber adms & Nelson Content for Defendant

Mendola P & Moors Content by Court

Gayly & Fank Content by Court

Booth & Edwin Poinsett, upon a Certificate of the Justices  
 for unlawfull carrying. The Defendant was brought into Court  
 upon a Capias, and thereupon, with Samuel Parker his security  
 here in Court acknowledges himself to be indebted to Samuel  
 Campbell Governor of the Commonwealth, in the sum of \$100  
 each, of their respective goods and Chattle, lands and Tenements  
 to be seized, and to the said Governor or his Successors for the use  
 of the Commonwealth, hereafter; yet upon this condition, that if  
 the said Edwin Poinsett shall be of good behavior for twelve  
 months from this time, then this recognizance to be void

Shery & Cyler Swep, Jury sworn to try the issue to wit  
 John Ranken, Anthony P. Waffear, Archd & Ruthenford William  
 M. Dever, Peter Staff, William Rogers, Abraham Bankholder  
 Amos McEller, John Frymeyer, James Paynt, Martin  
 Loran & John A. Stevens, who return from the bar to  
 Curran of this Verdict and after some time return into Court  
 and declares that they could not agree. whereupon by Court  
 William M. Dever one of the said Jurors was withdrawn &  
 the rest of the Jurors from returning this Verdict discharged & the  
 Cause continued



Joseph Stebbins (former of D. Hale Peck)

Counsel Bright & others vs In Chaney Peck

This cause came on to be finally heard the 20<sup>th</sup> day of February 1838. upon the papers formerly read therein, and upon the report of the Sheriff, acting as Commissioner under the power to entry decreed in this cause, to which there is no exception, and was argued by Counsel, on consideration, whereof the Court doth adjudge, order and decree that said report be adopted and confirmed, that said Commissioner do pay the costs of sale, by him reported to the persons entitled thereto, and that the purchaser have leave to withdraw the deed in order to have it recorded, - and the Court doth further, adjudge, order and decree, that Complaint may have execution against

Defendants Barrab Bright and Nancy his wife, for the amount of Money decreed to Complaint by the decree of the 17<sup>th</sup> February 1836. against said Defendants and the costs of this suit, subject to a Credit for the amount of Money reported by said Commissioner as applicable to the claims of Complaint, and the Clerk is to make no Complaint recd of this suit.

Deeble & Snyder vs M. E. set aside N. G. G. and Contents

Shaffer vs Murray vs E. W. set aside & heard for costs

Same vs same vs E. W. set aside & heard for costs

Cowan vs Reed. plea in & heard, suff<sup>d</sup> for \$51 with interest from 31 October 1836 till paid & Costs

Shaver vs Mount Contents for Defendants

Herrington vs Rolles disimp<sup>d</sup> agree

Sepe vs Rusk Contents by Court

May vs Sharpe Contents

Keller & Woods centered by court

Carroll & Moyes centered by court

Hyle & Dentile, plea was & heard. Carpp for the Debt in the  
Declarator Mended with hilt & took saving every

same " Moyes saw

Dentile & Murlap saw

Long " Moyes & saw

Mocarian & Spitzer saw

same " Dentile & saw

Peter & Clarke saw

Hampton & Calman saw

Reckard & Dentile saw

Bales & Balman centered

Fryer & Rutherford Exchange for Debt, The Defendant pleads  
a special plea, to which the Pft replies general and the P  
sent centered

Mouch & Geo. Keffer Mr. Etienne St. G. Duplication & the  
one centered

Roger & W. Mahon Mr. E. et arde St. A. pleads gen. replication  
& centered

Mouch & Geo. Keffer Mr. E. et arde St. G. Duplication &  
the centered

Moyes & Mary centered by court

Moyes & W. Clark, ~~assault~~, discharge

Dentile & Foly Mr. E. et arde St. G. & the one centered

Dentile & Foly Mr. E. et arde St. G. & the centered

Mary Infant & Braithwaite Mr. E. et arde St. G. & the centered

Comrith & Roadcap centered

Bowman & Roger centered by court

Dyer & Joseph, jury sworn to enjoin of the Damages to suit.  
John Ayler, William Ayler, Hugh Dever, Jonathan Shaver

Herry Peckey, Thomas Oaks, Jacob Shery, Peter B Dowdall  
 Nathan Weston, David Cyle, William Leaveness & James Moore  
 Verdict for Plaintiff, for \$245 Damages with interest from the 1<sup>st</sup>  
 day of July 1837 till paid, & Costs.

Meffers adms for D<sup>r</sup> in Norfolk disimp<sup>d</sup> agreed

Keppes for D<sup>r</sup> in Stone St. plea w<sup>o</sup> 5 but disimp<sup>d</sup> agreed costs

A Writing purporting to be the last will and Testament of John  
 Hall deceased, was presented in Court and proved by the oath  
 of Robert Peckey Reed and Reuben Newnam two Witnesses  
 thereto & Ours to be Records, and as the Motion of Allen  
 to Buy as the executor named in the said Will, who made  
 Oath thereto, and entered into bond in the penalty of \$5000. as  
 the Law directs. (the said Will requiring him to give no security,  
 a certificate is granted him for obtaining a probate thereof  
 in due form, and it is ordered that Alexander McHenry  
 William H. Gayly, Stephen Pruffly, Samuel McCallum &  
 George Cannon, or any 3 of them being first sworn do  
 appraise the estate of said John Hall decd and make report  
 to the Court

On the Motion of Margaret Dearing, Mary Dearing &  
 E. Glover the heirs of Herry Dearing deceased, satisfactory  
 proof having been made to this Court that a land warrant  
 Number 4507, issued on the 27<sup>th</sup> of November 1790 for 2666<sup>2</sup>/<sub>3</sub>  
 acres of land to said Herry Dearing for his services as an  
 ensign in Colo. Leachette's Regiment of the Revolutionary  
 army, hath been Casually lost or Mislaid and cannot be  
 found, and that the original has been never satisfied  
 in whole or in part, and that said Herry Dearing died intestate  
 in the year 1801 or 1802. leaving the above heirs the same  
 it is ordered to be Certified to the Register of the land

Cop<sup>d</sup> sent  
 to M<sup>r</sup> Clerk  
 of Court

officer, of Virginia, in order to authorize the said Register to  
send to the said heirs a duplicate of said Warrant, to have  
the same force as the original, would have had

Orders that the court be adjourned until the 7<sup>th</sup> Monday  
in March next.

Peasey Harrison



At a Court held, at the Court house of Rockingham County  
on the 13<sup>th</sup> day of March 1838 by Virtue of a Warrant issued  
by Charles C. Spear Esquire, a Justice of the peace for this  
County, on the complaint of John Chrisman agt Philip Stally  
wherein Warrant of Complaint is in the words and figures  
following to wit, To the Sheriff of Rockingham County &c and  
in conformity to the act of assembly entitled an act to  
explain and amend an act reducing into one act the  
several acts concerning forcible entries and Detainers.

Present.

Augustus Waterman & Charles C. Spear. J. Justice

John Chrisman . . . . . Plaintiff  
agt

Philip Stally . . . . . Defendant

For unlawfully, Detaining from the Plaintiff and  
against his consent, the possession of a certain Parcel of Land  
lying and being in Rock Gap, in the County of Rockingham  
Containing by Estimation, about one Hundred & Twenty acres  
with the appurtenances, being the land formerly owned and  
held by Thomas McKerry deceased. This day came, <sup>as well the</sup>  
Deft by his attorney as the said Defendant by his attorney  
~~Richard Reynolds~~ and the Sheriff returned a list  
of 18 free men, good and lawfull men, being freeholders, from  
whom 12 were selected by lot as a Jury to wit.

George Staff to our s, William Richards, Amos

with proposed  
B

C

W. Oldham, Lewis Keller, Peter Stenburger, Samuel Shadler, Samuel Leggett, Benjamin Harpell, George W. Peffer, William Leaven, Henry Booz, & Michael Effinger, who being sworn ~~and~~ <sup>do</sup> swear well and truly to try, whether the Defendant Phillip Hutt against the Consent of the Plaintiff, holds possession of the Terrament mentioned in the Complaint filed in this Cause, whether the said Defendant hath so held possession thereof against the Consent of the Plaintiff for 3 years next before the exhibition of the said Complaint, and whether the Plaintiff hath the right of possession in the Terrament aforesaid, ~~and~~ upon them Oaths do say. We the Jury find that the Defendant, did at the time of the exhibition of the Complaint filed in this Cause, hold possession of the Terrament therein mentioned, against the Consent of the Plaintiff, that the said Defendant hath <sup>not</sup> so held possession thereof against the Consent of the Plaintiff for 3 years next before exhibition of said Complaint, and that <sup>he</sup> hath the right of possession in the Terrament aforesaid,

Therefore it is considered by the Court, that the Plaintiff recover of the Defendant the possession of the Terrament aforesaid, and his costs by him about his suit in that behalf expended, and it is further ordered that the amount of possession be awarded the Plaintiff to be added to the Sheriff of this County, to cause him to have the possession aforesaid. Orders that the Court do adjourn.

Aug. Waterman



Vergeried to wit,

At about 12 o'clock at the Court house of Rockingham County on the 13<sup>th</sup> day of March 1838. by virtue of a Warrant issued by Charles C. Spear esq. a Justice of the Peace for the County, on the complaint of John Christman agt Abraham Stultz, whose Warrant of complaint is in the words and figures following to wit, To the Sheriff of Rockingham P. agreeable to the act of assembly in that case made and provided.

Prerunt

Augustus Waterman & Charles C. Spear Esq. Justices.

John Christman

Plff

agt

Abraham Stultz

Def

For unlawfully Detaining from the Plaintiff and against the his Current "the Possession of a certain Tractment of "Land lying and being in Mock Gap "in the County of Rockingham Contained "by estimation 120 Aers of Land, with "the appertinances being the Land formerly "belonging to a certain Thomas McKerry "accors

with possession of

This day came as well the Plaintiff by his attorney as the said Defendant by his attorney, and the Sheriff returned a list of 18 Good and Lawful Men being freeholders, to act as Jurors, from which list a Jury of 12 Jurors were selected by lot, to wit John F. Effinger, Amos McClendon, Philip Mellow, James Hoffman, George M. Pifer, Samuel Siggelt, Hugh Bruffy, George Cannon, John Dougherty, Benjamin Harpelt, Harry Booz & Land Shadlet, who were sworn well and truly to try, whether the defendant Abraham Stultz against the Consent of the Plaintiff, holds possession of the Tractment mentioned in the complaint filed in this Cause, whether the said defendant hath so held possession thereof agt the Consent of the Plaintiff for 3 years next before the exhibition of the said Complaint, and whether the Plaintiff hath the right of possession in the Tractment aforesaid and having heard the evidence and argument

of Council upon their Oaths do say, we find that the  
 Defendant did at the time of the exhibition of the complaint filed  
 in this cause, hold the possession of the tenement therein mentioned  
 against the consent of the Plaintiff that the said Defendant hath not  
 so held possession thereof against the consent of the Plaintiff for  
 3 years next before the exhibition of said Complaint, and that the  
 Plaintiff hath the right of possession, in the Tenement aforesaid;

Therefore it is ordered by the Court, that the  
 Plaintiff recover of the Defendant the possession of the Tenement  
 aforesaid, and his costs by him, about his suit in this behalf  
 expended, and it is further ordered that a writ of possession be  
 awarded the Plaintiff to be directed to the Sheriff of this  
 County to cause him to have possession of the said Tenement

ordered that the Court be adjourned

Aug. Waterman

Virginia to suit

At a Court held for the County of Rockingham on the Third Monday, being the 19<sup>th</sup> day of March 1838,

Present:

Jacob Runk, Michael St. Harris, James C. Shepard  
John A. Herrington Esq. Justice

A list of Deeds and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham from the 1<sup>st</sup> to the 28<sup>th</sup> of February 1838. Both days included, was returned into Court by the Clerk thereof, and being examined by the Court, is ordered to be entered on the Minutes, and a like list be posted up at the door of the Court house of said County, which lists is as follows:-

not found

Deed for land Elizabeth Marty to John Cowan,

ditto

Deed for land Seth Elger to James Nash,

ditto

Deed for land Joseph Bartlett to Luther Bellings.

Deed for P. property D. Rogers to D. W. Gambell in trust for John Bellhorne

Deed for P. property Geo. Clarke to M. B. Myser in trust for Peter C. Hogg P.

not found

Deed for land P. John Resler to Allen C. Bryan in Trust for John Cooper

Deed for P. property Thomas Senter to W. H. Gaily in Trust for Geo. Vestigo P.

not found

Deed for land George Baughen to Thomas Powell

ditto

Deed for land Christian Folly to George Roads

ditto

Deed for land John Baker to Jacob Flocks,

found

Deed for land Mary Toler to Peter Fearless

not found

Deed for land Samuel Early to David Starnes

ditto

Deed for land Emanuel Grabel to Jesse Spitzer

found

Deed for land Nathaniel Erwin Sheff to George M. Specter

not found

Deed for land Geo. W. Christman Camp to John Christman.

Remains & Allments entered by Court

The Court proceeded to appoint Commissioners to superintend the several Elections to be held in the several Precincts in this County on the fourth Thursday in April next for

the purpose of Electing two proper and fit persons to represent this County in the Next General assembly of this Commonwealth whereupon it is ordered that the following persons be, and they are hereby appointed Commissioners to superintend, the Elections appointed by law to be held in said County, That is to say,

at the Court house, William Leavers, John St. Campbell, George M. Puffer, James C. Shepard & Jonathan Peal,

At Isaac & George Riddles in Procks Gap, Jacob Trumbo, William Heaven Isaac Riddle & John Stapp & Saml Milled,

At John Ziegler, Schockhaver in Tenberville, Samuel Mount, George Bourman William G. Thompson, Abraham Knapp & Geo Bourman,

At R. P. Sterling in Sparta, Jacob Roads, Peter P. Kromby, Reuben Moore, George Roads & John Harris in

At Courser's Old Store, Jacob Courser, Henry Courser, William Wambrough, Alfred S. Wood & Thomas Milled

At W. G. Hayes's Mill, Joseph Manzy, Jacob Rusk, William B. Manzy, Henry Kepling & Peter Milled

and it is further ordered that the said Commissioners so appointed to superintend the Elections aforesaid, they being first sworn for that purpose, (any two, or more of whom, may act,) proceed to hold said Elections, on the day and at the places aforesaid, and in the Manner directed by law, and make Reports Returns thereof accordingly -

Mr. Robinson - Daniel N. Stetter, on appeal Doct & Contro.

On the Motion of Henry Michael adm of Adam

Michael ad<sup>r</sup> it is ordered that Joseph Manzy be appointed a commissioner to examine state and settle the state accounts of said Michael and make report to the Court

On the Motion Abraham Smith exec of Margaret Smith ad<sup>r</sup> it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the state

accounts of said Margaret and make report to the court

On the Motion of William Heron administrator of Daniel Oersted and it is ordered that Richard P. Fletcher be appointed a commissioner to examine said and settle the estate accounts of said Daniel P. and make report to the court

On the Motion of Henry Day administrator of Barbara Day and it is ordered that Richard P. Fletcher be appointed a commissioner to examine said and settle the estate accounts of said Barbara and make report to the court

Report of the Commissioner appointed to lay of and appraise to the Widow of Jacob Trapp and her dower in her late husband's land, was returned into Court, examined (and with the plot that accompanied) are ordered to be Recorded

On the Motion of Robert Grafton Jr executor of George Helman and it is ordered that Richard P. Fletcher be appointed a Commissioner to examine said and settle the estate accounts of said Helman and make report to the court

~~On the Motion of~~  
 It is ordered that the Overseer of the poor be Mr. Henry Barnaby a free boy of color (13 years and 9 months old) to Peter Hicks to learn the farming business as the law directs, who is to have for freedom due (when free \$20)

It is ordered that the Overseer of the poor be Mr. Joseph Eaton a poor boy 10 years old the 2<sup>d</sup> day of December 1837. to Jonathan Peal to learn the art and trade of a Tannery and Currier, as the law directs, who is to receive for freedom due, (when free \$20)

Present

Joseph Maury Gent. Abraham Jacob Rusk Gent.

Comes into a Tannery Crew, on a Recognizance for arrears of the year, on the complaint of Jesse McCall, the defendant appears in Court in discharge of his Recognizance, whereupon survey Wiltrop being sworn and examined, and the said Tannery Crew fully heard, it is the opinion of the Court, and accordingly ordered that the said Tannery Crew give security for his \$500 behavior for the year





Virginia to wit

At a Court held for the County of Rockingham on the Third Monday being the 14th day of April 1838.

