

**ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA**

MINUTE

BOOK

20

18339 - 1840

1
Virginia to wit.

At about held for the County of Rockingham
on the 2^d Monday being the 21st day of January 1839.

Present

Rambur Moore, Jacob Miller, Robert Giallori
Jacob Reith S. H. Justice

Affidavit of Conveyances and other writings admitted to Record in
the Clerk's office of the County Court of Rockingham from the
1st to the 31st of December 1838 both days in due and was return
into Court by the Clerk thereof, and being examined, was ordered
to be entered on the Minutes, and a like list. Orders to be
set up at the door of the Court house of said County, and which
is as follows to wit.

- B. R. Deed for Land Christian Warble wife to Simon Leap
B. R. Deed for Land Adam Weaver wife to George Moore
B. R. Deed for Land Philip Brunner wife to ^{born 17th Dec 1845} Abraham Brunner
B. R. Deed for Land Abraham Emshweller wife to ^{Dawson} Joseph S. Durham
B. R. Deed for Land Joseph Dressed to Christian Brunner
B. R. Deed for Land William Behr wife to Elizabeth Kissler
B. R. Deed for Land Joshua Balling to D. M. Lambill in trust for ^{Rodgers} Peyton
B. R. Deed for Land Barbara Pence to R. P. Fletcher in trust for ^{Dawson} David
B. R. Deed for Land John M. Rolston to Jesse Rolston
B. R. Deed for Land John Leap wife to Simon Leap
B. R. Deed for Land Magdalena Wynn wife to George Kyser
B. R. Deed for Land David Murray wife to Richard W. Palmer
B. R. Deed for Land Volvintine Switzer wife to Adam Howdershield
B. R. Deed for Land Peter Weaver wife to David Weaver
B. R. Deed for Land Augustus Waterman to John Felt
B. R. Deed for Land Simon Leap & others to William Bushnell
B. R. Deed for Property Stephen bowed to Jeremiah M. bowed in
trust for John bowed &c

An appraisment bill and sale bill of the estate of ^{Sagwell} Robert
^{Shaw} were returned examined & ordered to be Recorded

On the Motion of Edward Stevens, who made oath
thereto, and with security entered into and on the final

of \$14,000 children as the law directs a certificate is granted him for Obtaining Letters of administration on the estate of Mary Swan and in due form, and it is ordered that Isaac Harding, Michael Effenger, Simon R Bankholder and James Buff or any 3 of them being first sworn do appraise the estate of the said Mary Swan and make report thereof to the Court

James Glasse a Commissioner of the Revenue for the County for the year 1839. came into Court and with security entered into bond with security in the penalty of \$1000. as the law directs, which bond was acknowledged by the parties thereto & orders to be Received

A Writing purporting to be the Last will and Testament of Andrew Byrd deceased was presented into Court and fully proved by the Oath of Reuben Moore a Witness thereto & ordered to be Received, and on the Motion of Abraham Byrd the executor named in the said Will who made oath thereto and with security entered into and acknowledged bond in the penalty of \$16,000. as the law directs a certificate is granted him for Obtaining probate thereof in due form and it is ordered that Daniel Zinklo, Michael Roller Jacob Brewer and Reuben Moore, or any 3 of them being first sworn do appraise the estate of the said Andrew Byrd and make report to the Court

On the Motion of Brian M. Stevens, who made Oath thereto and with security entered into bond in the penalty of \$10,000. as the law directs, a certificate is granted him for Obtaining Letters of administration on the estate of John R. Stephens deceased & granted him in due form, and it is ordered that Jacob L. Erwin, Emanuel Hornberger, George Hooper & James Zinklo, or any 3 of them being first sworn do appraise the estate of said John R.

Stephens decares, and make report to the Court, and it is ordered to be certified that the securities in the bond given by said Ryan M. Stevens, justify to their solvency in open Court

C Settlement of the estate accounts of Jacob Warrall and was returned examined and ordered to be Recorded

Joseph Belkinn a commissioner of the Revenue tax for this County for the year 1839. Came into Court and with security entered into the bond with security in the penalty of \$1000. as the law directs, the bond was acknowledged by the parties thereto, and ordered to be Recorded