Present

Jacob Reisk, Reuben Moor, Jacob Miller  
P. S. C. Shepman E. G. Justice

A Book of Deeds, and other writings admitted to Record in the Clerk's office of the County Court of Rockingham, from the 1st to the 31st of March 1838. Both days included, was returned into Court by the Clerk thereof, and being examined by the Court in Order to be entered on the Minutes, and a list to be posted up at the door of the Court house of said County, and is as follows,

- "not found" Ad vs for said Davis Real Estate to Jesse Burkholder.
- "found" Ad vs for said Nancy Hollingsworth to Jacob Cole
- "found" Ad vs for said John Gambell & Paul to Samuel Bechtel
- "not found" Ad vs for said D. Brannan to J. M. Kenney in Trust for Paul Moyce & Co
- "ditto" Ad vs for said Hugh Donaghy son to Samuel Miller des<sup>ce</sup>
- "ditto" Ad vs for said Parrish Zilly Wife to Addison Starper
- "ditto" Ad vs for said Daniel Whiskey Wife to Daniel Roadcap.
- "ditto" Ad vs of Release for said D. & Gambell to John B. Funchouser
- "found" Ad vs for said Philip Petre to M. Miller in Trust for Jacob Miller
- "not" Ad vs for said Margaret Smiths son to Richard Robinson
- "ditto" Ad vs for said George Braubarger to Jacob Earnow
- "ditto" Ad vs for said Daniel Boon Wife to same,
- "found" Ad vs for said William Rains Wife to Lewis to Walter
- "found" Ad vs for said George Kysor Wife to William Wier
- "not" Ad vs for said John & Ann Wier to same.
- "found" Ad vs for said William Erwin Wife to David Chandler
- "not found" Ad vs for said M. Dunlap to Peter Whitmore,

- not found  $\text{P}$  us for Sans David Chandler  $\text{P}$  to William Quinlan
- ditto  $\text{P}$  us for Sans Catharine Lora to Anthony Hufferman
- ditto  $\text{P}$  us for Sans. Elijah Clarke Wife to Robert Sims
- ditto  $\text{P}$  us for Sans. Jesse Burcholow Wife to Joseph Burcholow
- ditto  $\text{P}$  us for Sans. A. Williamson  $\text{P}$  to Philip Cole
- ditto  $\text{P}$  us for Sans. John Krotzer Wife to Linus Burcholow
- ditto  $\text{P}$  us for Sans. Peter Whetstone to Jonas Blosser,
- ditto  $\text{P}$  us for Sans. Francis Bever to Stanley Bever
- found  $\text{P}$  us for Sans. Michael Lorenson to John Zirkle
- not ditto  $\text{P}$  us for Sans. William B. Abbott to John Bunsow
- ditto  $\text{P}$  us for Sans. James Meadows Wife to Daniel Epark
- ditto  $\text{P}$  us for Sans. Geo. Stoff, adm. to Michael Rolter
- ditto  $\text{P}$  us for Sans. Peter Stolsinger to Alexander Stolsinger
- found  $\text{P}$  us for Sans. Michael Sumner to Jacob Cole
- not found  $\text{P}$  us for Sans. David Roalston Jr to George Evers
- ditto  $\text{P}$  us for Sans. William Newman Wife to George M. Sanford
- ditto  $\text{P}$  us for P. Property P. M. Council to S. H. Burcholow in Trust for <sup>George C. Burcholow</sup> Burcholow
- ditto  $\text{P}$  us for Sans. D. M. Guro to Mr. M. Pollock in Trust for Christmas R. Roalston
- ditto  $\text{P}$  us for Sans. Joseph Frays Wife to John Chrisman
- found  $\text{P}$  us for Sans. Lewis G. Row to Jonathan Shaver,
- found  $\text{P}$  us for Sans. Daniel Gount to Peckey Harrison  $\text{P}$
- found  $\text{P}$  us for Sans. Jacob Beery Wife to Isaac Milled
- not ditto  $\text{P}$  us for Sans. Peter Fesler to P. Stensprung  $\text{P}$
- found  $\text{P}$  us for Sans. Samuel Beery to M. M. Laughlin  $\text{P}$
- found  $\text{P}$  us for Sans. Jacob Courro to James Sars

George S. Chrisman Deputy Sheriff, Reports that an Election held on the 31. day of March last, for the purpose of Electing Jurors for the Town of Harrisonburg. for one year from the said 31 day of March, that Samuel Shacklet, Jacob Rohr, Nelson Sprinkle Samuel Lygels & Isaac Hardisty. were duly Elected, which is ordered to be Certified

Ordered that Ptolemy Brightwell, Lewis ~~Ray~~, Markin Speaks, John Vega & Abraham Smith be appointed Commissioners to superintend the Election to be held at <sup>Shub</sup> P. Brightwell, Store in this County on

cc  
+



certificates is granted here for obtaining a probate thereof in due form, (Isaac Moyes, the other several names in the said will having appeared in Court and refused to act,) and it is ordered that James Denton, Benj. Bourne, John Steggars & Daniel Miller, or any 2 of them being first sworn do appraise the estate of the said Daniel Moyes dec. and make report to the Court

Peter P. Hoarty Esq. who was appointed Commissioner at Falmouth Court last, to lay off areas of ground to Peter West, orphan of John West deceased, the said areas to him by his father, made a report, which was examined, by the Court and ordered to be Recorded

On the Motion of James T. Graves executor of John Stayer dec. it is ordered that Joseph Maury be appointed a Commissioner to examine estate and settle the estate accounts of said Stayer and make report to the Court

A settlement of the estate accounts of Christian Hyges dec. was returned, examined & ordered to be Recorded

Ordered that Peter P. Hoarty, George Roads, Martin Marty Jr + Geo. E. Derreels & Jacob Bourne, <sup>be appointed Commissioners</sup> any 3 or more of them being first sworn may act) be appointed Commissioners to superintend the election to be held at Spang on the 26<sup>th</sup> day of this month and so much of the Order made at March Court last approving Commissioners to attend said Election to set aside

Ordered that Jeremiah Harrington, Pharon H. Mallett & John Harrington be appointed Commissioners to attend the election to be held at Courds. old store, on the 26<sup>th</sup> of March in the room of Henry Conner, Jacob Conner & William Waterborough + who was appointed at March Court last

Ordered that John Nicholas & Daniel Hicks, be appointed + Commissioners to superintend to the election to be held at W. G. Abey-Field, in the room of Joseph Maury & William B. Harny, who was appointed at March Court last

+ John Gains Jr orphan of John Gains Jr over 14 years of age, came into Court, and made choice of Christen

Moyon as his Guardian, who enters into bond with security in the penalty of \$150. as the Law directs.

An appraisement bill and sale bill of the estate of Michael Lore deceased, were examined by the Court and ordered to be Received

An appraisement of the dower right of Catharine Lore, widow of Michael Lore, and ~~was~~ made by the Court in person, appointed for that purpose, was examined by the Court & ordered to be Received.

On the Motion of Shepard Nelson (a free boy of Colour) and a fee received appearing to the Court. It is ordered that the said Nelson be discharged from jail, when the jailer fees shall have been paid, and it is ordered that he appear to the Court that the said Negro, is free and that the Certificate of his Registry has been forth.

On the Motion of Abraham Mannan & Peter Mannan sons of Malchus Mannan's decd, it is ordered that Richard P. Fitch be appointed a Commissioner to examine settle and settle the estate accounts of said Mannan and make report to the Court.

A Registry of Sally Brock a free Woman of Colour, was returned into Court, and compared with the Sally and found duly made, a copy thereof, is ordered to be furnished her as the Law directs.

On the Petition of James Folly and others for a way for a road from the crop street in Mount Crawford, near said James Folly, & from there through the lands of said Folly &c. (as set forth in the petition,) it is ordered that Andrew Ligon, Adam Detrick & John Perin, being first sworn do view the said proposed way for the road, and make report thereof to the Court, of the conveniences and inconveniences

attorney the same, as well to individuals ~~as~~ as to the Publick

(B.) Com. with James Dally. for arrears of the peace on the Complaint of James Foley. the said Defendant appeared in Court in discharge of his recognizance, whereupon Sumary witnesses, being sworn and examined and the said James Dally fully heard, it is of the opinion of the Court and accordingly, orders that the said James Dally, be acquitted and discharged, of his recognizance and go thereof, without any arrears ever against the said James Foley his Costs expended in defending the said Prosecution

Refer Young Wife on appeal. docketed & carried

Booz & Hartis for an Shabbet. on appeal docketed & carried

Orders that the Ornaments of the poor bond, George Gale of poor Child 8 year old in spleen lent to George Nicholas to learn the farming business, as the Law duty, who is to have for freedom dues \$100

James W. Young this day produces Credentials of his ordination and also of his being in regular Communion, with the Methodist Episcopal Church, took the oath of allegiance to this Court and with Abraham Smith & Edward S. Smith his security, entered into and a recognizance above, in the penalty of \$1,500. Condition as the Law duty: whereupon, on ~~the~~ <sup>this</sup> Motion of a Testimonial is granted him in due form.

Counts vs Thomas Woodford, on the complaint of Rebecca Bivens. the Defendant appeared in Court in discharge of his recognizance, whereupon the Motion of the said Defendant by his Counsel, and for reasons appearing to the Court, this prosecution is ordered to be continued until the Next Court, and that the said

Defendant more over enter into a recogn. in the sum of \$50. for his personal appearance here on the 1st day of the May Court next, <sup>and that he in the mean time</sup> keep the peace and be of good behavior towards all the good Citizens of this Commonwealth and more particularly towards the said Rebecca Bivens; whereupon the said Thomas Woodford, appears in Court and entered into a recognizance agreeable to the above order.

David N. Huston a Constable in the Beaver Creek District.  
 was called into Court, and resigned his office his said office of  
 Constable which is ordered to be entered of Record

On the Motion of David Huston Sheriff of this County, David  
 N. Huston and William B. Harrison are admitted his deputies,  
 who appears in Court, and took the several Oaths of office  
 as prescribed by Law, The Court being of the Opinion that the  
 said David N. Huston and William B. Harrison, are Men of  
 honesty, probity, and good demeanour, which is ordered to be  
 Certified,

Robertson vs Huston on an appeal, Doctels and Controvers

Comes now with William Brown, for breach of the peace on  
 the Complaint of Mahaley Wright, The said Defendant appeared  
 in Court, in discharge of his Recognizance, whereupon, sundry  
 Witnesses being sworn and examined, and the said William  
 Brown, being fully heard, it is the Opinion of the Court, and  
 accordingly, Order that the said William Brown, be acquitted  
 and discharged of his recognizance, and go thereof without day  
 and receive against the said Mahaley his costs expended in defending  
 the prisoner

On the Motion of Edward S. Smith State Treasurer for New  
 York formerly New York, it is ordered that Edward S. Smith  
 be appointed a Commissioner to examine state and settle the  
 accounts of said Edward S. Smith as Treasurer aforesaid and  
 make report thereof to the Court.

The Court proceeded to the appointment of Constable in the  
 Beaver Creek district in the room of David N. Huston resigned,  
 whereupon the names of the parties being called, in the manner  
 directed by Law, they voted as follows, to wit for John R. Plecker  
 Messrs John A. Herring, Mr. B. Gary, Jas C. Sheppard, Jacob  
 Miller, Saml Coote, M. S. Harris, Saml S. Lewis, and  
 for Mr W. Dunlap A. Waterman, whereupon it is ordered  
 that the said John R. Plecker, be appointed Constable

in and for said district. until the July Court to be held for this County in the year 1839. whereupon the said John R. Placker with, Peter Rollin and John Perry with security entered into and acknowledges bond in the penalty of \$2000 conditioned as the Law directs, and took the several oaths of office as prescribed by Law, the Court being of the opinion that that the said John R. Placker is a man of Veracity probity and good demeanour, which is ordered to be entered of Record

A Writing purporting to be the last will and Testament of Barry Wenten decd. was again presented in Court and on the Motion of Samuel Cook the executor named in the said will who entered into bond with security in the penalty of \$2000 ~~and~~ and made oath thereto as the Law directs. a certificate is granted him for obtaining a probate thereof in due form, and it is ordered that George M. Perrybaker, Jeremiah Puffer Henry Shoemaker, & Christian Burk or any 2 of them being first sworn do appraise the estate of the said Barry Wenten and make report to the Court

cap

It is ordered that the Court do adjourn until the 2<sup>d</sup> ~~Monday~~ <sup>Monday</sup> in May next

Jacob Willers

Virginia to wit.

At Court held for the County of Rockingham on the  
 Third Monday being the 21<sup>st</sup> day of May 1838

Present

Stephen Starnberger, John St. Campbell, Reuben  
 Moore & Robert Lynnton Jr. E. G. Justice

A Book of Deeds and other writings admitted to Record in the  
 Clerk's Office of the County Court of Rockingham from the 1<sup>st</sup> to the  
 30<sup>th</sup> day of April 1838 enclosed, was returned into Court by the  
 Clerk thereof, and being examined by the Court, is ordered to be  
 entered on the Minutes, and a like list to be posted up at the  
 Door of the Court house of said County, and is as follows.

found Deed for Land Jeremiah Peterferth to Zachariah Taylor.

not " Deed for Land Joseph Battelle to Luther Bellamy +

" " Deed for Land Honorable Powell to Bennett Raines

" " Allowance of attorney to convey Land Luther Bellamy to William B. Abbott +

found Deed for Land Philip Byers to Henry Bear,

found Deed for Land Jacob Karpelt to Daniel Fisher

found Deed for Land Henry Starnberger to Zebulon Gilman

found Deed for Land William Caldwell P. to Mark Caldwell

found Deed for Land Isaac Fisher to George W. Snapp.

found Deed for Land Wreak Stead to Charles Taylor

not " Deed for Land Christian Snell to Daniel Garber

" " Allowance of attorney to convey Land Joseph Battelle to William B. Abbott

" " Deed for Land William Beardman to Benjamin F. Fry

+ Deed for Personal Property A. Nelson to M. H. Harris in Trust for Edward Stevens &

+ Deed for P. Property M. Starnberger to D. St. Campbell in Trust for Frank Child

found Deed for Land Isaac Spittler to Jacob Price,

found Deed for Land Jacob St. Peterferth to same.

On the Motion of Martin Burkholder, it is ordered that  
 Richard P. Fletcher be appointed a commissioner to examine  
 state and settle the estate accounts of said Burkholder as  
 Guardian for four of the Children heirs of John Gains  
 deceased and make report to the Court

Settlement of the accounts of John Nicholas Guardian of  
 Lucy Ann Fisher, was returned examined & ordered to be  
 Recorded

On the Motion of Henry Blofer executor of Jacob Blofer dec'd who  
 was the executor of David Burkholder dec'd it is ordered  
 that Richard P. Fletcher be appointed a commissioner to examine  
 state and settle the estate accounts of s<sup>o</sup> Burkholder estate  
 and make report thereof to the Court

On the Motion of Jacob Moyers, it is ordered that Rich<sup>d</sup>  
 P. Fletcher be appointed a commissioner to examine state &  
 settle the estate accounts of s<sup>o</sup> Moyers as Guardian of  
 Catharine Moyers and make report thereof to the Court

Settlement of the estate accounts of John Stays and was return  
 examined & ordered to be Recorded

George Barros former, Adam M. Long, George Langford,  
 Isaac Moffatt, Philip Cole, Arch<sup>d</sup> Roswell, Thomas  
 Harris, Thomas McGinnis, Matthew Miller, Peter Hygen  
 Lewis May, Jacob Fisk, Henry Moyers, Jacob Laid, Daniel  
 Good, Joseph Inghell, John Callinger, Abraham Empswell  
 Jacob Flood, John Coffey, John M. Alder, Henry Carrist &  
 John Weller were sworn a Grand Jury for this County, who  
 received their Charge and Materis from the bar to consider of  
 their Returnments & after some time returned and found the  
 following, an indictment for an assault & Battery on Jas.  
 Ewen a true bill & and we present Bryan Staw  
 a free Negro for manumission in the month of November 17  
 months &  
 and nothing further appearing this said Grand Jury was



An appraisment bill of the estate of Samuel Hart dec'd. was returned, examined & ordered to be recorded

Cornth = Woodcock Jury sworn to try the same to wit: William Bussy, John M. Steffy, John Cooper, John Feltz, Amby Stufferman, William Cyler, Joseph Bellhew, Zebulon Gellman, Michael Beard, Edward S. Smith, Saml Moffett & Harold Alburn, Verdict for the debt is not guilty & Judgment accordingly

Cornth = Reggleman 2 months the Debt appears in Court and costs Judgment for the costs of the protection.

Cornth = Foly N.Y. & fees and costs

same = Thomas Clarke Judgment costs

same = J<sup>r</sup> Radaw N.Y. & fees & costs

same = S. Cook N.Y. & fees & costs

same = same N.Y. & fees & costs

Abraham Whitman appears of Abraham Whitman dec'd over 14 years of age came into Court and made choice of ~~John~~ Plotting Brightwell as his guardian, he having entered into bond with security in the penalty of \$1000 as the law directs

An amended appraisment bill of the estate of Henry Harmsbarger dec'd. (as made by the appraisers) was returned examined by the Court <sup>to be attached to the said appraisment bill</sup> and ordered to be recorded, as also the affidavit of Emanuel Harmsbarger thereto annexed

Cornth = Thomas Woolgar, upon a copy for arrears of the peace on the complaint of ~~Elizabeth~~ Rebecca Erwin, The said Defendant appears in Court in discharge of his recogny, whereupon sundry witnesses, being sworn and examined, and the said Thomas Woolgar fully heard. It is

the opinion of the Court. ~~that~~ and accordingly, <sup>do</sup> Orders that  
the said Thomas Woolf be discharged and acquitted, and  
~~discharged~~ and go thereof without day and receive apt the  
said Rebecca Erwin the Proseutrix his costs about his defence  
in this behalf expenses

Orders that the Oversees of the poor take into their care  
x Annanias, George, Jane, Susanna & Elizabeth free Negroes  
(of colour,) and provide proper Masters and Mistresses for  
them and make report to the next Court.

On the motion of John Allebough and having paid to the  
C Sheriff \$375 cents, it is ordered that a Secum be granted him  
to keep private intendant in this County until May Court next

A Settlement of the estate accounts of Frederick Hygen and  
C was returned, examined & ordered to be Recorded

Orders that the Court be adjourned until to Morrow at  
10 o'clock  
Jno. St. Campbell

Tuesday the 22<sup>nd</sup> of May 1838

Present

John St. Campbell, George M. Kemper  
James G. Shepley & Joseph Mangy Esq. Justices

An appraisment bill and sale bill of the estate of John  
C Allebough and were returned & examined & ordered to be Recorded

On the motion of Samuel Hester and of Susanna Hester  
C it is ordered that Pleasant A. Clark be appointed a commissioner  
to examine & settle the estate accounts of said  
Susanna Hester & make report to the Court

Shery & Cyles Surfs. Controvers for Plffs  
B.

On the Motion of Sarah Feshbach administratrix of Benjamin Feshbach dec'd. it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said B. Feshbach dec'd and make report to the Court

On the Motion of John Brown administratrix of John Wyser dec'd. it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said John Wyser dec'd and make report thereof to the Court

On the Motion of Mary Rainis, and satisfactory evidence having been given to the Court that Lauram Rayer was a person of the newly States at the rate of \$100 per annum was a resident of the County of Rockingham in the State of Maryland and died in the year 1837. (on the 18. day July) that he left a Widow whose Name was Mary the same is ordered to be certified

Partly & D. Koblitz on Petition Cont'd

Rantow & Byrd on Mr. Rogers Cont'd

Koblitz & Partly. Cont'd

Kapler & same. Cont'd

Young & Pochon & Pifer Cont'd

Peckering & Black Cont'd

State & McMelean Cont'd for award

Merrill for D. Woods Cont'd

Gaily & Fentw Cont'd

Orville & Snyder Cont'd

On the several motions of Benjamin Harpster, P. S. Hugh  
 C Bruffy, and they having paid to the sheriff the tax imposed by  
 law, it is ordered that licenses be granted them respectively  
 to keep or sell in this County, until May Court 1839,  
 on their entering into bond with security in the books of the  
 as the law directs, the Court being of the opinion that they are  
 men of good character, not addicted to drinking or  
 gambling, and that they will keep orderly and useful  
 hours of entertainment. *which is ordered to be Certified.*

On the several motions of David Harris, John Steph-  
 C Jacob Kaphlinger, Daniel Flood, John Christman, William  
 Fitzwater, George Kuyler, Samuel Coats, Samuel Miller —  
 and they having paid to the sheriff  
 the tax imposed by law, it is ordered that licenses be granted  
 them respectfully, to keep <sup>hours of</sup> private entertainments in this County  
 until May Court 1839.

Sharon in Mount Jay sworn to by the above to wit: Jacob  
 C Parly, James Lyman, John Rush, John Courso, Nicholas  
 Courso, Francis S. Duff, John Scho, Michael Stinson  
 John Frymyer, Philip Moyer, Frank Murry & Archibald  
 S. Weatherford, Verdict for the Plaintiff \$35 Damages, with costs  
 from 22<sup>nd</sup> May 1838 he paid & gave a security

C Settlement of the estate accounts of Nicholas Leap dec'd  
 was returned, & examined by the Court, ordered to be Recorded

C Stevens & Decker dismissed.

C Miller (for New) & Small dismissed.

C Boynton & Chelars dismissed.

C Hopkins & Swanson & ... dismissed.

Reveries v. Coffman & Coffin Judges. set aside and  
 payment by duplication of fees and costs

same v. Wright do . . . . . same

Kyger v. Rowanburk do . . . . . same

Gray v. Palmer do . . . . . same

Fisher for do v. Fisher . . . . . same

Weto v. ~~Weto~~ <sup>Wero</sup> . . . . . same

Weto v. Sinden . . . . . same

Weto v. W. Gray . . . . . same

Rice v. Matfeta . . . . . same

Christman v. Carr . . . . . same

Orders that all the acting Magistrates in this County  
 be summoned to appear here on the second day of June Court  
 next, for the purpose of appointing a Clerk for the County  
 of Rockingham, in the room of the present Clerk, whose  
 term of office will expire on the first Monday in July next,  
 and for the purpose of assessing the County Levy for the year  
 1838, and for the purpose of examining the sheriffs returns  
 and sitting with the agent of the County, and for such other  
 purposes concerning the County, as shall be laid before the  
 Court

May v. Merry returned for Plaintiff, and rule agst  
 for W. Cline to show cause why he shall not be found acc'd  
 to show for his new attorney as attorney for the Plaintiff

Sep v. Rush By Court refers to the award and fees  
 determined of Joseph Maury whose award is to be made  
 the Judgment of the Court

May v. Harper returned

C Keller & Woods counters for the Plaintiff

C Rogers & McMahar counters for Def. (cont)

C Bales & Bateman counters

C State for P. & Moore counters

C How do in Geo. Kreffer Jury sworn to try the issue to wit:  
Peter Kerwin, Benjamin Mount, John Lipe, Abraham Nagy,  
Reuben Mount, Jonathan Shaven, William Rogers, William  
Lilly, Abraham Seecole, Gedon Krotyer, Peter Steff and  
William McMahon. Verdict for the Plaintiff for \$25

C Damages and Judgment accordingly

C Try on & Ruthers. On the Motion of the Def. by his attorney it is  
ordered that a writ of Habeas corpus be awarded, to the jailer of this  
County to bring before the Court now sitting, George Clark prisoner  
now confined in his jail a witness in this suit now confined in his  
jail

C On the several Motions of Christian Krotyer, William West  
Dams Seecole, John Zegler, William Cherryholms, Benjamin  
Mount. \_\_\_\_\_ and they having paid to the sheriff  
the taxes imposed by Law, it is ordered that Seecole be granted  
them respectfully to keep his personal estate in this County  
until they Court 1889.

C In How do in Geo. Kreffer Jury sworn to try the issue to wit,  
B. James Gravis, John Rusk, John Connor, Nicholas Connor  
M. W. Howman, John Fry myer, Philip Myers, Frank  
Murry, Archd. S. Ruthers Lewis Keller, William  
Ferry & Frank S. Duff. Verdict for the Pft for \$15.

C Damages, & Judgment accordingly

C X Order that James Delworth be appointed a school Commissioner  
of this County in the room of George Clark Merriman, and that  
the sheriff notify him thereof accordingly

C Penible & Jas. Foley Jr counters by counter

C Sams & Sam counters by counter

Harry Infant & Braithwaite, next contemned for Defendant.

the Deft. in reply to and ~~the Deft. in reply to~~ the Deft. gives security for said defendant

costs and damages ~~as~~ as shall be awarded, ~~and~~ <sup>the Defendant</sup> in case

he shall be cast, in the suit, which security to be given

within 60 days from the date hereof, and the said Deft

for further pleas, in this behalf pleads two special pleas which

are here filed, and leave is given the Deft. to reply to said pleas

William ~~W. M. G.~~ Effinger adms upon affid of Secrefaris. The

Plaintiff by her attor. files a General Demurrer to the Secrefaris

in which ~~Demurrer~~ <sup>the Plaintiff</sup> ~~files~~ and the cause is continued

Jury sworn to try the issues to wit:

Eli Harry, Adam Long, Daniel Fisher, John Sipe, Harmon

Stouch, Edward S. Smith, George Cookhott, Edward Stephens

for the Deft. Harry Landa Salford S. Wood & George Cooksell

Verdict for the Deft. for an plea of payment for \$200, with interest

on \$100 with interest a part thereof from the 18 Sept 1895 and balance

of \$100 the balance thereof from 18 Sept 1896 and on the plea

of plea in fact for the Deft. & Judgment accordingly

Hoffman & Sullivan plea not to accept conf. for Debt in

the said ~~matter~~ <sup>matter</sup> as per note with interest & costs saving

agency

Reed & Rogers same

Gallagher & Co same

Coffman & Co same

same same

same same

same same

Rosier for ~~for~~ <sup>for</sup> same same

Rogers & Setts same

Williams & McLaughy for P. & Powell plea w<sup>o</sup> & Lucard (proff<sup>r</sup>  
for the att in the ad w<sup>o</sup> Mentions with intent & Costs (saving  
exch)

- C Cook for P. & Brannan as . . . . . same
- C Farley for P. & Means . . . . . same
- C Thompson Ho. & Sullivan . . . . . same
- C Strickler for P. & Byrd . . . . . same
- C Smith & Brathwaite . . . . . same
- C Linscoln & Cherryholme . . . . . same
- C Reed & Byrd . . . . . same
- C Early & Mearns . . . . . same
- C Keravian & Clarke . . . . . same
- C Brown & Mallan vs E. Wams & Lucard for Cost.
- C Moyes & Evers disimp<sup>o</sup> agreed
- C Allison & Foley contented
- C Allison & Waller vs Foley contented

On the several Motions of Zebulon Gellman, John Strickler  
C and Peter Dunkle and they having paid to the sheriff  
\$18 each, the tax imposed by Law, it is ordered that execution  
be granted them to keep orderable in this County until  
May Court 1839 on their entering into bond with security  
in the Clerk's Office as the Law directs, and the Court being  
of the Opinion that the said Gellman, Strickler & Dunkle are  
men of good Character, not addicted to drunkenness or  
Gambling and will keep orderly and careful house of  
entertainment, where is ordered to be Certified

On the several Motions of John R. Plecker, Solomon Perky,  
C Catharine Graham, William White, ~~James H. H. H.~~ and

James Foley, and they having passed to the Sheriff the Tans  
 impoted by Law, it is ordered that Securus be granted them  
 respectfully to keep hours of private entertainments in this  
 County until May Court 1839. —

A Settlement of the estate accounts of Tyro R Brown and  
 was returned, ex parte orders to be Recd  
 Present Augustus Waterman

Ordered that the Court to adjourn until to morrow  
 morning at 10 o'clock

Aug. Waterman

Monday the 23<sup>rd</sup> <sup>May</sup> 1838  
 Present

Samuel Coote. Augustus Waterman Secy  
 Thomas & Jas. C. Shepley E. G. Justice

On the Motion of Lewis Byrd, it is ordered that Richard P  
 Fletcher be appointed a Commissioner, to examine and  
 settle the accounts of said Lewis Byrd, as former Guardian of  
 Abraham Whitman, and make report thereof to the Court

Harry Infant v Brathwaite, the <sup>Plaintiff</sup> Defendant by his attorney  
 replied generally to the special pleas, pleaded by the defendant  
 on yesterday, and thereupon issues are joined

Barly v Miller, parties heard and award for award of  
 arbitrators

Carroll v Moyes. The Defendant pleads two special pleas  
 which are here filed, general replication & issues joined, and thereupon  
 came also a jury to wit Frederick S. Duff, Feilding Rogers  
 Eli Harry. Henry Lomas, Samuel Gibbons. William Craven

Serra vs Burkholder, John Speer, Jeremiah Colman, Samuel Shaslet, Burkholder Slovaker, George Strother Verant for the Pft. for \$50 with interest or \$25 part thereof from 1<sup>st</sup> Sept 1835 & interest on \$25 the balance from 1<sup>st</sup> Sept 1836. Subject to a credit of \$53.13 on the 1<sup>st</sup> January 1838. being the items on the account filed as offsets in the suit and which are stated and signed on the account by Samuel Shaslet one of the Jy. & J. for the Pft. according to said Verant and for Costs.

Mellor vs Perce, on the Motion of the Defendant by his attorney an affidavit appearing to the court, it is ordered that he have leave to withdraw a note filed in the papers in this case, given by said May, to said Perce for \$50, on a copy of the said note being left in the papers.

Jacob Decker having paid to Nathaniel Irwin Deputy Sheriff \$5 the tax imposed by law, it is ordered that a license be granted him to keep a house of private entertainment in this County until May Court 1839.

Combs vs David Smith, on an affidavit, for hearing appearing to the court, the prosecution is with the assent of the court ordered to be dismissed and J. apt accordingly.

(13) Bowman vs Rogers. Pft. calls not appearing. Motion for award with ~~\$5 damages~~ (without damages) & J. apt for the Defts costs.

Barber vs Nelson Controvers for Defendant

Combs vs State. J. apt for costs

The Court, set the following rates and prices to be paid at all Ordinances within this County for the year 1838. for liquors, with docking previous that at any former day to wit, the same that was allowed in 1837. (except that the price for beer, ~~previously~~ <sup>formerly</sup> is to be at 12<sup>th</sup> cents per quart for the present year).

A Settlement of the accounts of Edward & Smith formerly late Guarant for New Speck books formerly Ann Ware, was presented in Court examined and ordered to be Received.

Carlos <sup>to</sup> Moyer plea was to the amt comp'd for \$25. with  
 interest from 1<sup>st</sup> Sept 1837 of lat paid to Co. Subject to a credit  
 for \$14.50. as paid on 1<sup>st</sup> <sup>May</sup> 1838.

Orders that the Court be adjourned until the 3<sup>rd</sup> Nov next  
 in June next.

Saml. Foster

Virginia to wit

At a Court held for the County of Rockingham on  
the Third Monday being the 18<sup>th</sup> day of June 1838.

Present

Jacob B. Williamson, Jacob Rush, Saml Coote  
Reuben Moore & William B. Yarny. S. G. Jukes

A List of Deeds and other writings, admitted to Record in the Clerk's  
Office of the County Court of Rockingham from the 1<sup>st</sup> to the 31<sup>st</sup> of  
May 1838. inclusive, was returned into Court by the Clerk thereof  
and being examined by the Court, is ordered to be entered on  
the Records, and a like list to be posted up at the door of the Court  
house of this County. and is as follows. (to wit)

not found Deed of Release for said Thomas Clarke to Abraham Garrison

found Deed for said Jacob Shanks to John Shanks

X Deed of Sale for Personal Property, Jonathan Paul to Augustus Pater

found Deed for said Jacob Souder to Philip Souder

found Deed for said John Cowan to Reuben Moore

X Deed for P. Property W. Miller to A. Sample in Trust for William A. Bitter

not found Deed for said Reuben Maggart to John Maggart

found Deed for said Thomas McGee to Peter Good

not found Deed for said Isaac Long to Reuben Coffey

ditto Deed for said William Cherryholmes to Jacob Long

X Deed for P. Property W. Cherryholmes to D. W. Gambell in Trust for J. C. Christian

found Deed for said Peachy Reed to William Pennington

not " Deed for said Andrew Byro to Abraham Byro

found Deed for said Adam Radis to William Keister

not ditto Deed for said Lewis Byro to James Blosser

X Deed for P. Property M. C. Jennings to J. S. Perry taken in Trust for D. Perry taken

found Deed for said James Meadows to Jonathan Breeden

found Deed for said Thomas Miller to John F. Rucker

found Deed for said Henry Carver to Jesse Carver

X

not found  
dillo  
Advers for P. Property John M. M. to D. H. Gansbell in Trust for N. G. Tole  
Advers for said Philip Deal P. to Frederick G. Gend.

found  
Advers for said Adam Long to Samuel Fisher

found  
Advers for said James Foley to M. H. Harris in Trust for David State

Advers for said William Burry des P. to Joseph Ammentrot

Advers for said Melian Burry des P. to Joseph Ammentrot

Advers for said Mary Sanders to Samuel Coffman

Advers for said John Werrney to John F. Effinger

(Cf) On the Motion of Charles Mancy agent of Sayler Mancy  
des. it is ordered that Jacob Gans be appointed a commissioner  
to examine state and settle the estate accounts of the said  
Mancy and make report to the Court

(Cf) On the Motion of ~~George~~ <sup>agent of</sup> Bowmeyer, Jacob Mollen des  
it is ordered that R. P. Fletner be appointed a commissioner  
to examine state and settle the estate accounts of said Mollen  
and make report to the Court

(Cf) On the Motion of Services Garrisburg, and and he  
having paid to the Sheriff \$3.25. the tax imposed by law  
it is ordered that a license be granted him to keep a public  
establishment in this County until May Court Next

(Cf) On the Motion of Richard Peckering and he having  
paid to the Sheriff \$18. it is ordered that a license be  
granted him to keep an ordinary at his house in this County  
until May Court 1829. on his entering into bond with  
security in the Clerk's Office as the Law directs. the Court  
being of the opinion, that the said Peckering is a man  
of good Character. Not addicted to Drunkenness or Gaming  
and that he will keep an orderly and unfeeling house  
of entertainment

(Cf) Orders that Joseph Moyer be appointed Surveyor of precinct  
No. 2 on the Mapamuths Gap road in room of John Bourne

opt  
ad

Ordnance that <sup>John</sup> ~~Thomas~~ Turner be appointed Surveyor of Precinct No 2 on Procks Gap road in room of John Patchy resigns

opt  
ad

Ordnance that <sup>Thomas</sup> ~~Thomas~~ Harris be appointed Surveyor of Precinct No 12 on Map road of ~~Martha~~ <sup>Martha</sup> Maily resigns

opt  
ad

Ordnance that ~~John~~ <sup>John</sup> Maily be appointed Surveyor of Precinct No 2 on the Woodstock back road in room of ~~John~~ <sup>John</sup> Puler resigns

opt  
ad

Ordnance that Isaac Burm be appointed Surveyor of Precinct No 2 on the Harris or old Mill road in the room of John Alleborough resigns and it is ordnance that the Tithables on the following plantations to wit Daniel Young & others as per list be access to and made apart of ~~the~~ the Gang of said Precinct

opt  
ad

Ordnance that the Tithables at the Plantation of Ester Fowler Benjamin Curry & Jacob Myant be access to and made apart of the hands to work on Precinct No 1 call'd the old Butler road

opt  
ad

Ordnance that precinct No 4 of the road leading from Maggath ford to ~~Swift Creek~~ <sup>Port Republic</sup> which precinct was (at Frazer Run) be divided into <sup>two</sup> ~~two~~ <sup>two</sup> precincts <sup>the first to begin at</sup> ~~the~~ <sup>the</sup> point between ~~between~~ <sup>between</sup> John Seper field and a field of call'd Joseph Seper, and <sup>that</sup> the Tithables to work on the said ~~precinct~~ <sup>precincts</sup> be as follows) all in the plantations of Charles & Mary William Mary the heirs of Dayton Mary, & Anne and that <sup>who is hereby appointed the overseer of said Precinct</sup> ~~the overseer~~ <sup>they</sup> open work ~~there~~ and keep the same in good repair - and it is ordnance <sup>that</sup> Jacob Argubright, who is hereby appointed surveyor of Precinct No 8.

on said road, from the point between the said fields, to said Frazer Run, and that the Tithables at the following plantations to wit Gang (to wit) George Perrow, Henry M. Maily, Jacob Burm, Jacob Argubright, George Armentrout, & Jacob Maiden, <sup>said Armentrout & Maiden</sup> who formerly belonged to Jacob <sup>Seper</sup> (Precinct) ~~both~~ who ~~are~~ are hereby agreed to this precinct, to wit his Gang to open work on the said road ~~that said Armentrout & Maiden~~ <sup>that said Armentrout & Maiden</sup> be exempted from working on any other road

opt  
ad

Ordnance that Peter Hicks be allowed \$15.21 1/2 cent as per account to be served in the County day for 1838

On the Motion of Peter Cook and his having paid to the Sheriff \$3.75 it is ordered that a license be granted him to keep a house of private entertainment in this County until May Court 1839.

*apptd.* It is ordered that Michael Floro be appointed Surveyor of Precinct No. 3 on the clay road in the room of Benjamin Warrigor  
Remigio

*apptd.* It is ordered that Harry Taylor be appointed Surveyor of Precinct No. 6 on Gattens old road in the room of Joseph McMiller  
Remigio

*apptd.* On the Motion of <sup>Surveyor of Precinct No. 2</sup> John N. Brown, and for reasons appearing to the court, it is ordered that the Tithables at the following plantations, to wit: to be granted to wit: Friends - Clin, John Showalter, James Taylor & John Mason, the said Tithables & belonging at present to the Gang of Christian Brink, who is Surveyor of Precinct No. 1 on the road leading from Brooks Gap  
Remigio

*apptd.* It is ordered that Peter Paul be appointed Surveyor of Precinct No. 2 on the North Mountain Road in the room of Samuel Paul  
Remigio

Elyzabeth Moor orphan of John Moor and came into court and made choice of Abraham Empriller as her Guardian (she being over 14) who enters into bond with security in the penalty of \$200 as the law directs.