On the Motion of Jacob Mearns, who made oath thereto and with security entered into bond in the penalty of \$400. as the law directs, a Certificate is granted him for obtaining letters of administration of the estate of ~~Samuel~~ ^{Philip Mearns} Mearns and in due form and it is ordered that Joseph Oliver, Samuel Moore, John Drew or Philip Knapp, or any 3 of them being first sworn do appear the estate of said Philip Mearns and make report to the Court

On the Motion of James Quirkle & Joseph Hollo, who made oath thereto, and with security entered into bond in the penalty of \$80.00, as the law directs, a Certificate is granted them for obtaining letters of administration on the estate of the Philip Eagle and in due form, and it is ordered that Francis Cupp, Henry Cupp, John Vigar & George Baker, or any 3 of them being first sworn do appear the estate of the said Eagle and make report to the Court

C Settlement of the estate accounts of John Thomas, John Rice, Elizabeth Stevens, John Kiser, and David Lloyd, was returned, examined and severally ordered to be Recorded

C Mito is Reckless Antislavery Doctor & Centurion

C Books is given out by consent

A Settlement of the Guardians accounts of Lewis Byrd deceased late Guardian of Abraham Whetstone, was returned examined & ordered to be Recorded

On the Motion of Jacob Rust agent of Samuel Armentrout and, it is ordered that Joseph Maury be appointed a commissioner to examine state and settle the estate accounts of said Armentrout, and make report to the Court

A Settlement of the estate accounts of Jacob Nicholas and was returned, examined, and ordered to be Recorded

On the Motion of Abraham, John & Daniel Beery executors of Abraham Beery and, it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Abraham Beery and make report to the Court

Ordered that Public Notice ^{be given} in the Rockingham Register that the Court will sit at the March Court next for the purpose of trying the Cases on the appeal and Chancery Dockets

A Register of Deeds of free Negroes, taken by the Clerk was returned into Court, and being compared with the said Deed, and being found duly made a copy thereof is ordered to be furnished the said Clerk as the Law directs

On the Motion ~~Matthew~~ ^{Matthew} Miller, and with the consent of Samuel Hestberg, it is ordered that the indentured servant John M. Johnson to said Samuel Hestberg be set at large and it is ordered that the Overseer of the poor bind said John M. Johnson to said Matthew Miller, to learn the trade of a Taylor as the Law directs. the said Johnson being (13 years of age in March 1838), the said Miller agreeing to give him for freedom dues \$20.

3^d

Report of the Verms. made on the Petition of George Blinn
to alter a part of the Public Road leading from Kithyus to New
market, was returned into Court by the said Verms. and the Court
having seen and inspected the same are of the Opinion that
the alteration so asked for by the said Blinn be granted. accordingly
the Report of the Verms. appeared, and it is further Ordered that
the said ~~alteration~~ old Road is not to be shut up until
the said New way is ~~put~~ put in good repair, which fact is
to be ascertained by a certificate ~~to be signed under the paper~~ of
J^{ts} George Radw and David Bourman, to be returned and filed
with the papers for the alteration appeared

Deed of emancipation from Garret Smith to Richard
White some times call^d Richard Rife, was presented in Court
acknowledged and Ordered to be Recorded

Registers of Richard White some times call^d Richard Rife
and Elbert Smiths, free Negroes, ~~was~~ ^{was} presented in Court and
being compared with the said Negroes, and found duly
made. Copies thereof, are hereby ordered to be taken there
as the Law directs. —

Ordered that the Court be adjourned until the 7th Monday
in February next

Jacob Purkh
H

Virginia to wit

At a Court held for the County of Rockingham
on Monday the 18th day of February (being the Third Monday
in February) 1839

Present.

Peachy Garrison, Jacob Starbarger, Jacob
Curtis & Reuben Moore

Justices

A Book of Conveyances and other writings, admitted to Record
in the Clerk's Office of the County Court of Rockingham from the
1st to the 31st of January 1839. (inclusive) was returned into the
Court by the Clerk thereof, and having been examined by
the Court, is ordered to be entered on the Minutes, and a
like list ordered to be set up at the door of the Court house
of said County, which list is in the words following.