A Writing purporting to be the last will and Testament of Mary Purdew and was again perused in court and as fully proved by the Oath of Anderson Moffitt a Witness thereto & ordered to be Recorded and on the Motion of Elyjah Purdew the executor thereof named, who made oath thereto as the law directs, and entered into bond with security in the penalty of \$1000. a certificate is granted him for obtaining a probate thereof in due form.

Register of Christopher Shearsh a free Negro, was returned into Court and Henry compared with the said Christopher, and found duly made a copy thereof, it craves to be furnished him as the Law directs

Jacob A. Mitchell Deputy Sheriff for David Stanton Sheriff + Returns a list of delinquents and arrests in the County Levy for 1837. was examined and allowed by the Court and craves to be Certified

An appraisement bill and sale bill of the estate of Joseph Thornton deceased, were returned, examined & craves to be Allowed

On the Motion of Christian Funk & Joseph Showalter execs of Henry Shank decd, it is craved that Richard P. Fletcher be appointed a commissioner to examine estate and settle the estate accounts of said Shank decd and make report thereof to the Court

On the Motion of John F. Effinger exec of Joseph Thornton decd, it is craved that Richard P. Fletcher be appointed a commissioner to examine estate and settle the estate accounts of said Thornton deceased, and make report thereof to the Court

Craves that Tawney Dovel be appointed surveyor of Precinct No 5. on the road of which Joseph Byrd was surveyor, <sup>from Whelan's Mill to Salt mill gap</sup> in the Road of said Joseph Byrd deceased

Craves that Robert Gattaw Jr be appointed a commissioner to survey to Peter Oliver surveyor of Precinct No 2 on the Road from Freedom Church to Myler Run, <sup>on Mill Creek</sup> the lands to be taken from Peter Robert Gattaw who is surveyor of the Road from Freedom Church to the stage Road, and make report thereof to the Court

+ Craves that the overseer of the Poor be Mary Summers a poor child of Polly Percupied 14 y ears of age the 15 July 1838 to ~~Peter~~ Adam Allen. as the Law directs who is to receive for freedom dues \$20

Craves that George Effert be appointed Surveyor of Precinct No 1. on the Road call Press Mill Road, <sup>or</sup> in the road of Jacob Blow surveyor

Present R. P. Fletcher, Gent

Copies sent out

Ordered that Jacob Bowman be appointed Surveyor of the Road up Dry Run which is heretofore to be called one Precinct, ~~which~~ is to begin at Williams Blain Gate, and to end at the top of the Mountain, ~~as this~~ and that he with the Tithables allotted to work on the same, which heretofore (constituted 3 precincts), open work thereon and keep the same in good repair, <sup>and that</sup> ~~all~~ ~~roads~~ so much of any or an or exempt <sup>any of</sup> the said Tithables from working on said Road, be ~~required~~ - or any part thereof be rendered

Settlements of the estate accounts of Mary Stiffman dec'd, her heirs dec'd, were return'd into Court examine'd and to be Received

Ordered that the Court be adjourn'd until to Morrow morning, at 10 o'clock

Richard P. Hatcher

62  
Tuesday the 19<sup>th</sup> June 1838

Present

Jonathan Shipman, Jacob W. Williamson, Samuel S. Lewis  
Andrew Moffett, Jacob Stambarger, Jacob Reub, John St.  
Campbell, Michael St Harris, Jacob Miller, Robert G. Gattow Jr  
William B. Ganey, John A. Sterring, Richard P. Fletcher  
Stephen Stambarger, Isaac Thomas, Peter P. Koochy, Abraham  
Smith, Augustus Waterman, <sup>Geo. M. Kemper, Reuben Eldon</sup> ~~James M. Eldon~~, Jonathan Peal.

being a Majority of all the acting Magistrates in the County  
~~The Magistrates~~ <sup>then summoned for that purpose, a copy of</sup>  
The ~~Magistrates~~ having proceeded to the election of the County  
of Rockingham for the Term of seven years and the names  
of the Justices present and voting, being called they voted as follows  
to wit: . . . . . For Harry J. Gambell -

- Mr. Shipman,
- Mr. Fletcher,
- Mr. Williamson
- Mr. Campbell
- Mr. S. Stambarger
- Mr. Lewis
- Mr. Moffett
- Mr. Kemper
- Mr. Smith
- Mr. Reub,
- Mr. J. Stambarger
- Mr. J. Peal
- Mr. F. Miller
- Mr. Waterman
- Mr. Harris
- Mr. Gattow Jr
- Mr. G. S.
- Mr. Thomas
- Mr. Ganey
- Mr. Peter P. Koochy
- Mr. Sterring

Whereupon, it is ordered that the said Harry J. Gambell  
be appointed Clerk of ~~for the~~ of this County for the  
Term of seven years, according to Law, who took



Sp. Sent by  
mail. or same  
way as the  
first.

The Court proceeded to the appointment of two assistant  
assessors for the North West district of this County, and  
the names of the Justices being called a Majority thereof  
noted for Anthony Stufferman & Peter P. Koenig, <sup>whereupon, it is ordered that they</sup> be unanimous  
+ by be recommended to the Governor, as proper and fit persons  
to fill the said office of assistant assessors, which is  
ordered to be certified

Rechar, & Dunlap <sup>fa St. James</sup> upon a Note or a Deed bond Note  
+ made & executed a/w

On the motion of John Cowan, exor of Henry Cowan ad, it  
is ordered that John Stufferman, Peter P. Koenig & George Roads  
be appointed commissioners to value the lands deeded by  
the Will of said Henry Cowan to be sold, and make  
report to the Court

Ordered, that the attorney for the Commonwealth of this County  
do proceed to institute suit or suits on the bond or bonds  
executed by David S. Jones and John and Lebrans and their  
securities, where bonds were given, to the commissioners appoint-  
ed to raise money by lottery to erect a bridge across the  
Shannon dook River, at a place called, Madricks ford, in this  
County, and it is further ordered that Henry J. Gambell, the  
agent for the county, be appointed by to attend to said suits, &  
to pay all costs that may ~~accrue~~ accrue on behalf of the County  
in ~~prosecuting~~ prosecuting said suits, out of any moneys in his  
hands due the County

Henry J. Gambell agent for the County. Returns into Court  
an account of his proceedings from June Court 1836. to this  
day. showing a balance in his hands due the County of \$10.53 cts.

+ which account was examined and allowed by the Court  
and ordered to be filed amongst the Records, and it is ordered that  
the said Gambell be continued as the agent for the County, until  
otherwise <sup>ordered</sup> ~~directed~~ by the Court upon the terms and conditions  
heretofore directed

John R. Plecker Deputy for James Denton, Returns a list of  
Delinquents and insolvents in the County Levy for 1837. which  
was examined and allowed by the Court and ordered to be certified

It is also that Nancy Hogan, years old, (who was formerly bound by the overseer of the poor to Isaac Sturdish), be bound by David N. Huston, as the Law directs and it is ordered that the order and indenture bearing the said Nancy to said Sturdish be returned, and it is ordered the said Huston pay to said Nancy for freedom am. \$20

It is also that Isaac Sturdish be appointed a Commissioner to Superintend the Court house yard, to how duly it shall be to take care of the trees therein, and further to ~~take~~ ~~and~~ ~~so~~ ~~far~~ ~~in~~ ~~his~~ ~~power~~ ~~to~~ ~~keep~~ ~~them~~ ~~from~~ ~~dying~~, and to ~~repairs~~ replant others in the place of those so dying, and further to take such means as he shall deem necessary to get the yard set in grass.

Commonwealth v. James Foley on recogny for arrears of the ~~poor~~ ~~concerns~~ for Defendant

It is ordered by the Court, that Peckey Harrison, Lemuel W. Burckholder and Richard P. Fletcher be appointed Commissioners, & cause to be measured the Market house, of the Public square, in Harrisburg, under the authority of the Court, of the County of Rockingham, upon such terms and conditions as to them shall seem fit, and to report their acting and doings in the premises to the September Term next, and it is further ordered that they draw on the County Treasurer for such sum of Money as may be necessary for the same, to be paid out of the County depository.

A Majority of the Magistrates of this County being present, the Court proceeded to assess the County levy for the year 1838, which year commences at Decem<sup>r</sup> the Court 1837. a Statement whereof is as follows to wit  
 To Robert Gray Esq. attorney for the Commonwealth  
 for the ensuing year. \$100.00

amount brought up . . . . . \$100.00  
 To Henry J Gambill Clerk for the ensuing year . . . . . 100.00  
 To Peter Friebe Sale Jailer, and Olevy Sterting the present  
 Jailer, as compensation for them for the ensuing year to be divided  
 between them . . . . . \$ 50.00  
 To David Stanton Sheriff for one year from date herof . . . . . 75.00  
 " Olevy Sterting for keeping the Court house for  
 one year from the date herof . . . . . \$ 55.00  
 " Compensation to Surveyors of the Roads, for work done  
 on the Public Roads, Indian Roads, repairing Bridges and  
 Corways and for Gun Power, as per Claims . . . . . \$ 499.09 1/2  
 " Peter Friebe for repairs done to the Jail as per account. . . . . 15.21  
 " for Compensation to Coroner & Constable for holding inquest  
 on several dead persons as by Law directed . . . . . \$ 8.15  
 " Athaw S Sprinkles Captain of Patrol and is men  
 amounting to 215 hours @ the rate of 75 cents for every 12 hours . . . . . \$ 13.43  
 " Isaac Stardisly & others Commissions heretofore appointed  
 to have the Court house yard enclosed as per account . . . . . \$ 127.13  
 " so much allowed the Commissions of the Charlottesville  
 Road as per account rendered . . . . . \$ 50.00  
 " for an allowance for delinquents support 422.03 cents . . . . . 158.25  
 " for compensation to sheriff for collecting the Levy . . . . . 91.37  
 \$ 1322.63

County Depository support . . . . . 358.48 1/2  
 \$ 1681.12

On

By 4483 Tithable @ 37 1/2 cents is . . . . . \$ 1681.12

Actual amt of Claim \$1073.01 1/2

Orders that David Stanton Sheriff collect from each Tithable  
 person in this County, <sup>not exempted</sup> 37 1/2 cents, and out of the Money arising  
 from such Collection pay the aforesaid several Claims, and  
 the balance into the hands of Henry J Gambill the agent  
 for the County, at the terms directed and prescribed by Law

Orders that Isaac Stardisly & Hugh Bruffly do and they  
 hereby are appointed Commissions to have such repairs done to the  
 Jail of this County as they shall deem necessary (provided the same  
 shall not exceed the sum of \$300) and make Report thereof  
 to the Next Court



On the Motion of Henry Arrow, and for Reasons appearing to the Court. It is ordered that the said Henry Arrow be exempted from the payment of Revenue County and parish Taxes from the date hereof

On the Motion of Margaret Barto, and for Reasons appearing to the Court. It is ordered that she be exempted from the payment of County and parish Taxes for her son Davis Barto from the date hereof

Ordered that the Court be adjourned until the 1<sup>st</sup> Monday in July next.

Peckey Harrison  
~~of~~

Virginia to suit

At about held for the County of Rockingham on the Monday being the 16<sup>th</sup> day of July 1838.

Present.

James Dennis, Jacob Rees, Michael St. Harris  
and Robert G. Fulton  
and Robert G. Fulton

Affidavit of Conveyances, and other writings admitted to be taken Record in the Clerk's Office of the County Court of Rockingham from the 1<sup>st</sup> to the 30<sup>th</sup> day of June 1838. (both days included) was returned into Court by the Clerk thereof, and being examined by the Court, is ordered to be entered on the Minutes and to be posted up at the door of the Court House of said County, and is as follows (to suit):

not found

Advers for said Daniel Good to Jacob Good.

found

Advers for said Joseph Longware to Edward Stevens in Trust for E. Lefe

found

Advers for said Bennett Rain to Zachariah Taylor.

found

Advers for said Richard Robinson to William Dinslow

not found

Advers for said Daniel Long to Isaac Long.

Advers for said William B. Abbott to James Simeon

Advers for said same to David Myant

Advers for Person Property Dennis By no. to John St. Campbell in Trust for Jacob By no.

not found

Advers for said Adam Ware to William Showalter

Advers for said M. Rain to Jacob Leonard.

Advers for said William Rain to same

Advers for said Bennett Rain to same

Advers for said M. Rain to Chapman Cole

Advers for said Christian Funks to Christian Brunk

Advers for said John Zickel to George Stuff

Advers for said George Archart to John Hingardier

Advers for said John Foster to Amos Allright.

found

Advers for said William Erwin to Peter Cook.

not found

Advers for said George Roads to Philip Reed

Advers for said William B. Abbott to Luther Bellings

Advers for said James Clark to Samuel Newwander.

not found Paid for Laws Ele. St. County to Peter P. County.  
 do Paid for Laws Jonathan Rush to Jacob Rush  
 do Paid for Laws James Fryer to B. Bowman  
 Paid for Laws for P. Estate Lewis Miller to Jacob Plausen  
 not found Paid for Laws Allen to Bryan, Kinley, Berry & to S. M. Warden  
 do Paid for Laws George Courso to Jacob Courso

David Wentow Plff

copy  
 to do

agst  
 Martin Bentsholder admr of  
 John Gains dec'd & heirs of said

In Chancery

John Gains dec'd & heirs of said  
 John Gains dec'd & heirs of said  
 Defendants

This Cause came on the 16<sup>th</sup> day of July 1838 by  
 Consent to be heard, on the bill and exhibits, answers and  
 depositions made in this Cause, and the report of Martin  
 Bentsholder, heretofore returned in this Cause and  
 appraisers of and also upon the report of the appraisers  
 heretofore appointed to value the slaves William names  
 in the bill, and no exceptions being taken to the same  
 and the Court being satisfied therewith the same is  
 confirmed, and the Court seeing from the reports of the  
 commiss. and appraisers appointed by the Court that the  
 sales and appraisement of all the slaves named in  
 the bill amount to \$1078 without however deducting  
 therefrom the costs of said sale advertising &c and  
 the commiss. Bentsholder, commiss. on the sales  
 of slaves Delpha and Mary, and the Court being  
 also satisfied that the Plaintiff David Wentow is  
 entitled to the above interest of Louisa Gains the  
 widow of John Gains dec'd in said slaves, or also  
 the interest of the six children of John Gains dec'd  
 as stated in the bill, that is to six tenths of said  
 slaves, and also to seventh tenths of the one tenth  
 (that is in the share of the dec'd child of John

Gains and) and the Court being likewise satisfied from the  
 statements of Charles Stanton and Charles Burchholder filed in  
 this cause, that the said Joannes Gains the widow of John  
 Gains and, is between 56 and 57 years of age, and that her  
 constitution and health is about as good as ordinary for persons  
 of her age, the Court doth therefore, advise, order and  
 decree, that a Commission of One and <sup>eight</sup> ~~ten~~ per cent, which  
 is hereby allowed to the said Burchholder in \$728. for selling  
 the said Mary & Delphi, and the costs of advertising and  
 sale, and the entire costs of all parties in this suit be  
 deducted from the said \$1078, and that there, there be  
 deducted therefrom \$200. for the down interest of the  
 said Stanton in said slaves, and that of that Remains  
 each of the said infants defendants, are entitled to the  
 one tenth, and one tenth of one tenth, and the said Maria  
 Stanton, to the Remains, and the Court doth further  
 order and decree, that Richard P. Fletcher, who is hereby  
 appointed a special Commissioner for the purpose, (there  
 being no Master Commis.) shall state and settle an  
 account between the parties in this suit, according to  
 the above principles, and to make report thereof to  
 the Court, at its next term to enable it to make a final  
 decree, The said Fletcher, Commissioner, having first  
 given the parties notice of the time and place of taking  
 said account, when either party may take evidence to  
 show that the Value of the down interest in said  
 slaves is different from the same, above stated and  
 allowed, and if the evidence should show, it to be  
 different then the said Commis. will make his account  
 and report to correspond, with said different Value  
 but in all other parties, to be regulated by the principles  
 above decreed

On the Motion of Martin Bunkholder, it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the accounts of said Martin Bunkholder as Guardian of Sarah Moyer widow of Abraham Moyer and also make report to the Court.

On the Motion of Seth, Blakely & Fry, and they having paid to Geo. H. Christian Deputy Sheriff, \$15. it is ordered that a license be granted them to keep an Ordinary in the County until May Court 1839. on their entering into bond, with security in the sum of \$150. in the Clerk's office as the law directs, the Court being of the Opinion that they are Men of good Character not addicted to drunkenness or gambling, and that they will keep an orderly and respectable house of entertainment, which is ordered to be entered of Record.

On the Motion of John Stephens admr of Elizabeth Stevens decd. it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Elizabeth Stevens decd. and make report thereof to the Court.

On the Motion of Solomon M. Sturles, it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the accounts of said Sturles as Guardian of Martha M. Barto, and Davis Barto, orphan of John Barto decd. and make report to the Court.

On the Petition of Daniel Zuckel and others, for a way for a road, leading from the Stage Road, Beginning on a line between the lands of William West and Lewis

Zukle, (which lands they purchase of the heirs of Geo Berry 1800) and running with said land, to a line of Berry Mely & William West, thence with West & Melys line to a line of Daniel Zukle and Mely, thence with Zukles line to the lands of Tobias Beaw and Ephraim Woods, thence with their line to the lands of Beaw & John Melleck, thence with Beaw & Melleckes line until it intersects Cross Mill Road near Markes Martys land, it is ordered that Daniel Peckering, Jacob Roads, William & Harrison and George Roads, or any three of them being first sworn, to view the said way, for a road, and make report thereof to the Court of the Commissioners and in common attending, the same, ~~to the Court~~, as well to the Public as to individuals as the Law directs.

- On the Petition of John Starnberger, for leave to alter a part of the swift run by a road, further upon his honor, as set forth in the Petition, it is ordered that Berry Mello, Jacob Mello & Charles Mery & William Mery, or any 3 of them being first sworn, do view the said alteration, and make report thereof to the Court of the Commissioners and in common attending the said alteration, as well to individuals as to the Public as the Law directs.

On the Motion of Harry J Gambell Clerk of the Court David St. Gambell is admitted his deputy, who thereupon as Open Court took the several Oaths of Office, as directed by Law, where is ordered to be Certified.