- found *Order* for said Sarah James Pouson to Christen Hoover.
- B.R. *Order* for said Sarah Joseph Greene to Peter Good
- B.R. *Order* for said Thomas Clarke as Comrup to Jacob P. Stupper.
- B.R. *Order* for said George M. Pifer to John B. Mount.
- B.R. *Order* for said John Lites to James Pifer & others —
- B.R. *Order* for said John B. Mount to Isaac S. Perrybaker —
- found *Order* of Release Solomon M. Sturges to James M. Dorman
- B.R. *Order* for said Noah Dougherty to Daniel Staur
- B.R. *Order* for said Joseph Aldorphen to Samuel Bear
- B.R. *Order* for said Daniel S. Rankin to . . . same
- B.R. *Order* for said Philip Earhart to Michael Earhart
- B.R. *Order* for said George M. Pifer to Augustus Waterman
- found *Order* for said John Kitzes to William Hopkins
- B.R. *Order* for said William M. Gray to Leroy P. Dangerfield
- B.R. *Order* for said L. Dangerfield to A. S. Gray in Trust for M. S. Gray
- B.R. *Order* for said George Mifflin to Adam Howdeshell
- B.R. *Order* for said Isaac Ritcheyson to Margart Ritchey
- B.R. *Order* for said David Sturges Shff to Virginia Atkinson.
- B.R. *Order* for said Daniel Staur to Noah Dougherty
- found *Order* for said Peter Weaver to Archibald Brock
- B.R. *Order* for said Ruthy P. Duffman to Elizabeth Good
- found *Order* for said Archibald Brock to Peter Weaver

each party agreeably to the ~~provisions~~ ^{provisions} afore-referred to pray in,
 provides no injury by indulging the same with thereby accrues
 to any other party, and in the said partition the said Commissioners
 will take into their estimate the quality and quantity of the
 land and the improvements, thereon, and any other advantages
 which one part of said lands, may have over the other, and
 to make report of their proceedings, to this Court at its next
 Term, to enable it to make a final Decree.

Richard P. Fletcher Sheriff of this County came into Court
 + and took the several Oaths of Office, as the Law directs
 whereof is ordered to be Certified

On the Motion of Richard P. Fletcher Sheriff of this County
 George H. Christman, Samuel Givens, Nathaniel Erwin, ^{Clay}
^{Jacob A. Madsen} ~~Herting~~, are admitted his deputies, who thereupon appeared
 in Court and took the several Oaths prescribed by Law,
 and the Court being of the Opinion that the said Deputies
 are all men of honesty probity and good Behaviour: that
 fact is ordered to be entered of Record.

A Writing purporting to be the last will and Testament
 of William Cherryholer deceased was presented in Court and
 was proved by the Oaths of Jacob Trumbo and Isaac Ritchey
 two Witnesses thereto, and ordered to be Recorded, and on the
 Motion of Jonathan Shaver the executor thereof named
 who entered into bond with security in the penalty of \$15.00
 and made Oaths thereto as the Law directs, a certificate is
 granted ~~them~~ him for obtaining a probate thereof in due form
 and it is ordered that Abraham Steff, Jacob Trumbo
 Philip Ritchey ~~William~~ Madsen or any 3 of them being
 first sworn do appraise the estate of the said William
 Cherryholer and make report to the Court

Winkler, Madsen or either of them docketed & Certified until 10 morrow

On the Motion of Samuel Bowman son of John Byrd and
 it is ordered that Richard P. Fletcher be appointed a commissioner to
 examine state and settle the estate accounts of said Byrd and make
 report to the Court

Thomas Lewis, (for error) John W. Wendt, Archibald Roddick
 David Beare, John Steadwood, Henry Small, David Ogden, John
 Kyle, John Brown, Peter Steff, Peter Brannan, John Seton, Michael
 Miller, Robert Cogly, Daniel Frank, Joseph Swank, Henry Beery,
 Abraham Young & John St. Miller, were sworn of grand jury for
 the County, received their charge and returned from the bar to
 consider of their Presentments and after some time returned into
 Court and made the following, an indictment agt. David Atkinson
 for an assault & battery a true bill, - an indictment agt. James Moore
 for an assault & battery a true bill, - an indictment agt. Lewis Zuck, jr.
 and indictment agt. Tobias Beare, for Mis. Arson a true bill
 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 Defendants, to answer the said indictments
 returnable here at May Court Next

Shall be a return of dis. up. agt. (continues)

Court is J. Christman as Presentment, by consent, the Grand
 Confers a Jury for Costs

On the Motion of Jacob Byrd son of Peter Byrd and, it is
 ordered that Richard P. Fletcher be appointed a Commissioner
 to examine state and settle the estate accounts of P. Byrd
 and make report to the Court

An appraisment bill ^{of Sale} ~~and~~ bill of the estate of Margaret
 - Peter Adams was returned examined and ordered to be
 Received

M. McMahon & Evern. In Debt. Rule for ^{the} security that
the Plt give security for costs. within 60. day, from date hereof

On the Motion of Daniel Whisler, who made oath there
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 Ann Whisler dec'd
in due form, and it is ordered that Peter Alloyus, Henry
Thomas, Benjamin Manger & John Larrain, or any 3 of them
being first sworn do appraise the estate of said Ann Whisler
dec'd and make report to the Court

It was that John Sanger, be appointed Guardian for
John Miller, Ann Miller, Catharine Miller, Noah Miller
Barbara Miller, Susanna Miller, Mary Miller, Elizabeth
Miller, Lydia Miller & Michael Miller Children of Michael
Miller dec'd under 14 years of age, who entered into bond
with security in the penalty of \$3000 as the Law directs

An appraisment bill and inventory of the goods belonging
to the estate of Daniel Frymoyer dec'd was returned ex parte &
ordered to be Record

On the Motion of Elizabeth Kite widow of William Kite dec'd
and the heirs of said William Kite and it is ordered that Joseph
Manger, Jeremiah Starinwager & John Cook be appointed
commissioners to lay off and apportion to the said Elizabeth her
Dower in the ~~same~~ lands, of her late husband, and also
to divide the Remain of the lands of said Kite between
her Children and heirs and make report to the Court

An appraisment bill and sale bill of the estate of William
Leckentwager dec'd was returned ex parte and ordered to be Record

On the Motion of the appraisment bill and sale bill of Leonard
Tutwiler dec'd was returned ex parte and ordered to be Record

//

2 Coffman ^{Highway} ~~Highway~~ - lot (Annap. agnd

On the Motion of Jacob Doover Guardian of Dan's Estate
it is ordered that Richard P. Fletcher be appointed to examine
Q. State and settle the accounts of said Jacob as Guardian aforesaid
and make report to the Court

Arms that Paul Shrecher, to appointed Survey of Parent N^o 12
P. on the swift run & approach in the room of William Kild
X. (deceased)

James C. Shipman who was appointed to superintend an Election of Assessors of the poor for the 4th District in this County made a
x report that Jacob Harnsburger, Robert Gattaw and James Edings were duly elected, and for reasons appearing to the Court it is ordered that said Robert Gattaw and Jacob Harnsburger, ~~being~~ ^{therefore} excused from serving) whereupon it is ordered that James Davis & Peter Rollins, with said Edings be appointed Assessors in and for said district

David Lincoln who was appointed to attend & superintend an Election of Overseers of the poor in the 1st District in this County made a report that no election was held in said district whereupon the Court doth hereby appoint, Peter Stenton Jacob Roder & Abraham Byrd. Overseers of the poor in and for said District.

Samuel Cook who was appointed to superintend an Election of Overseers of the poor ~~in~~ for the 2nd District in this County made a report that said Samuel Cook, Jacob Trumbull & Arch^d Hopkins Jr. were duly Elected, whereupon it is ordered that they be appointed Overseers of the poor for said District - and it is further ordered that the several persons so appointed Overseers of the poor ~~for said~~ ^{for said} district, forthwith or on or before the first day of April next go before some Justice of the peace and there take the several Oaths of Office as the Law directs which Persons so appointed are to continue in Office for 3 years from the said first day of April next

Ordered that Jeremiah Peffer be appointed Surveyor of the County. Present Atty Gen the broker Gap Road in the Room of John Whisler deceased

Cometh & Life upon a Petitioner the said appear in Court and by Counsel confess a judgment for the costs of this proceeding

Ordered that the Overseers of the poor bind Isaac Brady poor Child of Brady 11th years old the 7th day Jan'y 1839 to Mary Cherryholme to learn the farming business as the Law directs. who is to receive for freedom dues \$20. -

Ordered that the Overseers of the poor bind John Peck poor Child of Peck 5 years old June 1839. to Jackson Storr to learn the farming business as the Law directs. the said Jackson Storr having agreed to pay to the said John Peck \$37.50 when he becomes of age. and a good suit of clothes

Or does that the owner of the poor bird Rody Peck for child of
 Peck, (who will be 8 years old in May 1839) to Jackson & Son
 as the law suits, the said Jackson & Son having agreed to pay to the
 said Rody the sum of \$25 when she be 10 years of age, and a new suit
 of cloths.