Richard P. Fletcher and James Clark, Comrs in ch of the River in town for this County, Returned accounts for accounts to \$150 of the 1808, which accounts was allowed by the Court and ordered to be Certified.

A Register of George a free Negro, was presented in Court and being compared with the said George, and found duly in a w, a copy thereof is ordered to be furnished the said George by the Clerk as the Law directs.

An appraisment bill of the estate of Mary Sanders deceased, was returned, examined & ordered to be Recorded

A bill of the estate of Mary Sanders deceased was returned, examined & ordered to be Recorded

Settlements of the estate accounts of Barbara Peery, Mary Sanders, John Tutwiler, and Samuel Beideman, were returned, examined and severally ordered to be Recorded

A settlement of the accounts of Jacob Moyes, as Guardian of Catharine Moyes, was returned, examined and ordered to be Recorded

Commonwealth - James Foly, on a Recognizance for arrears of the peace on the Complaint of Jacob Spitzer  
 The defendant, appears in Court, in the charge of his Recognizance, whereupon sundry Witnesses, being sworn and examined, and the said James Foly, fully heard, it is the Opinion of the Court, and accordingly order that the said James Foly give security in for his good behavior for the term of one year, that is to say himself in the sum of \$150. with one good security in the sum of ~~\$150~~<sup>200</sup> or two securities in the sum of \$200 each and that he stand committed until he give such security, and may or may pay the costs of this prosecution whereupon the said James Foly, with James Steto his security, do then pledge themselves to and to be made to David Campbell Governor of Virginia, the said James Foly in the sum of \$150. and the said James Steto in the sum of \$200. to of their respective goods and Chattels lands and Tenements to be shewed, and to the said Governor, and his Successors for the use of the Court to be returned. Yet upon this Condition that the said James Foly shall keep the peace, and be of good behavior for one year, from the date hereof, towards all the Citizens of this County, and particularly towards the said Jacob Spitzer, then the above Recognizance to be void &

On the Motion of Henry G. Linn, who enters into bond with security in the penalty of \$2500. and on oath thereunto as the law directs, a certificate is granted here for obtaining letters of administration on the estate of Lewis Byrd and in conformity therewith the widow of the said Lewis having from under her hands refused to act as administrator the brother of the said Lewis which fact is sworn to be certain, and it is ordered that Mathew Spivey, Jacob Miller, Peter Paul & Joseph Miller or any three of them being first sworn do appear the estate of the said Lewis Byrd, and make report thereof to the Court

John Parkers writ of Adquod Damnum, (heretofore granted) for the erection of Water Wheel Mill on Beaver Creek, being returned with the request of the Jury thereunto assigned, and it appearing to the Court that Dennis Blofer is interested in the establishment of said Mill and dam, ~~to the extent~~ that he having purchased the lands of Lewis Byrd in the preceding mentioned, and it also appearing to the Court that the said Lewis Byrd has departed this life intestate since the issuing of the said writ, it is therefore ordered that the said Dennis Blofer be summoned to appear here at the next Court, to shew cause if any he can why the said Mill and Dam shall not be established agreeable to the request of the Jury aforesaid

x  
 up & make  
 given  
 x  
 As also that the Overseer of the Poor here, John M. Johnson (13 years old in March last) be summoned to shew the Trade of a Taylor as the law directs, who is to receive for freedom dues \$20

As also that the Court be adjourned until the 7<sup>th</sup> Monday in August next

Saml Coates

It about Call<sup>d</sup> and held at the Court house of  
Rockingham County on the 18<sup>th</sup> day of August 1838, for  
the trial and examination of Robert Saunders who  
has been committed to the Jail of this County on suspicion  
of Felony and stands charged with feloniously Stealing  
and carrying away one Snaffle bit double felt bridle  
one Martingale with every ring of the Value of  
\$2.50 the Property of Thompson Bull  
Parents.

Richard P. Fletcher, Jacob Ruth, Jacob Starbayer,  
Samuel Cook & Charles C. Spear.

The prisoner was led to the bar in Custody of the  
Jailer, and being charged with the said Felony pleads  
not Guilty, and thereupon swears Witnesses, to wit  
Thompson Bull, William May, Senr. & Jap. Benjamin  
Trumbo, & Addison Harper

Were sworn and examined, Touching the said felony  
and the said prisoner being fully heard in his defence  
by David Stead Esq. his attorney, the Court upon Consider-  
ation of the Circumstances of the Case, are of the Opinion  
that the said Prisoner is Guilty of the said Felony whereof he  
stands charged, and for the same is tryable in the County  
Court of Rockingham, and that he be committed to the  
Jail of this County that he remain until discharged  
by due Course of Law. Men<sup>r</sup> Isaac Bull, William  
May, Senr. Jap. Benjamin Trumbo & Addison  
Harper appear in Court and severally acknowledge  
themselves to owe and be indebted to his excellency Daniel  
Campbell Governor of Virginia and his successors in  
the sum of \$100. each to be levied of them respectively

Goods and chattels stolen and Tresspasses and for the use of the court to be returned, yet upon this certificate that of the said Isaac Bull, William May, John May, Benjamin Trumbo & Asa Snow Sturges shall make their appearance at the Court house of this County on Monday the 20<sup>th</sup> of this month then and then to give evidence, in behalf of the Court agt Robert Sauman charged with felony, and shall not depart the Court until discharged by due course of Law then the above recognizance to be void, and to remain in full force and the Court arose.

R. P. Fletcher

Verified to wit,

At a Court held for the County of Rockingham on the 20<sup>th</sup> Monday being the 20<sup>th</sup> day of August 1838

Present. Samuel S. Lewis, Jacob Rusk, Jonathan Peal and Charles C. Spear. E. G. Justice

A Book of Conveyances and other writings, admitted to Records in the Clerk's office of the County Court of Rockingham from the 1<sup>st</sup> to the 31<sup>st</sup> July 1838 inclusive, was returned into Court by the Clerk thereof, and being examined by the Court, and ordered to be entered on the Minutes, and also left to be posted up at the Court house of said County, and is as follows:

- not found ✓ Deed for land James Stalder to Peter B. Dowdall
- found ✓ Deed for land Newton Starnes to William W. Mahan
- found X Deed for Personal property. Proven W. Cornish to P. Williams, Jr. in Trust for Geo. Isher &
- found ✓ Deed for land James Foley to J. Kenney in Trust for David Steele
- found ✓ Deed for land P. Land Lowman to A. C. Bryan in Trust for Coffman Cooper
- not found ✓ Deed for land Arch<sup>d</sup> Brock to Barbara Alder
- not found ✓ Deed for land Barbara Alder to Archibald Brock
- found ✓ Deed for land Jacob Early to Samuel Early
- not found ✓ Deed for land John Kourtyman to Michael Summers
- found ✓ Deed for land Solomon M. Sperry & others to David Fesler

found Order for Sam Michael Parris to Joseph Miller (of C. New)

found Order for Sam Joseph Miller to John Begone

C An appraisment bill and sale bill of the estate of John  
Reid and was returned ex officio & ordered to be recorded

P On the motion of Abraham Knapp executor of Isaac  
Spitzer and it is ordered that Richard P. Fletcher be  
appointed a commissioner to examine state and settle  
the estate accounts of said Isaac Spitzer and make report  
to the Court

George W. ~~Proffer~~ (foreman) Joseph Bellhimer, John  
Ranken, John Shoemaker, John Durlap, John Starnberger  
Senclair Kyle, John Waller, George Hyzer, John Cooper  
Philip Leggett, Lewis Stueckle, Samuel Bechler, Peter  
Praramen, Daniel Frank, Henry Wanger, Samuel  
Shank, John Harris, Jesse Bostlow & Philip Spitzer  
~~Joseph Bellhimer~~

were sworn jurors for this County, who receive their  
charge and retired from the bar to consider of their  
Presentments and after some time returned into Court and  
made the following, an indictment for Petit larceny  
agt Robert Saunders etw bill - and an indictment  
for an assault & battery ~~etw bill~~, against Jacob Showalter &

and agt the same for an assault & battery, and an indictment  
for assault & battery, agt, Zebulon Helmer, ~~Thomas~~ <sup>George</sup>

A Lloyd Jr. <sup>Joshua</sup> Helmer, John Carrusock, and  
Zachariah Rain. true bills, and the said grand  
jury having no further business before them they were  
discharged and it is ordered that summonses be awarded  
against the said several defendants, to answer the said  
indictments returnable here at November Court next,

The Court doth appoint, Jacob Runkel one of the Commissioners  
 of the Seneca and Cayuga Roads, as Treasurer or Receiver for the said Board,  
 of Commissions

CP Runkel is to perform all the duties of ~~said~~ Treasurer to said Board  
 having first entered into bond with security in such penalty  
 as the said Board of Commissioners shall direct, and with such  
 consent as the Law requires, and file the same with the  
 Clerk of this Court, and it is further ordered that each  
 of the said Commissioners be allowed at the rate of ~~\$1.50~~ <sup>\$1.50</sup> cents  
 per day they shall be engaged in the duties of Commissions  
 as aforesaid. which is ordered to be Certified

On the Motion of Harry Showalter and Daniel Showalter  
 who read oaths thereto, as the Law directs, and entered into  
 bond with security in the penalty of \$2,500, a Certificate is  
 granted them for obtaining Letters of Administration on  
 CP the estate of Joseph Showalter in due form, and it is ordered  
 that John Shaver, Frederick Collier, Christian Furtak &  
 John D. Harrison, or any 3 of them be appointed to appraise  
 the estate of the said Joseph Showalter and make report  
 to the Court, Mrs Showalter the Widow having been under her  
 hand relinquished her administration on said estate

Samuel Showalter orphan of Joseph Showalter, and over 14  
 years of age came into Court and read Oath of George Mallow  
 as his Guardian who entered into bond with security in the  
 penalty of \$1,000 as the Law directs

Mrs Showalter orphan of Joseph Showalter and over  
 14 years of age came into Court and made Oath of Jonathan  
 Harrison as her Guardian, who entered into bond with security  
 in the penalty of \$1,200 as the Law directs

Ordered that John Showalter be appointed Guardian for  
 Jacob Showalter an infant Child of Joseph Showalter and  
 under 14 years of age who entered into bond with security in  
 the penalty of \$1,400 as the Law directs

On the Motion of William Fury, and he having paid to Geo. St. Chrismson Deputy sherriff \$150. it is ordered that a Decree be granted him to keep private entertainment in this County until May Court 1839

A Writing purporting to be the last will and Testament of Sarah Frymeyer and was presented in Court, and was proved by the Oaths of the Witnesses thereto & ordered to be Recorded and on the Motion of Nicholas Hopkins the creditor named in the said Will, who entered into bond with security in the penalty of \$5000. and made oath thereto as the Law directs, a Certificate is granted him for obtaining a Probate thereof in due form, and it is ordered that Martin Burkholder, Joseph Burkholder, Lewis Keller and John Felby or any 3 of them being first sworn do appraise the estate of said Frymeyer and make report to the Court.

On the several Motions of Wally Sanderson, Henry Miller & Charles Charrates & and they having paid to the sherriff the same imposed by Law, Decree is respectfully granted each of them to keep private entertainment in this County until May Court 1839

On the Motion of William Miller and he having paid to D. St. Smith Deputy the sum of \$15 the tax imposed by Law, it is ordered that a Decree be granted him to keep an Ordinary at his <sup>house in this</sup> County until May Court 1839. on his entering into bond with security in the penalty of \$150 in the Clerks office as the Law directs, the Court being of the opinion that the said Miller is a Man of good Character not addicted to Drunkenness or Gambling and that he will keep an orderly and useful house of entertainment

Jacob Burkholder the same is ordered as in the case of William Miller



On the Motion of John Rees, who made oath thereto, and entered into bond with security in the penalty of \$4000 as the law directs, a Certificate is granted him for obtaining letters of administration on the estate of the said Peter Sellars and in due form, and it is ordered that Henry Kessler, John Stearns, John Gibbons & George Perme or any 3 of them being first sworn do appraise the estate of said Peter Sellars and make report to the Court

(27)

All Writings purporting to be the Last Will and Testament of William Rice dec'd. was presented in Court & was proved by James Anderson & John M. Campbell two Witnesses thereto and ordered to be Recorded; and on the Motion of John Warren, John Brown & Augustus Rice the executors <sup>named in</sup> of the said Will, who made oath thereto and entered into bond in the penalty of \$200,000. condition as the law directs, a Certificate is granted them for obtaining approval thereof in due form, - (The Will requiring that the said executors should not be required to give any security) and it is ordered that Phobey Brightwell, William Weston, John M. Campbell & James Anderson or any three of them being first sworn, do appraise that part of the estate of said Rice lying and being in this County, and make report thereof <sup>to the Court</sup>; and that Robert Kerrery, Jacob Roller James Bolland <sup>Alexander</sup> ~~Robert~~ M. ~~Robert~~ or any 3 of them being first sworn do appraise the estate of said Rice that is in the County of Augusta, and make report to the Court, and it is ordered that Solomon Pharis, Ambrose Pharis, Henry Judy & William McCoy, or any 3 of them being first sworn, do appraise the estate of said Mr. Rice in the County of Perimeter, and make report to the Court

3 Copies made out

Attestation of, Peachy Gordon, Pembus Leroy, John Brandy, & Harris or Burks, free Negroes, was returned into Court, and being severally compared with the said Negroes, and found duly made copies thereof are ordered to be furnished there in the manner directed by Law.

~~Attestation of, Peachy Gordon, Pembus Leroy, John Brandy, & Harris or Burks, free Negroes, was returned into Court, and being severally compared with the said Negroes, and found duly made copies thereof are ordered to be furnished there in the manner directed by Law.~~

On the Motion of John Stenton administrator of Joseph Stenton dec'd. it is ordered that Richard P. Fletcher be appointed a Commissioner to examine estate and settle the estate accounts of said Joseph Stenton and make report to the Court.

On the Motion of George M. Puffer administrator of Dr. Michael Rutherford dec'd. it is ordered that Richard P. Fletcher be appointed, a Commissioner to examine estate and settle the estate accounts of ~~Michael~~ said Rutherford and make report thereof to the Court.

Fleming Welford and Stottles heirs in Chancery.  
 The Plaintiff having filed their bill, as their Motion in this Cause, Benjamin Erwin, was appointed guardian of the ~~Plaintiff's~~ <sup>Plaintiff's</sup> appointed guardian a return for the infants defendants, Rebecca A. Stottle, James M. Stottle, Rachel J. Stottle & Margaret S. Stottle, who thereupon filed their answer, <sup>in Court</sup> to which a replication was filed, and the defendant Rebecca Stottle the widow also here filed her answer to which a replication was filed - and it appeared to the Court that the defendants James and wife and Margaret and wife, are no inhabitants of this County an order of Publication as to them defendants, is awarded returnable here as the Law directs.

On the Motion of Philip Thrupp executor of Peter Thrupp dec'd. it is ordered that Samuel Wampler, John Wampler, Aramis Lebert & Pelee Perry, or any 3 of them being first sworn do appraise, the real, and personal estate of the said Peter Thrupp deceased and make report thereof to the Court.

And also that the Court be adjourned until to morrow morning at 10 o'clock.

S. H. Lewis.

Tuesday the 21<sup>st</sup> August 1838

Present

Samuel H. Lewis, Samuel Cook, Charles  
C Spear & John A. Herring . . . . . S. G. Foster

- C On the Motion of Henry Galston cousin of Lewis Byrd  
des? who was the Guardian of Abraham Whittier / it  
is ordered that Nicholas P. Fletcher be appointed a Comptrol  
to examine, state and settle the accounts of said Lewis  
(B) Byrd des? as Guardian of said Whittier, and make  
report to the Court.

C Smith & Samuel Cook, By Consent the Defendant  
appears in Court and Confess<sup>s</sup> a fine and for the costs of  
this prosecution

C The same & same . . . . . saw Order

Lore & Murry, Offense Inquest set aside prayer please  
C Reaffirmation of fine and costs

C Perrybaker Hooper (Hopkins) & Sanderson . . . . . saw

C Caswell & Linnow . . . . . saw

C Zerkalo Ho & J. Peckering . . . . . saw

C Andis Adams & Coffman . . . . . saw

C Effergin & Linnow . . . . . saw

C Newton B. Burchholden & Linnow . . . . . saw

C Coffman Hooper & Smith . . . . . saw

C Nyle & Logan . . . . . saw

C Effergin & Small . . . . . saw

C Hunter & Hopkins . . . . . saw

✓ Sovereign in gloom, Office Inspect set aside, payment plea  
 General application of office and contents

✓ Taylor agents vs McMahan same

✓ Pyle vs A Dove same

✓ Pifer vs Massaman P same

✓ Coffman Hooper vs Durlap same

✓ Lamb vs Evers same

✓ Gordon vs Stamrock same

✓ Hoogler vs Stover same

✓ Hoogler vs Small same

✓ Belknap vs French dismissed agreed (cost tax)

✓ Lamb vs N. Landa same

✓ Court - Samuel Tulewiler on a recogno for arrears of the peace  
 on the complaint of Jacob Spitzw, The defendant moves the  
 Court to quash the said recogno, for the reason stated, which  
 motion upon argument was overruled by the Court.

✓ Settlements of the estate accounts of Jacob Neely, Bayard  
 Furbach, Malchus Brannan, Margaret A. Bowyer, Henry  
 Stambarger, Charles Lewis & Adam McNeal, were returned  
 examined, and severally ordered to be recorded

✓ Settlements of the accounts of Solomon M. Stanger  
 as Guardian for Samuel W. Baxter, was returned, examined  
 & ordered to be recorded

✓ A Report of the Surveyor for a road, from the stage road, made  
 in pursuance of the Petition of <sup>William</sup> Zittle & was returned  
 into Court. Whereupon, it is ordered that William West,  
 Lewis Zittle, Alexander Stolbringer, Peter Stolbringer & Tobias  
 Beare, (through whom said the said road is proposed to be  
 laid out) be summoned to appear here at the next  
 Court to show cause why the said road shall not be established  
 as agreed to the said report

Commonwealth v Samuel Tutwiler, on recogn for a  
 C breach of the peace on the Complaint of Jacob Spitzer.  
 The defendant appears ~~and~~ <sup>to</sup> the Court in discharge  
 of his ~~own~~ Recognizance, whereupon the said Jacob Spitzer  
 was sworn and examined, and the arguments of Counsel  
 heard, it is the Opinion of the Court, and accordingly they  
 order that the said Samuel Tutwiler, be acquitted and discharged  
 and go thereof without day and receive agst the said Jacob  
 Spitzer ~~his~~ <sup>the</sup> prosecutor his costs by him about his defence  
 in this behalf expended.

Commonwealth v Robert G. Fisher, Abraham Whitman,  
 C Joseph Beers and William Wright, upon Recognizances  
 B for Breach of the peace on the Complaint of Jacob Spitzer.  
 The defendants severally appears in Court, in discharge  
 of their Recognizances, and the Court having heard the  
~~arguments~~ <sup>arguments</sup> and arguments of Counsel, is of the opinion  
 that the said defendants give security <sup>for their good</sup>  
 behavior for the term of twelve <sup>from the date hereof</sup> months, that is to  
 say each of the said Defendants, in the sum of \$50. and  
 security in the sum of \$50, and that they stand committed  
 until they give such security. ~~Whereupon~~ <sup>Whereupon</sup> pray the costs  
 of this prosecution; Whereupon the said Robert G. Fisher  
 with Samuel Tutwiler, <sup>his surety</sup> Joseph Beers with James Brown his  
 security, Abraham Whitman with James Moon his surety &  
 William Wright with <sup>Stephen</sup> ~~Abraham~~ <sup>Whitman</sup> his security appear  
 in Court, and severally acknowledge themselves, and be  
 indebted to his Excellency <sup>to</sup> ~~and~~ Campbell Governor of  
 Virginia and his successor <sup>officer</sup> in, the several sums above  
 mentioned, respectively, to ~~keep the peace~~ <sup>keep the peace</sup> to be levied of their  
 goods and chattle, lands and Tenements and for use of the  
 Courts hereunder, yet upon Condition that the said Fisher &  
 shall keep the peace and be of good behavior <sup>towards</sup> ~~to~~ all the  
 Citizens <sup>of this Commonwealth</sup> and particularly towards the said Spitzer, their  
 Recognizances to be void &c.

C Countess v Ware. dismissed by order of the court

C Countess v Sir Joly. The Defendant appears in court and  
 C confers. Judgment for the costs

C Countess v Isaac Negro. New Sum awarded Returnable here at Dover  
 P. Court costs

C Rantzen v Bloper. upon a writ of Stay and Damnum, the  
 C Defendant being called and not appearing, it is ordered that  
 the writ and Oath be established specially to the request of  
 the Jury upon the Petition praying to the Defendant, the damages  
 found by the Jury.

C Reid v White dismissed agreed (both taxed)

C Reid v Summers . . . . . same

C Reid v Staffeld &c. The Plaintiff being dead, it is ordered that  
 a Subpoena be awarded agst the said defendants in the Name of  
 John Warren, Augustus Reid & John Brown the executors of  
 said Reid to show cause why the said writ shall not stand and  
 be prosecuted to final judgment in the Name of said Executors

x Orders that the Overs of the poor being Owen Sevelaw Biddle  
 7 years old in October Next, to Samuel Stight to learn the  
 CP farming business as the Law directs, who is to have for fees and  
 disbursements £20

x Orders that the Overs of the poor being Mary Batchelor  
 (16 years old on 27<sup>th</sup> April 1838,) to Smith Sofland as the  
 CP Law directs, who is to receive for fees and disbursements £20

x Orders that the Overs of the poor being George Collins  
 (a free boy of Colour,) about 8 years old, to Jacob Meert, to  
 CP learn the farming business as the Law directs, who is to have  
 for fees and disbursements £20

C Rutherford v Hagar & on a Writ of Habeas Corpus and execution  
 B. awarded (for use of the 14<sup>th</sup> of Oct 1838)

C Poultney v Keblinger &c. on a Petition for a writ, the court  
 B. having examined the request of the Jury and other evidence  
 and argument of Counsel heard, it is considered by the

Court that the application for the said road be referred  
 and the Petition of the Plaintiff be dismissed and that  
 the Defendant recover against the Plaintiff his costs by him  
 about his defence in the behalf expenses expended in prose-  
 cuting his writ of Adjudication in this case

Replied to Party upon writ of Adjudication

The court, having heard the evidence, and duly examined  
 the request of the jury, and ~~the~~<sup>other</sup> evidence heard, are of  
 the opinion that the road asked for in the said report  
 be referred, and that the Plaintiff recover against the  
 said Defendant his costs by him about his writ in the  
 behalf expenses

Jacob May is William Harper. By consent of the  
 parties by their attorneys all matters between them in  
 this suit is referred to the award and final determination  
 of Jacob Strayer, Archibald W. Hunter & George W.  
 Kemper whose award is to be made the law of  
 the court.

Ordered that the Court be adjourned until 10 o'clock  
 tomorrow at 10<sup>o</sup> o'clock

C. C. Speare

88  
~~Thursday~~

Wednesday the 22<sup>d</sup> August 1838

Present

Samuel H. Lewis, Michael H. Harris  
Charles Spear & Joseph Maury - E. G. Purley

Effingus adm<sup>r</sup> - McMahan P<sup>r</sup> on Secrefair

The Defendant filed a plea of the Statute of Sequestration  
to which plea the P<sup>r</sup>ts filed a special replication, to which replication  
the defendant McMahan demurred generally, in which  
Demurrer the P<sup>r</sup>ts joined and sent Court

Counts - Sutherland, the Defendant expressly appears in Court  
& moved the Court to grant, the executed. whole Motion was  
overruled, & a demurrer filed to the record. & struck the plea  
for the counts joined, and rule for security for costs apt.  
the prosecution was conducted by James Pely, the Prosecutor, & continued

Counts - Raden Jr continued

Early - Mr. Smith continued

Young & Pochon - Pefer continued

Moyers - Mary the P<sup>r</sup>ts <sup>being</sup> called, now sent away, without  
(B) damages. & I was accordingly,

R. Peckering - O'Rourke continued

Wardlaw P<sup>r</sup> - Woods continued

Sipe - Rank continued for award

Steele - McMahan continued for award,

Moyers - M. Chere upon arrears continued -

Barber - Nelson continued for Defendant and rule apt John  
Bookish, a Witness for the defendant, to show cause, why he shall  
not be fined according to law, for such his non attendance

at St James Court Next

The Court doth hereby assign Joseph Maury, Merchant & Peter P. Roan  
+ to the February Clasp. - William G. Thompson to May Clasp. - John  
A. Herring & William B. Maury to August Clasp. - and Jas. L.  
Spear to the November Clasp. which Clasp is ordered to be  
entered of Record.

John D. Starring & William B. Gassey.  
Absent

Mr. Maul St. Harris & Joseph Maury

Sherry vs Oyles and wife, jury sworn to try the issue  
to wit, Jacob Braithwaite, Simon W. Buschholder, James  
Moore, Saml Henry, Gabriel Woods, Peter Oentels, James  
B. Manning, John Williamson, Joseph A. Moore, William  
Ferry, Nelson Messeyer, ~~Charles~~ <sup>Stowell</sup> Rogers. Verdict for the  
Plff for \$291. Damages & Costs accordingly, <sup>and</sup> ~~with interest~~  
~~and costs~~ Defendants move the Court to set aside the Verdict & Judge  
renders in this case, ~~which~~ and grants a New Trial, which Motion  
upon argument was overruled by the Court

Geo. May vs Davis Gelinow. M & set aside Mly pleads  
General Pleading & Issues and Controversy

Graham (for J. Fryer) vs Gelinow M. & set aside <sup>Mly</sup> pleads  
General Pleading & Issues and Controversy

DeFoy vs M. Beery. M & set aside Mly pleads General Plead-  
ing & Issues and Controversy,

Wife vs Narpeth M. & set aside Mly. pleads General Pleading  
& Issues and Controversy.

Plaughton vs Furbur Controversy.

A Register of Harrison Nemo a free boy, of Colour, was  
presented in Court, an being compared with the said  
Harrison, and found duly made, a copy thereof is  
ordered to be furnished the said Harrison, in the manner  
directed by Law

Henry J. Gambill Clerk of the Board of Overseers of the  
poor, for the County of Rockingham, made a report to the  
Court of the Names, Situation and description  
of the poor as the present as the 11<sup>th</sup> day of June

last, which report, was examined by the Court approved and  
ordered to be entered of Record

Henry G. Garribill agent for the Overseers of the poor, of this  
County, returned into Court, an account of the expenses  
of the poor on the parish for the year ending the 30<sup>th</sup> of  
July last, also an account of the expenses for of Bastard Children  
within the year aforesaid, which accounts was examined  
and allowed by the Court and ordered to be entered of  
Record, and it is further ordered that the said Garribill be  
allowed \$75 for his services for the year ending the 30<sup>th</sup> of  
June 1838, to be paid out of any money now in his  
hands due the said Overseers of the poor,

Debit to Foly, and the defendant for further plea in this  
behalf please see a sault to which the Plaintiff's General P  
is joined,

Wages for D. Stead in the office beyond set separate  
paid & duplication of fees and costs

Ordered that the Court be adjourned until the next  
morning at 10 o'clock

C. C. Spear



Robert & Thomas Steele for benefit of Lor. H. Massey & Joseph  
 O'Rourke, Guy sworn to try the issue to wit John B. Mount  
 John R. Merwin, William Wheeler, Nelson Sprinkle, Samuel  
 Shadlet, Wells Coffman, Burkhard Starater, Robert Jones  
 Peter Stearns, Harry Kellie, George Funtkehouse, & Nelson  
 Keyser, order for the debt for \$16.98 cents with interest from 10 October 1827 till  
 paid, and as to the remainder of the debt in the declaration maintain as paid for the debt  
 on the plea of payment, whereupon on the Motion of the Plaintiff by their  
 attorney the said verdict is set aside and a new trial is awarded there  
 to be had at the next term upon the Plaintiff paying to the  
 Defendant the costs of this term.

- ✓ Devers admr of Coffman's estate v. Isaac Coffman for  
 Debt in the said maintain with interest & costs (saving equity) same
- ✓ same v. Wright same
- ✓ Hyger v. Rowland same
- ✓ Gray v. Palmer same
- ✓ Fisher (for Chauncy) v. S. Fisher same
- ✓ State v. West same
- ✓ State v. Landon same
- ✓ Chrisman v. Carr same
- ✓ State v. W. Gray Contemner

✓ Allison v. Lor. Foley plea was to Injunct Coffman for the  
 debt in the Declaration maintain with interest & costs saving equity  
 ✓ Allison & Walls v. James Foley same

✓ Harry Infant v. Braithwaite, John Herring sworn interer, security  
 for the costs of that may be recovered by the Defendant agt  
 the Plaintiff in this suit, and suit entered

Orامر that the Court be adjourned until the third  
 Monday in September next

W. H. Garrison

Virginia to wit.

At a Court held for the County of Rockingham on ~~Monday~~ ~~the 17th~~ ~~day of~~ ~~September~~ ~~1838~~ the 7<sup>th</sup> Monday being the 17<sup>th</sup> day of September 1838.

Present

Jacob Reist, Reuben Moor, Augustus Waldman and Charles L. Spear . . . . . J. G. Justice

Writs of Conveyances, and other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1<sup>st</sup> to the 31<sup>st</sup> August 1838. Both days (as aforesaid) was returned into Court by the Clerk thereof, and being examined, is ordered to be entered on the Minutes, and also left or sent to be posted up at the door of the Court house of said County, and is as follows.

- not found ✓ Adm for Personal Estate S. Epley to D. Byrly in Trust for Robert M. Hyle
- not found ✓ Adm for Land William W. Moore to Edward Stevens
- do Adm for Land Charles Frazer to John Christian
- do Adm for Land David Frazer to Same
- do Adm of atty Charles Frazer to Daniel Frazer
- do Adm of atty George Groves wife to Daniel Fultz
- found ✓ Adm for Personal Property J. Linder to M. W. Gaily in Trust for Geo. Krotyer
- found ✓ Adm for Land Samuel Seelys exec to Daniel Seely
- found Adm for Land Courton Long . . . . . to Same
- not found ✓ Adm for Land Daniel Seely . . . . . to Courton Long
- do Adm for Land Joseph Aldolph . . . . . to Geo. Carpenter (N.H.)
- do Adm for Land Daniel Fultz to Lewis Steph.
- do Adm for Land Geo. Fultz . . . . . to Same.
- found ✓ Adm for Land Lizabeth Staley . . . . . to Jonathan Staley
- found ✓ Adm for Land Peter Phifer exec to Christian Horn
- found ✓ Adm for Land same . . . . . to Jeremiah Phifer
- not found ✓ Adm for Land same . . . . . to Samuel Booth
- do ✓ Adm for Land M. Blosser . . . . . to Benja. Wingard Jr.

found *Ad vs* for land ~~of John~~ M'Callough to Thomas M'Callough

not found *Ad vs* for land Thomas M'Callough to Frederick Cripps

do *Ad vs* for land P. same to Allen G. Byam in Trust for Peter B. Dowdall

do *Ad vs* for land same to George M. Perry Baker & Co.

found *Ad vs* for land Adam Fancher to H. Hamble in Trust for Jacob Kroglus

not found *Ad vs* for land James Laird to Samuel Sheets Jr.

Sturges vs Allman on an appeal dismissed agreed

Community vs R. Anselm on the complaint of William Reed dismissed agreed

The declaration of Fanny Macey. Widow of Saighton Macey and taken before William B. Macey, one of the Justices of said County on the 24<sup>th</sup> day of August 1838. Together, with the certificate of said William B. Macey, Justice aforesaid, thereto annexed, was presented in Court; on consideration whereof, the same is ordered to be certified to the War Department.

On the Motion of John Sheets executor of John Sheets and it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said John Sheets, and make report thereof to the Court

On the Motion of Henry Blosser executor of Jacob Blosser deceased, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said Jacob Blosser and make report thereof to the Court

On the Motion of William Stearns administrator of Richard Curtis and it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said R. Curtis and make report thereof to the Court

On the Motion of ~~Henry~~<sup>Postlemy</sup> Brightwell executor of John Reed and it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said Reed and make report to the Court

S. Cook vs Glover by act. on appeal docketed & continued

On the motion of Peter Miller administrator of Barbara Miller  
 ad. it is ordered that Joseph Manzey be appointed  
 a commissioner to examine state and settle the state  
 accounts of said B. Miller and make report to the Court

James Moore a constable in the Beaver Creek district  
 + came into Court and resigned his said Office which is  
 ordered to be Certified

Attest of Sacrament set a free Woman of Colour was  
 presented in Court and being compared with the said  
 + Sacrament and found duly made a copy thereof is ordered  
 to be furnished her as the Law directs

An appraisment bill and sale bill of the estate of  
 Jane Stanton dec. were returned examined & ordered to be  
 Recorded

An appraisment bill of the estate of Joseph Showalter  
 dec. was returned examined & ordered to be Recorded

Ordered  
 shff  
 Ordered that Solomon Gardner be appointed Surveyor of  
 Precinct No 3 of the Swift Run Gap Road, in the room  
 of Martin Miller. resigned

On the motion of Peter Sipe, who entered into bond  
 with security in the penalty of \$800. and made oath  
 thereto as the Law directs, administration of all and  
 singular the goods and Chattle of Samuel Showalter  
 and is granted him in due form, (Susannah the widow  
 of said Samuel Showalter dec. came into Court and  
 relinquished her right of administration) and it is ordered  
 that Pleasant Clarke, John Mago, James Rankin and  
 Thomas Banks, or any 3 of them being first sworn do  
 appraise the estate of the said S. Showalter and make  
 Report to the Court.



D. Zerkle P. West v. on a petition for a road. &  
 The summons & award at the last Court, a pt said West  
 v. being returned executed, on the Motion of said William  
 West, ~~Charles~~ Toben Beane & Lewis Zerkle, through whom  
 lands the said road is to be conveyed, <sup>the</sup> appears in Court, and  
 generally prays writs of Adjudication as the  
 law directs, which writs are to be directed to the Sheriff  
 of this County, and to be executed on the 27<sup>th</sup> day of  
 this Month next returnable here at October Court next  
 About Charles to Spear.

A Writing purporting to be the last will and Testament of  
 George C. King deceased, and also a Codicil annexed to said  
 Will, which Will and Codicil, ~~was~~ are in the hands  
 & custody of the said King, and which was proved to be so by  
 Allen C. Bryan and Nathaniel Erwin, whereupon the said  
 Will and Codicil are ordered to be Decreed, and on the  
 Motion of Charles C. Spear and George St. Chrisman  
 the executors named in the said Will, who made Oaths  
 thereto, and with security entered into and acknowledged bonds  
 in the penalty of \$4,000 and made Oaths thereto as the  
 law directs, a Certificate is granted them for Obtaining  
 a probate thereof in due form.

Present Peachy Harrison

Ordered that the Court be adjourned until the 1<sup>st</sup>  
 Monday in October next.