~~Or does that Christopher Anthony & Son to the said Rody Peck~~

Christopher Anthony Esq. of Stamford Anthony over 14th
 year of age, came into Court and made choice of David Foster
 as his Guardian, who entered into bond with security in the penalty
 of \$50 as the law suits

On the Motion of Joseph Maury son of Jacob Bear as
 done. It is ordered that Jacob Bear be appointed a Comptroller to examine
 the state and settle the estate accounts of said Jacob Bear and to
 make report to the Court

~~Alexander & Son~~ ~~disappeared~~

Morgan was in Jail disupd aged (Cott. term)

Comptroller = Stawes (Continued)

Comptroller = J. Snowwater for Continues

Comptroller = J. G. Linnard (Continued)

Comptroller = M. Carr and the (Continued) N. G. please get up the (Continued)

An appraisment bill and sale bill of the estate of Lewis Byrd and
 were returned in and to be returned

Comptroller = J. Davis N. G. please get up the (Continued)

Comptroller = W. Melkins N. G. please get up the (Continued)

Count - Geo. Lloyd. Jury sworn to try the case to wit:
 Nathaniel Mangold, Alexander McGilvey, Joseph Bellhimer,
 Abraham Flory, Jackson Stone, Samuel Coffman, John Rankin,
 Henry Harrison, Joseph Kelly, Henry Miller, John Carmichael
 and Robert Moorey. Verdict that the Deft is not guilty, & Judgment

accordingly

Count - J. Gelinas. Jury sworn to try the case to wit:
 Nathaniel Mangold, Alexander McGilvey, Joseph Bellhimer, Abraham
 Flory, Jackson Stone, Saml. Coffman, John Rankin, Henry
 Harrison, Joseph Kelly, Henry Miller, John Carmichael & Robert
 Moorey. Verdict that the Defendant is guilty & Judgment
 assessed to 1 Cent & Judgment accordingly

Ordered that the Court be adjourned until to Morrow
 morning 10^o Clock

Jacob Rusk

Tuesday the 19th of February 1839.

Present

Peasly Harrison, Jacob Rusk, Michael H. Harris
 and Peter D. Kosby. E. G. Fisher

Whereas at May Court 1833 John T. Gordon got leave to change
 a part of the dry run or Gap Road, agreeably to the report of
 Messrs. Rusk, that the old road was ^{to be kept open} ~~restored~~ ^{in the} ~~restored~~ ^{in the}
 said new way should be opened and put in good repair, ^{in the} ~~where~~
^{opinion of} John Setts (who was appointed a commissioner for that purpose
 should report that fact to the Court) and whereas the said John Setts
 has this day reported to the Court that the said alteration has been
 opened and put in good repair, it is therefore ordered that Hazel
 Loftland (the present owner of the lands through which the said
 road runs) have leave to stop the old road at the place design-
 ated in the report of ^{the} Messrs. Messrs.

Young & Pocher - Paper entered

- C Peckering & McKean contend
- C Mindeford & Wood contend
- C Gaily & Mr. Fink contend
- C Sepo & Ruth, Swagert per award of arbitrator
- C May & Harper fr. Swagert per award of arbitrator
- C Baker & Stellor plea is Swagert confess for the del. in the declaration mentions (saying Equity) execution to be full may cont. must
- C Baker & Balmain contend
- C Stuttsford & McKean contend
- C Weto & McKean contend
- C May & Helmer contend
- C Graham for fr. & Helmer contend
- C Sepo & Harper left coll. Swagert for defendants costs
- C Myler vs Solgar fr. plea is Swagert confess for del. in del. mentions with intent to cost. saying equity /
- C Duncan & McKean fr. same
- C Lawford & McKean same
- C Byrd vs Dunlap same
- C Bery & Dunlap same
- C Thompson for fr. vs Barr same
- C Law Davis for fr. & Mr. Davis contend

C Heller & Wood contend for Plaintiff

C Plougher & Funk, Swagert confess for \$250 cents Barney and Costs

C Report of an alteration in the road leading to Swift run has made on the petition of John Hannibarger, was returned by the Deems, and the Court having examined the same, and no objection being made thereto, it is ordered that the said alteration be approved agreeably to the said Report

C For Foley fr. & St. Foley upon arbitr. contend

Register of John White & Rebecca Allen (free Negroes) was returned into Court by the Clerk, and being compared with the said Negroes and found duly made, Copies thereof, are hereby ordered to be furnished them in the manner directed by Law

J. Dinkels - Sums Starden upon an attachment.

The Court after having returned on the attachment issued on the 5th of March, 2 day means to the said Starden, and the said Defendant not appearing to reply the same altho. solemnly Call^d. Judgment is awarded the Plaintiff for \$249.42^{cts} with interest from the 1st day of January 1839 till paid. and Costs and it is ordered that the Sheriff make sale of the said attached property according to Law, and pay the Money arising therefrom to the Plaintiff on account of the Judgment.

Sum the 6th - Sums P. Jury sworn to inquire of the damages to wit, John Sanger, Gabriel Woods, Simeon R. Bartscholder, Henry Knappe, James Cuff, William R. Gaily, John Rankin, Martin S. Barry, Charles T. Mason, James Moore, Peter Dinkels & James Manning Verdict for the Debt for \$45.41 cts. with interest from the 6th day of June 1836 till paid & Judgment.

Harry Infant - Braithwaite Jury sworn to try the issue to wit John Sanger, Gabriel Woods, Simeon R. Bartscholder, Henry Knappe, William R. Gaily, John Rankin, Martin S. Barry, Charles T. Mason, James Moore, Peter Dinkels & George Fisher & James Manning, ~~who~~ who having heard the arguments of Counsel, retired from the bar to consider of their Verdict and after some time returned into Court and declared they could not agree, whereupon by consent Simeon R. Bartscholder one of the said Jurors was withdrawn and the rest of the Jury proceeded rendering their Verdict as charged, and the Cause is continued until next term.

✓ M. Ohio - Raym Office Ins agent returned, Raym must please
be replaced & the contents

✓ Reesman & Shaw saw

✓ Sprinkle for P. Mary saw

✓ Wero & Sandis saw

✓ Plecker & Coffman saw

✓ Roads & Mount saw

✓ Orabough & Mount saw

✓ Flook & Hago saw

✓ Martow (for I. H.) & Bryan P saw

✓ Martign & Linnow saw

✓ Reesman & Long saw

✓ Reesman & Sandman saw

✓ Hopkins & Rogers saw

✓ William Abney (Trustee) & Cowdall P saw

✓ Soflana & Mount saw

A Register of Melly Stubbs a few Negroes, was returned into
+ Court by the Clerk, and was compared with the said Melly, and
found duly made, a copy thereof is ordered to be furnished her in
the manner directed by Law

✓ Hoggman for P. & Macarath P. continued

✓ Martin & Hopkins continued

✓ Moore & Mangold continued

History

✓ W. Mahan & State Isaac Hardisty Security for costs and all officers
fines & by Court set continued

✓ W. Mahan & Evans Isaac Hardisty Security for costs & all
officers fines.

✓ Reesman & Mr. Whistler the Deft being dead that fact is ordered
to be entered of Record

Bookle & Foley (In Law) continues for Defendants

Bookle & Foley (In Law) continues for Defendants

Settlements of the estate & accounts of John B. May Jr., Joseph Stanton, Henry Andis and William Robertson were returned examiners and orders to be recorded

Stato & Leland vs. one a Note on a duty bond Stato
 By. proved & execution awarded

Flemming & Wolford
 agt
 In Chancery.

Chancery B. Studdes heretofore

1839
 This cause came on again to be heard this 19th day of February 1839. on the papers formerly read and the order of Publication duly executed against William Jarvis and wife and John Waggoner and wife. absent defendants and was argued by counsel. Whereupon it is adjudged. ordered and decreed that the defendants Rebecca Stottle widow of Christian Stottle decd, and Joseph F. Stottle one of his heirs in his own right, and the said Joseph F. Stottle, who is hereby appointed a commissioner for that purpose, on behalf and in the name of the absent ^{defendants} defendants in this cause, convey to the Plaintiffs respectively in this cause the lands in the bill mentioned. bearing the estate decreed to them from S^r Christian Stottle to warrant & defend the title to the same, provided that said Plaintiffs shall execute to the defendants Joseph F. Stottle admin of C Stottle decd. a deed on said land. conveyed to them respectively to secure so much of the purchase money as may still be unpaid; It is further ordered that the defendants the heirs of said Christian Stottle pay to the Plffs their costs expenses in the prosecuting of this suit.