Peachy Harrison

Virginia to wit

At a board held for the County of Rockingham  
on the 3<sup>rd</sup> Monday being the 13<sup>th</sup> day of October  
1838

Present

~~Samuel H. Stover~~ John H. Campbell. ~~Samuel H. Stover~~  
Jonathan Peav. & Jacob Rush & Chas. C. Spear. } 4. July

A Book of Conveyances and other writings admitted to Record  
in the Clerk's office of the County Court of Rockingham  
from the 1<sup>st</sup> to the 30<sup>th</sup> September 1838 both days  
(included) was returned into Court by the Clerk thereof,  
and being examined is ordered to be entered on the  
minutes, and a like list ordered to be posted up at the  
door of the Court house of said County and is as follows

- mt found A Deed for Land Abraham Early & Wife to Benjamin Coffman  
do A Deed for Land Jacob Hedrick & Wife to A. Burr Coffman  
do A Deed for Land Benjamin Coffman & Wife to Jacob Good  
do A Deed for Land Wm. John Grove & Wife to A. Bryan in trust for John Cooper & others  
found A Deed for Land Wm. A. Maupin to Robert W. Palmer in trust for James  
mt found A Deed for Land David Huck & Wife to Philip Spitzer  
found A Deed for Land Mary Mcbane to Madeline Hawking  
mt found A Deed for Land Dorman Copland & Wife to William J. Stone  
found A Deed for Land William Mcbahon to John Kinneg in trust for Abel Board  
mt found A Deed for Land Adam Wise Sr. & others to Adam Wise Jr.  
do A Deed for Land Solomon M. Hunter to Henry Booge  
do A Deed for Land Henry Booge & Wife to Solomon M. Hunter  
do A Deed for Land Abner Glick to William Hopkins & others  
do A Deed for Land Abraham Shaffer & Wife to Frederick Roads  
do A Deed for Land William B. Abbott to Kemid Shiflet  
do A Deed for Land John Shaver & Wife to ~~John~~ John Showalter  
do A Deed for Land John Strayer & Wife to Benjamin Streckler  
do A Deed for Land John Strayer & Wife to Same  
do A Deed for Land John Whitman & Wife to James Deven

- found A Dec for Land Evan Stuntow & Wife to Peter Stuntow
- not found A Dec for Land Peter Stolsinger & Others to Adam Raymond
- found A Dec for Land Barbara Hooper to Christian Hooper
- found A Dec for Land Henry Hooper & Wife to Christian Hooper
- not found A Dec for Land Luther Billings to Isaac Miller
- go A Dec for Land Joseph Snell to John Shepler

David Stuntow . . . . . Plaintiff  
 agt  
 P. John Gains adm and others . . . . . Defts } In Chancery

C This cause came on by consent to be finally heard this 15<sup>th</sup> day of October 1838. on the bill & answers. Orders and Reports of heretofore made and filed in this cause, and on the report of Commissioner Fletcher made and filed in this cause, and no exceptions being taken to it the same is confirmed, and it appearing from said report that the Plaintiff Stuntow is entitled to \$765.01 cents and the defendants John and Nancy and Lucy Gains each to \$92.77 1/2 cents; The Court doth therefore order that the said Stuntow and Martin Burkholder in that way to divide the said Monies, and as all costs are already accounted for that the bill be dismissed without costs & reserving leave to the infant defendants to shew cause if any they can, at any time within one year after they respectively attain the age of 21 years.

copd On the Motion of Hugh Dew adm of Francis C. Dew deceased. it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Francis Dew adm and make report to the Court

copd On the Motion of Archibald Hoffman adm of John D. Moyer deceased, it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Moyer. and make report to the Court

Henry J. Gambell Clerk of this Court produces in Court accounts for attorney Call<sup>d</sup> Court and for examining the Commissions books for 1838. which accounts were severally examined and are Certified

Peter Brock late Justice of this County produces in Court an account for decting Summary persons Confined in the Jail of this County. since October Court 1837. which accounts were examined and allowed by the Court and are to be Certified

James Herston Sheriff produces in Court an account for summarizing and attending ~~and~~ Call<sup>d</sup> Courts, which was examined and allowed by the Court and are to be Certified

On the Petition of William G. Thompson for leave to alter a part of the road leading from Tumbrell to Procks Gap. which alteration is to begin about 200 yards east of Peter Rupert. now <sup>cop</sup> begins and coming out again into the main road at a point where a little run in hollow and at the foot of a hill &c it is ordered that the said William G. Thompson, Henry Bellman and John Delle or any 3 of them being first sworn do view the said alteration and make report of the circumstances and incurrences attending the same as well to the de. as also as to the Publick —

<sup>cop</sup> It is ordered that the Census of the Poor and James Deaw, about 10 years old 1<sup>st</sup> of May next to Benjamin Bownman to learn the farming business, who agrees to give the said boy for freedom and \$20

<sup>cop</sup> On the Motion of Philip Rymel ex or of Philip Rymel <sup>ad</sup> it is ordered that Joseph Manzy be appointed a Commissioner to examine state and settle the estate accounts of said P Rymel <sup>ad</sup> and make report to the Court

An appraisal bill and sale bill of the estate of Margaret Smith deceased were returned examined and ordered to be Recorded.

A sale bill of the estate of Henry Shank and was returned examined and ordered to be Recorded.

Settlements of the estate accounts of Daniel Dinkler John Sheets, Henry Shank, Jacob Bloper, Joseph Thornton, and Margaret Smith were returned examined and severally ordered to be Recorded.

Settlements of the account of Marlow Burtcholden as guardian for Sally Gann <sup>or</sup> was returned examined and ordered to be Recorded.

Settlements of the accounts of Marlow Burtcholden guardian of Sarah Moyer ~~and~~ was returned examined and ordered to be Recorded.

Samuel B. Burtcholden <sup>or</sup> Commissioner appointed to have returned the Market House made a report, which report was examined and approved by the Court and ordered to be filed amongst the Records.

Oliver Stetson, jailer of this County, proceeds in Court and an account for detaining several persons <sup>(in the jail)</sup> <sup>allows</sup> of this County, which was examined by the Court and ordered to be Certified, and it is further ordered to be Certified, that ~~that part of said account~~ <sup>for the County</sup> was of the opinion that the James Foley (for detaining <sup>or</sup> of whom) a part of said account is made up, was at the time and now is fully able to pay the same.

An appraisment bill and sale bill of the estate of Walter Parris dec. were returned, examined & ordered to be Recd

On the Motion of Allen G. Bryan agent of Walter Parris dec. it is ordered that Richard P. Felton be appointed a commissioner to examine & settle the estate accounts of said Parris and make report to the Court

copy A Writing purporting to be the last will and Testament of Phoebe Ewen deceased, was presented in Court by William Ewen the executor thereof, and was proved by the oaths of James Bleigh and May Bleigh, two Witnesses thereto & ordered to be Recd, and on the Motion of the said executor, who made oath thereto, and with security entered into bond in the penalty of \$2000 a certificate is granted him for obtaining a certificate of probate of said will as the Law directs, and it is ordered that Sanders Marsden Thomas Garrison, Matthew Burskolew & James Bleigh, or any 2 of them being first sworn do appraise the estate of the said Phoebe Ewen and make report to the Court

x John Cylew Constable produces in Court an Account for arresting and returning to the Jail of this County, Robert Sanders P. whose account was examined and allowed by the Court and ordered to be Certified

Mest & D. Zuckel P. on a writ of Adjud. Dam. Continued by consent

S. Zuckel v S and . . . . . same

J. Beams v S and . . . . . same

D. Zuckel P. v Mest P. Petition for a red Certificate

copy On and that <sup>the former of</sup> George Setts Surveyor of precinct No. One on the Bally Road, ~~where~~ <sup>in his</sup> ~~is~~ <sup>is</sup> ~~located~~ <sup>in</sup> ~~the~~ <sup>the</sup> ~~road~~ <sup>road</sup> ~~ends~~ <sup>ends</sup>, as the ~~the~~ <sup>the</sup> ~~road~~ <sup>road</sup> ~~is~~ <sup>is</sup> ~~to~~ <sup>is</sup> ~~be~~ <sup>to</sup> ~~be~~ <sup>be</sup> ~~kept~~ <sup>kept</sup> ~~in~~ <sup>in</sup> ~~good~~ <sup>in</sup> ~~repair~~ <sup>good</sup> ~~and~~ <sup>repair</sup> ~~and~~ <sup>and</sup>

Orders that the Curator of the poor send Charles Ruddy about 17 years of age to Samuel Leggett to learn the trade of a shoe maker as the Law directs, who is to give him for freedom and \$20

Orders that Christina Ruddy be bound by the Curator of the poor, who is 13 years old <sup>in June</sup> ~~years of age~~ last to Henry Shoemaker as the Law directs, who is to give her for freedom and \$20

A Writing purporting to be the last will and Testament of George M Kyle decedent state of Rockingham County was produced in Court for probate, and it appearing to the Court that William Latham & Joseph Latham two Witnesses thereto residents of this Commonwealth (to wit) in the County of Shelby and state of Indiana, on the Motion of Robert Kyle <sup>one of</sup> the executors named in the said Will, a Commission is awarded to be directed to the Presiding Judge of the Court of Law for the County Court of Shelby in the said state of Indiana, authorizing him to take and certify the attestation of the said Witnesses

copy drawn  
1 Court

copy made for  
marty w

Bellevue & Co vs Lamm & Co a Notice on a Writ Bond  
4th notes proved & execution awarded

Shaw vs Mount & Co . . . . . same

Smith vs Brantwade & Co . . . . . same

4th Foster for Mrs M. Sanborn vs Lamm & Co . . . . . same

Peasby Harrison

Orders that the Court be adjourned until the 2nd ~~Monday~~ <sup>Monday</sup> in November next Peasby Harrison

Virginia to wit

At a Court held for the County of Rockingham on Saturday the 27<sup>th</sup> day of October 1838. for the Trial and Examination of Harry Dawson, who was committed to the Jail of this County on Suspicion of felony, and stands charged with feloniously stealing and carrying away one Mare the Property of Reuben C. Maggart. of the Value of \$

Present

Peahey Harrison, John St. Campbell, Abraham Smith, Michael St. Harris & Augustus E. G. Justice  
Waterman

The Prisoner was led to the Bar in Custody of the Jailor and was charged with the felony aforesaid, pleads Not Guilty and thereupon the witnesses to wit, Reuben C. Maggart George M. Brockwell, and Edward F. Courtney,

were sworn and examined touching the felony, whereof the Prisoner stands charged, and the said Prisoner being fully heard in his defence by his Counsel, the Court upon Consideration of the evidence and Circumstances, are of the Opinion that the said Prisoner is guilty of the felony whereof he stands charged, and for the same is tryable in the Circuit Superior Court of Law and Chancery for the County of Rockingham, and that he remain to the said Court of Law, & there to remain until discharged by due Course of Law.

And on the 27<sup>th</sup> day of October 1838. Reuben C. Maggart George M. Brockwell and Edward F. Courtney, appears in Court, and severally acknowledge themselves to owe and be indebted to his Excellency James Campbell Governor of Virginia in the sum of \$100 each to be secured of their respective Goods and Chattels, Lands, and Tenements and for the use of the Court to be rendered,

Met upon this condition that if the said Newton do appear  
 George M. Brockwell, and Edward J. Coarney shall appear  
 at the next Superior Court of Law and Chancery held  
 for the said County, on the 8<sup>th</sup> day of May 1839. then &  
 there to give evidence for behalf of the Com<sup>rs</sup> with ag<sup>t</sup>  
 Harry Dawson, charged with felony, and will not depart  
 the said Court until discharged by an Court of Law.  
 then the above Recog<sup>n</sup> to be Noted are to remain in full  
 force and Virtue

And that the Court be adjourned.

Peckham Harrison

Vergees to wit

At a Court held for the County of Rockingham on  
the 3<sup>rd</sup> Monday being the 19<sup>th</sup> day of November 1838

Present

~~Augustus Jacob Miller~~ Augustus Watersman  
Reuben Wood & Robert Grotton S. J. Justice

A Book of Conveyances and other writings admitted to  
Record in the Clerk's office of the County Court of  
Rockingham from the 1<sup>st</sup> to the 31<sup>st</sup> of October 1838  
both days (included) was returned into Court by the  
Clerk thereof and being examined is ordered to be entered  
and the minutes, and a like list ordered to be posted  
up at the door of the Court house of said County  
and is as follows,

- found A Deed for Land John Allen & and John Shaver & agreement  
B. R. A Deed for Land Andrew Byrd to James Bookin  
found A Deed for Land Thomas M. Mansfield & wife to Amos Scott  
found A Deed for Land Thomas Mellen & wife to William Marden  
B. R. A Deed for Land Michael Sneider & wife to Arthur Baden  
found A Deed for Land Abner Starveson to Reuben Starveson  
found A Deed for Land Richard Mungfield & wife to Samuel Yound  
B. R. A Deed for Land John S. Hopkins Comes to Matthew Bridg  
B. R. A Deed for Land Catharine Armontrout & others to Wm G Thompson  
B. R. A Deed for Land Archibald Hopkins & wife to Charles Masson  
B. R. A Deed for Land Samuel Yound to John R. Stoman  
x A Deed for Property James Hawkins to John Garmow in trust for Jacob Done  
found A Deed for Land Henry Staugh & wife to John S. Myers &  
found A Deed for Land Elizabeth Bohm & others to John Kratzer &  
found A Deed for Land Jacob Ditamore & wife to Joseph Miller  
B. R. A Deed for Land John S. Pence to Archibald W. Stuston

B. R. A Dec for Land Sand P. Johnson & Wife to John Allen  
 found A Dec for Land Matilda Atkinson to David Stanton Sheriff  
 A. R. A Dec for Land George Shaver & Wife to Peter Burkholder  
 found A Dec for Land Henry Tarflinger & Wife to John H. Miller  
 A Dec for Property of Henry Swart to P. Williams <sup>for W. Riley</sup> in trust for  
 A Dec for same to Henry Swart & Margaret Lupton, M. agreement

B. R. A Dec for Land Jonathan Starr & Wife to Abner Branaman

BR A Dec for Joseph Bartlett to William B. Abbott

BR A Dec for Land Richard P. Fletcher Come to David Eversole

On the Motion of Samuel Quible and he having paid  
 to Geo. H. Christian Ws. \$250. etc. it is ordered that a  
 C. Secum be granted him to keep private entertained in the  
 County until May Court 1839

The Court proceed to nominate a sheriff for this County  
 for the ensuing year, and the names of the firsts present  
 of the County pool as the law directs they voted for Richard P  
 Fletcher, Jacob D. Williams & John H. Campbell, whereupon  
 it is ordered that the said Richard P. Fletcher, Jacob D.  
 Williams & John H. Campbell be <sup>unanimously</sup> recommended to the  
 Executive of this Court nominated as proper and fit persons  
 to be nominated as sheriff of this County for the ensuing  
 year.

On the Motion George Nicholas was of Jacob Nicholas  
 decessd. it is ordered that Joseph Manzey be appointed  
 a commissioner to examine state and settle the estate accounts  
 of said Jacob Nicholas and make report thereof to the Court

Joseph Bellhimer foreman, William Ewing, John M. Quilep,  
 Michael Wins, John Seedy, Henry Booz, Amos Scott, Michael  
 Whitman, Brother Thomas George Rader, William  
 Mevin Nathaniel Britten, Harry Berry, Abraham Berry,  
 John Gibbas, Peter Moyes, Philip Spitzer, Joseph  
 Harshbarger, John Cowan, George Keranford, John Evers &  
 John B. Gosh. were sworn a grand Jury for this County.

who recused their charge, and retired from the bar to consider of their presentments, and after some time returned into Court.

and made the following an Indictment, Henry M. Wilkins for an assault & battery upon bill, an indictment against Abraham Sife for an assault & battery upon bill - and an indictment against John Cherrinow as surveyor of a part of the public road, upon bill, and the said Henry M. Wilkins having no further business before them, were discharged, and it is ordered that summonses be awarded against the said Defendants to answer the said indictments returned here at the next Court.

Articles purporting to be the Last will and Testament of Margaret

Dew and was presented in Court, and was proved by the oaths of John Negus & Hugh Fairbank two of the witnesses thereto to be Decedent, and John Dew the executor named in the said will having sworn under his hand & seal before the Court as such that fact is ordered to be entered of Record, whereupon the Motion of Francis Dew, who is entered into bond with security in the penalty of \$400. and made oath thereof, a certificate is

granted him for obtaining letters of administration on said estate in due form with the said will annexed, and it is ordered that Abraham Smith, Isaac Sturman, James Dew & Martin Miller or any 3 of them being first sworn do appraise the estate of the said Margaret Dew dec'd and make report to the Court.

An appraisement bill and sale bill of the estate of the said

James Dew were returned and ordered to be Read.

On the Motion of Courson S. Kite & Jacob Miller, who made oath thereto and with security entered into bond in the penalty of \$40,000. as the Law directs, a certificate is granted them for

obtaining letters of administration on the estate of said William Kite dec'd in due form, Elizabeth Kite the Widow of said Mr. Kite having under her hand & seal relinquished her right of administration on said estate which is ordered to be entered of Record, and it is ordered that Jeremiah Starbuck, Henry Miller, Jacob Deane & Jacob Courson or any 3 of them being first sworn do appraise the said estate and make report to the Court.

On the motion Abraham Grove and Henry Thomas son of  
 (C) Paul Grove and it is ordered that Richard P. Fildes  
 be appointed a commissioner to examine state and settle  
 the estate account of said Grove and make report to the  
 Court

Parcel Zerkle vs. Petition for roads - William West vs.  
 (C) The defendants, whose land the said road is to run, appears  
 in Court and consents to the opening the same provided  
 it was not opened more than 16 feet wide, and the Court  
 consenting thereto, it is ordered that the said road be established  
 agreeably to the report of the Surveyor, which is to be opened  
 16 feet wide as aforesaid.

West - Zerkle vs. on a writ of ad quod. Damages the  
 (C) parties having agreed this suit the same is ordered to  
 be dismissed at the said Defendants costs, the plaintiff  
 having agreed in Court to relinquish the damages found  
 by the Jury

(C) S. Zerkle vs. same same

(C) T. Beard vs. same same

Overseer of the Poor vs. Cyrus Spitzer, or assignee, as the father  
 of a bastard child of Catharine Barries. The said  
 (C) Defendant appears in Court, and confesses that he was the  
 father of the father of the said ~~the~~ bastard child, and that  
 Court being of the opinion that the said bastard child  
 was likely to become chargeable to the parish, therefore it  
 is ordered that the said Cyrus Spitzer be charged with the  
 payment of \$140 to be paid to the Overseer of the poor of  
 this County, or their agent (to wit) \$20 on this day and then  
 \$20 annually from this date hereof until the said \$140,  
 is fully paid, if the said child shall live so long; and pay  
 the costs of this ~~the~~ proceedings: whereupon the

said Bryan Spitzer ~~and~~ <sup>with</sup> Philip Spitzer and Abram Krenoff, his secretaries ~~and~~ <sup>and</sup> ~~several~~ came into Court, and acknowledged themselves jointly and severally indebted to David Campbell Governor of the Commonwealth of Virginia and his Successors in Office in the sum of \$140 of their respective goods and Chattels ~~to be assessed~~ lands and Tenants to be levied, and to the said Governor and his Successors for the use of ~~the~~ <sup>the</sup> Court, remains, yet upon this condition, that if the said Bryan Spitzer shall observe and perform the above ~~respective~~ order of the Court against him then the said Ruggs to be N.O.C. P

C Samuel P. Leggett v. John Sefo upon ~~attachment~~ <sup>attachment</sup>, an attachment. The Constable having returned on the attached execution on one halloo Kettle P. and he not appearing to reply the same altho solemnly called, Judgment is awarded the Plaintiff for \$35 with interest from 11<sup>th</sup> day of August 1838 till paid, <sup>5 Cts</sup> subject to a Credit for \$16 paid 11. August 1838. - and it is ordered that the Sheriff make sale of the aforesaid attached property according to Law, and out of the Money arising therefrom pay to the plaintiff the amount of said Judgment. P

D Samuel Leggett v. John Sefo. ~~an~~ <sup>an</sup> attachment. The Constable having returned on the attached execution on one halloo Kettle P. and the Defendant not appearing to reply the same altho solemnly called. Judgment is awarded the Plaintiff for \$31.55 cents with interest on \$25 part thereof from the 11<sup>th</sup> day of August 1838 till paid and Costs, and it is ordered that the Sheriff make sale of the said attached <sup>according to Law</sup> effects, and out of the Money arising from the sale thereof, pay to the Plaintiff the amount of the said Judgment. P

On the Motion of George Baughen, who entered into Bond with security in the penalty of \$200. and made oath thereof as the Law directs. a certificate is granted him for obtaining Letters of administration on the estate of Peter Wyant.