Or and that the Court do adjourn until the 2nd Monday in March next

Peahey Harrison

Virginia to wit

At about helen for the County of Rockingham in the Third Monday being the 18th day of March in the Year 1839.

Present

Samuel S. Lewis, Samuel Cook, Reuben Moore &
William G. Thompson. S. G. Fisher

A Book of Deeds and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham from the first to the 28th of February 1839. Both days included, was returned into Court by the Clerk thereof, and being examined by the Court, it ordered to be entered on the Minutes, and also lest, it orders to be posted up at the front door of the Court house of this County, which is as follows.

- BR Adms for Land Joseph Mount to Joseph Miller (of Danub) -
 Former Adms for Land Jacob Paul Huf to James Foley.
 Former Adms for Land Benjamin Coffman to Adam Zickel
 Former Adms for Land Adam Wero Jr to Adam Wero Jr. (son)
 BR Adms for Land Isaac Hardesty to Peahey Harrison
 BR Adms for Land Authy P. Huffman to Absalom Coffman.
 BR Adms for Land Chapman Lohio to John G. Steph.
 BR Adms for Land Richard Robinson P. to Thomas Coines
 Former Adms of Release Henry J. Gambell to William Jones
 Adms for P. estate Geo. Sucholtz to Gideon Kistner in Trust for C. Kistner
 BR Adms for Land Henry Miller Jr to Jacob Armon
 BR Adms for Land George Courtes Huf to Chubert B. Bashaw

B.R. Ad vs for said Samuel Miller to Reuben Kingery
 Found Ad vs for said John Cowan to Christian Foltz.
 B.R. Ad vs for said Christian Foltz to Joshua Jennings
 Found Ad vs for said Jonathan Hollings & to John Jones
 B.R. Ad vs for said Samuel Mount to Brother Thomas
 B.R. Ad vs for said same . . . to David Wleed
 B.R. Ad vs for said Samuel Bowman to Hugh Brown
 Found Ad vs for said Abraham Zinklo to Westly Clatterbough
 Found Ad vs for said Isaac Retcher to Christian Feltz.
 B.R. Ad vs for said Mary Booz to R. P. Fletcher in Trust for Geo. Christian
 B.R. Ad vs for said same . . . to same . . . in Trust for A. C. Bryan
 Ad vs for P. Estato. . . same . . . to same . . . in Trust for C. Steto & others
 B.R. Ad vs for said Elizabeth Rathford to Edward Stevens.
 Ad vs of left Ann Whisler to Frank Stearns.
 Ad vs for said Mary Kyle to Robert M. Kyle

+ The Court proceed to appoint, Commissioners to superintend the several Elections to be held ~~for~~ the respective precincts, in this County on the fourth Thursday ————— of April next, for the purpose of Electing two proper and fit persons, qualified according to law, to represent this County in the next General assembly of this Commonwealth, and for the purpose of Electing one proper and fit person to represent the district composed of the Counties of Rockingham, Bath, Maryland, Pennington, Shannandoah, Page and Warren, in the 26th Congress of the United States: Whereupon, it is ordered that the following persons, be and they, hereby are appointed Commissioners any two or more of whom may act to superintend the Elections appointed by law to be held as aforesaid, that is to say, at the Court house, ~~John H. Campbell~~, Jas C. Shepley and Arthur Paul, Saint Shackle & Allen C. Bryan, At the house of Samuel Coats at the mouth of Proctor Gap, Jacob Trumbo, William Stearns, Isaac Readle, Jr. & John Miller — At the school house of John Ziegler in Timberville, Land Mount, Geo. Bourman, M. G. Thompson Abram Knapp & John Bourman — At the house of Richard Peckering in Martha Jacob Roads, Peter P. Kooty, George Roads John Harrison & Derrick Pennykater

At Courthouse Old Stone, Jacob Courvoisier, Henry Courvoisier, W. Wamborough St.
S. Woolf, & Thomas Miller

At Weymouth, Joseph Maury.

Jacob Rusk, William B. Garry, Henry Kessler, & William Miller
and at At. P. Brightwell's store on Beaver Lake, P. Brightwell, Martin
Speck, John Neger, William L. Smith & Francis M. Erwin.

and it is further ordered that the said commissioners, hereby appointed
to superintend the Election at the places designated as aforesaid
being first sworn, for that purpose, (on any 2 or more of them) from
proceed to hold said Election, on the day and at the places
aforesaid, and in the manner directed by Law and make report
thereof accordingly —

Abraham Smith Esq. returned a Certificate, that Joseph
Bellhimer appeared before him on the 27th Feby 1839. took the
* Oath of a commissioner of the Revenue for this County, which is
ordered to be entered of Record.