Copy

deced in conformity with the last will of the said Peter Wyant dec. debts arranged; and it is ordered that John Lawton, Thomas Marshall, & Lewis Perry first sworn do appraise the estate of the said Peter Wyant, and make report thereof to the Court

Conrad J. Showalter, on an indictment for an assault & battery on Henry Steinko, The Defendant appears in court on with the assent of the Court Confess & Judgment for the costs of the prosecutor

John Radu for William Danner, upon an attachment The Constable having returned on the attachment executed on one Loom and the Defendant not appearing to reply the same with solemnly call; Judgment is awarded the Plaintiff for \$13. with interest from 20<sup>th</sup> Sept 1838 till paid and costs, and it is ordered that the Sheriff make sale of the said attached property according to Law and out of the Money arising therefrom, pay to the Plaintiff the amount of the said Judgment, and make report to the Court

On the Petition of George Blinn for an alteration in the part of the road leading from Madryer to Newmarket to wit, beginning on the line of James Bourne and said George Blinn lands, and running thence a southerly direction nearly a straight line, through the lands of said Blinn and Geo. Radu, Jr to the line of Geo. Radu Jr and Richard Wingfield where it will intersect the old road; it is ordered that George Radu, James Bourne, James Mount, & Anthony Roads or any 3 of them first sworn, do show the said proposed alteration, and make report to the Court, of the conveniences and inconveniences attending the same, as well to individuals as to the Public, &c

Copy

John Pence or John Sipe upon an attachment, The sheriff having returns on the attachment, executed on the wood wagon of allaggon in the shop of John Rohr Jr. and summoned Jacob Rohr to them at Garmershus, and the said Defendant not appearing to reply the same altho. solemnly call<sup>d</sup>. Judgment is awarded the Plaintiff for \$170, with interest from the 18<sup>th</sup> of October 1838 all paid, and Costs = to is ordered that the sheriff make sale of the said attached Wagon according to Law and pay the Money arising from said sale to the plaintiff on account of the Judgment, and the said Jacob Rohr being sworn & declared that owed the said John Sipe \$21.92 cts, ~~with interest from 8<sup>th</sup> May 1838~~ - Nelson Sprinkle being sworn declared he owed the said John Sipe \$8.30. due on this day, - Daniel Rayer <sup>being</sup> also sworn, declared he was indebted to the said John Sipe the sum of \$55.20 1/2 cents due the 21<sup>st</sup> day of December 1839 - William Ferry being sworn declares he was indebted to the said Defendant in the sum of \$45.88 cents, ~~with interest from~~ <sup>due</sup> the 13<sup>th</sup> day of January 1838, last, as per notes Joshua Peters being sworn, declared he was indebted to the said Defendant in the sum of \$7.81 1/2 cents due on this day. - Mr. Dougherty being sworn, declared he was indebted to the Defendant in the sum of \$7.21 cts due on this day. - David Stensperg being sworn, declares that he stood indebted to the Defendant in the sum of 8.02 1/2 cts ~~due which will become due~~ the 4. March 1839, Alexander McElroy being sworn declares that he was indebted to the said Defendant in the sum of \$3. due on this day. and Jeremiah Gibson being sworn declares that he stood indebted to the Defendant the sum of \$1.07 cts due on this day. It is ordered that the said Garmershus pay to the Plaintiff the aforesaid several sums so declared by them to be due the Defendant as aforesaid, which are to be applied to the payment of this Judgment & Judgment.

It is also ordered that the court be adjourned until to Morrow morning at 10 o'clock

Jacob Miller



Nelson v. Cooky upon a rule for non attendance as a  
C. Melius the Defendant not appearing altho solemnly call<sup>d</sup> for  
\$16 according to Law for non attendance, & Judgment for costs

Young v. Pochan - Paper costs

Pechering v. Roark contum

Stelo v. McMahon Judgment per award

Minelo for P. v. Woods contum

Sepe v. Rusk contum for award

Gaily v. Funks contum

May v. Harper contum for award

Keller v. Woods contum for Defendant

Bain v. Bateman contum

Stelo for vs. Mason ~~vs.~~ Roark contum

Reis v. Stalfeld P. plea w. Judgment. Costs for the  
Peth in the declaration mentioned with interest costs

Isaac Stardinly & Hugh Muffy, Commissioners appointed to have  
Certain repairs done to the jail of this County. Messrs report  
and the same being approved by the court, it is ordered that  
Henry J. Garbitt agent for the county pay to the said Commissioners  
the sum of \$24.60 cents the amount expended by the said  
Commissioners, out of any moneys <sup>in his hands</sup> due the County.

CP 1  
1000

~~Effinger adm<sup>r</sup> of Patton P. on a scirefac  
they swear to by the spec to wit, John J. Gage  
Samuel Abbott, Samuel Gibbons~~

Effinger adm<sup>r</sup> of S. Patton P. on a scirefac  
This day came the parties by their attorneys, and the  
C. matters of Law arising on the Demurrer to the scirefac, as  
also a Demurrer to the spec<sup>s</sup> replication of the Plaintiff to the  
spec<sup>s</sup> plea of the defendants of the Statute of Limitations  
being solemnly argued; it seems to the court here that the  
Law is for the Plaintiff. Therefore it is ordered by

The Court, that the said Demurrer be overruled, and on the said Joinder, upon the plea of No such Record, <sup>to the</sup> Record of the Judgment in the writ aforesaid mentioned, being seen and inspected, it seems to the Court here, that there is such a Record of Recovery, as by the said writ is supposed, on the plea of the Statute of Limitations. (The Demurrer to the Repleation to said plea, admits the truth of the Matter set forth in said Repleation, and thereupon came also a Jury (to wit) Samuel Moffatt, Samuel Gibbons Richard Mayfield, Adam Shultz, Strother Cuff, James Conner Samuel Marshbarger, Jacob Moyer, Abraham Berry being elected tryed and sworn the truth to speak upon the oaths upon John Weller and Conrad Dapoy, who, ~~on~~ their Oaths do say, that the Defendants hath not paid the Debt at Costs in the writ aforesaid specified, as the Plaintiff by replying hath alleged, and they do appraise the Plaintiff damages by Occasion ~~thereof~~ of the detention of the said Debt to one cent. Therefore it is considered by the Court that the Plaintiff may have execution agt<sup>st</sup> the said Defendants for \$214.48 cents <sup>for Debt</sup>, to be discharged by \$107.44 cents with interest thereon from the 20<sup>th</sup> day of September 1824. till paid, and five dollar and 56 cents the Costs in the said writ mentioned, and also that he recover against the said Defendants his Barrage aforesaid in form aforesaid apprais, and his Costs expended in suing forth and prosecuting ~~the~~ his writ aforesaid

Court is Reader disp<sup>d</sup> with the consent of the Court

Or aims that the owner of the poor blind Polly Colliers a free girl of colour. (a daughter of Harry Colliers) 11 years old in January last. to David Stiles in the Law courts who is to give her for freedom dues \$20

For May & D. Gilman. Contend

Graham for D. Gilman Contend

Sore - Murray plea w<sup>o</sup> Duayd Camp for the debt in the declaration mentions with intent (Hoods saving equity)

Perry Baker Hooper & Larman P<sup>o</sup> . . . . . same

Everole & Lendon . . . . . same

Furillo Hooper & Pickering . . . . . same

Man adm & Coffman P<sup>o</sup> . . . . . same

Stewart & Whitehead & Lendon . . . . . same

Hoggan for (Weirill) & Stearns P<sup>o</sup> Contend

Coffman Hooper Lendon plea was Duayd Camp for the debt in the declaration mentions (saving equity)

Effinger & Small . . . . . same

Sowers & Groves . . . . . same

Alloerman & Prager . . . . . same

Nye & Cook . . . . . same

Ryder & Logan P<sup>o</sup> The Debt being paid that fact is entered of record find

Stewart & Hopkins . . . . . Contend

Taylor agent & McManan disimp<sup>o</sup> agent

Gordon & Harriett disimp<sup>o</sup> agent

Hooper & Stover disimp<sup>o</sup> agent

Peter & Mannan P<sup>o</sup> plea w<sup>o</sup> Duayd Camp for the debt in the declaration mentions, with intent Hoods (saving equity)

Coffman Hooper & Dunlop . . . . . same

Sank & Lendon . . . . . same

Hooper & Small . . . . . same

Hooper & Small . . . . . same

Dunbar & Alton P<sup>o</sup> ~~plea~~ Duayd set aside payment  
pleas, & reflections of J. & C. Contend

Moore & Murgold . . . . . same

✓ C. Rappas & A. Roark, offic. Jurors returned prayer & pleas  
replied in Affirmative & continued

✓ C. Byrd adm for P. & Durlap . . . . . same

✓ C. Strey & Durlap P . . . . . same

✓ C. W. Mahan & Stete (Negros) . . . . . same

✓ C. Thompson Ho (for M. Re. in case) & . . . . . same

✓ C. Davis (for M. Maury) & Davis continued

✓ C. Smith & Alkum & Saml P. continued

✓ C. Depoy & Bay, jury sworn to try the issue to wit  
Samuel Gibban, Robert Fisher, Samuel Harshbarger, Jacob  
Atkinson, Peter Denton, Samuel Shacklet, Jacob Matthews  
& Harry Heraw Swisher, Mellor D. May, James Moore  
and Senior Bankholder ~~verdict~~ for the  
defendant and judgement accordingly

✓ C. Settlements of the estate accounts of Michael  
Rutherford deceased, & Richard Custis decd. were returned  
examined, and ordered to be Recorded

✓ C. P. Dumble & S. Foley. <sup>(Case)</sup> Controversy for Defendant. Oath/

✓ C. The same & same <sup>Trust</sup> Controversy for Defendant.  
and on the Motion of the said Defendant, and for reasons  
appearing to the Court. Harrison Foley, attor for the said  
Defendant (in the suit for slander) ~~was~~ not appearing, it is

✓ C. P. Ordered that the said Harrison show cause at February  
Court Next if any he can, why he shall not be fined according  
to Law for such his non attendance



- B.R. Order for Land David Steadwick to John Rolles.
- Order for Personal estate Samuel Wood to Allen Brown in Trust for G. W. Kemper &
- Order for Personal estate same to J. Green & Fuller in Trust of M. DeWittson
- found B.R. Order William Snyder to A.C. Bryan in Trust for <sup>Guinn & Brown</sup> Personal estate
- B.R. Order for Land Luther Bellamy to Frank Wyatt.
- B.R. Order for Land Isaac Bear to John Brauner & John A. Clark.
- found Order for Land George Siter P. to William B. Smith
- B.R. Order for Land same to John Siter
- B.R. Order for Land John Siter P. to George Siter
- found Order for Land Mary Bare to Samuel Mount
- found Order for Land George Brumby to Elias Storn
- B.R. Order for Land Mary Cowan to Jacob Cowan
- B.R. Order for Land Anderson Moffell to George Lore
- found B.R. Order for Land John Stray to Peter Weaver
- found An agreement between Abram Smith & Jacob Hamberger (about land)

Ordered that an Election be held on the first Saturday in February next at the places hereinafter named, in the several districts, in this County for the purpose of Electing 3 fit and proper persons (being freeholders) to act as Overseers of the poor for said districts in this County for the term of 3 years from the expiration of the term of the present Overseers, that is to say in the 1<sup>st</sup> district, on the day aforesaid at the house of David Lincoln (at the big spring) and that said David Lincoln Superintend, said Election, in the 2<sup>nd</sup> district on the day aforesaid at the house of Samuel Cook, at the Mouth of Procks Gap, and that said Cook Superintend the same; In the 3<sup>rd</sup> district on the day aforesaid, at the house of Peter Dantelo in Mount Crav for, and that for C. Shepman Superintend the said Election; and in the 4<sup>th</sup> district at the house of Solomon Parkey in Mt. Cayes-Nell and that Joseph Maury Superintend the same, and it is ordered that the said Superintendents, make report to the Clerk of this Court on or before <sup>February</sup> ~~March~~ Term next, stating whether any

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election was held, and of so. the names of the persons elected together with a list of the names of the voters, - and it is further ordered that the sheriff give public notice of said elections, to the freeholders and house keepers therein as is by law directed

Asale bills of the estate of Henry Cowan dec'd was returned, examined & ordered to be recorded

Copied On the Motion of Adam Meads administrator of Henry Meads dec'd it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Henry and make report to the court.

Copied On the Motion of John & Jacob Percey or one of Voluntary Percey and it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said J. Percey and make report to the court.

Copied On the Motion of Jeremiah Harrington be appointed Surveyor of Precinct No. 1 on the Swift new highway road, in the town of George Percey.

Settlement of the estate accounts of Philip Reynold dec'd. was returned, examined and ordered to be recorded

Copied On the Motion of John Carran be appointed Surveyor of Precinct No. 1 on the road bearing through Dayton, in the town of Peter Foster

Joseph St. Hites orphan of William Hites dec'd over 14 years of age came into Court and made choice of Henry Miller as his Guardian, who enters into bond with security in the penalty of \$5000 as the law directs

A Writing purporting to be the last will and Testament of Ananias Byrd dec'd. was presented in Court, and was proved by the Oath of Patrick St. John & Thomas M. Williams. all which things are ordered to lay for further proof

On the Motion of Joseph Manzy, who made oath thereto, and with security enters into bond in the penalty of \$2000. as the law directs a certificate is granted the said

Joseph Maury for obtaining letters of administration on the estate of ~~and~~ John F. Recker and in due form, May Recker the widow of the said John (having) refers to act and it is ordered that, John Wyatt, Samuel Bouyer, & George Bouyer, being first sworn do appraise the estate of said John F. Recker and and make report thereof to the Court

On the motion of John & George Carpenter executor of William Carpenter and it is ordered that Richard P. Fletcher be appointed a commissioner to examine ~~the~~ and settle the estate accounts of s<sup>r</sup> W. Carpenter and and make report to the Court

Frederick G. Miller this day produced Credentials of his Association and also of his being in regular communication with the Church call<sup>d</sup> Christians, together with the oath of Fidelity to the Court and with John Stegman and Martin Bentschler his securities, entered into and acknowledged bond in the penalty of \$1500. Committed as the law directs whereupon, on his Motion, a Testimonial is granted him in due form

A Writing purporting to be the last will and Testament of John Breckenbarger and was presented in Court and was proved by the Oath of John May a Witness thereto, and Michael Moyerheffer, a Witness thereto being dead, his hand writing was fully proved by Joseph Maury, whereupon the said Will was declared to be Recited, and on the Motion of William Breckenbarger the executor named in the said Will, who entered into bond with security in the penalty of \$4000. and made oath thereto as the law directs, a Certificate is granted the said executor as for obtaining a probate thereof in due form, and it is ordered that Samuel Baker, Martin, Roacap, Reuben Adolphus & William Sackey, or any 3 of them being

first sworn do appraise the estate of said John Chesnut  
 Berger and and make report to the Court

On the motion of Alexander McElroy administrator of Susan  
 Tutwiler ad. it is ordered that Richard P. Fletcher be appointed  
 a commissioner to examine estate and settle the estate accounts  
 of said Tutwiler ad. and make report to the Court.

A writing purporting to be the last will of George M. Kyle  
 ad. was again presented in Court. Together with the commissions  
 thereto, and the certificate under the hand and seal of William  
 Wells 96<sup>th</sup> Mich. presiding Judge of the fifth Judicial Circuit in the State  
 of Indiana, of the execution of the said Commission, and  
 thereupon, the said Certificate being seen and inspected  
 by the Court, it is ordered that the said Writing be deemed  
 as the true last Will and Testament of the said George M. Kyle  
 deceased; and on the motion of Robert M. Kyle one of  
 the executors named in the said Will, who made oaths  
 thereto, and with security entered into bond in the penalty of  
 \$5000. as the law directs, a certificate is granted the said  
 executor for obtaining approval thereof in due form, (and  
 leave is granted the other executor to join in said Probate  
 at a future day) - and it is ordered that, John A. Sherry  
 George Courso, Samuel Miller and Abraham Smith  
 or any three of them being first sworn do appraise the  
 estate of the said George M. Kyle ad. and make report  
 to the Court

An appraisment bill and sale byll of the estate of  
 Susanna Sherwin ad. were, returned examined and ordered to  
 be Recorded

A settlement of the estate accounts of Susanna Sherwin  
 ad. was returned, examined ordered to be Recorded

On the motion of Jacob Bluff administrator of Jacob Paul  
 ad. it is ordered that Richard P. Fletcher be appointed  
 a commissioner to examine estate and settle the estate  
 accounts of S. Paul and make report to the Court

Richard P. Fletcher who has been appointed sheriff of the county, for the ensuing year, came into Court with and with security entered into three several bonds, with such penalties as the law requires, which bonds, was acknowledged by the parties thereto, and ordered to be  
 Received

Copy On the Motion of Reuben Hufferman administrator of Samuel Bealman and it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the state account of said Bealman and make report to the Court

State v. Richard upon an appeal. Docket & continued

Copy On the Motion of Michael Weiss, it is ordered that Richard P. Fletcher be appointed, a commissioner to examine state and settle the account of said Michael Weiss, as Guardian of Lydia Moore and make report thereof to the Court

Present.

Peasby Harrison

It is ordered that the Court be adjourned until the 7<sup>th</sup> Monday in January next

Peasby Harrison