A Certificate of the qualifications of ^{& the Sworn} Nicholas Hopkins, as
* Overseer of the poor of this County, was returned & ordered to be entered of
Record.

On the Motion of Jacob Driscoll, it is ordered that David
Pennybaker be appointed a Commissioner to examine & settle and
cp. settle the accounts of said Jacob Driscoll as Guardian of Saml
Driscoll, orphan of Samuel Driscoll and to make report to
the Court.

On the Motion of David S. Young, and his having taken the same
Oaths prescribed by Law, is admitted to practice as an attorney in
this Court.

Sam Driscoll Orphan of Samuel Driscoll and now 14 years of age
* came into Court, and made choice of David Black as his
Guardian who entered into bond with security in the penalty of
\$5,000 conditioned as the Law directs.

On the Motion of Jacob Steff, who entered into bond with security in the sum of \$300, and made oath there as the Law directs, a certificate is granted him for obtaining Letters of administration on the estate of Magdalen Steff late Magdalen Bremer, one of the Children of Philip Bremer deceased in due form

A writing purporting to be the last will and Testament of Samuel Howes and was presented in Court and was proved by the Oaths of Jacob Bowen & Ephraim Bear sworn two Witnesses thereto, & ordered to be Recorded, and on the Motion of Saml Howes one of the executors named in the said Will, who entered into bond with security in the sum of \$15,000 and made oath there as the Law directs a certificate is granted him for obtaining probate thereof in due form, and it is ordered that George Miller, John Bremer, John Bowen & Jacob Bowen or any 3 of them being first sworn do appraise the estate of the said Samuel Howes and make report to the Court

On the Motion of Jacob Stiggen Guardian of Peter Statheler and it is ordered that the said Jacob Stiggen have leave to borrow his said Ward to John Bartschold as to learn the Farming business as the Law directs, who is to have for freedom and 20 Dollars

A writing purporting to be the last will and Testament of John Whistler and was presented in Court and was proved by the Oaths of the Witnesses thereto, & ordered to be Recorded and on the Motion of Mary Whistler the executrix named in the said will and Mary Whistler the executrix named in said, who entered into bond in the sum of \$1000 as the Law directs, (the will requiring no security to be given by the executrix) a certificate is granted them for obtaining probate thereof in Court, and it is ordered that Samuel Pifer, Daniel Bernhaim & John Emswiler, being first

sworn do appraise the estate of the said, John Whisler, and make report to the Court

Elizabeth Coffman orphan of Mary Coffman did over 14 years of age come into Court and made choice of Peter Smith as her Guardian, who enters into bond with security in the penalty of \$50 as the Law directs.

Jacob Mount a son of John Mount and Grand son of John Song deceased over 14 years of age. Come into Court and made choice of said John Mount as his Guardian, and it is ordered that the said John Mount be appointed Guardian for his two Children Francis and Harriet Mount also Grand Children of said John Song deceased (who are under 14 years of age), who enters into bond with security in the penalty of \$6,000 as the Law directs.

Ordered that the Overseers of the poor send Daniel Murdock about 15 years of old, an April Month, (who was formerly bound to Isaac Burrier,) to Jacob Sursum, (of New Market,) to learn the trade of a tem plate maker, as the Law directs. who agrees him for freedom due \$20, and it is ordered that the Order binding him to said Burrier be Rescinded.

On the Motion of Reuben St. Harrison, who enters into bond with security in the penalty of \$1000 and made oath thereto as the Law directs. a Certificate is granted him, for obtaining letters on the estate of Nathaniel Harrison deceased in due form and it is ordered that Michael Sellers, John Daniels, James Wear, & Adam Adams or any 3 of them being first sworn do appraise the estate of said Nathaniel Harrison & make report to the Court.

Coffman Hooper & Smith P. upon a Note in debt bond by it due from Creation awarded

Piper & Brannan P

same

Or and that the Orator of this poor boy Henry S. Shelton 13 years old the 12th of May 1849, to Samuel Bear to learn the trade of a Tannery as the Law directs, who agrees to ^{give} the said boy, when free \$20 for freedom dues

Samuel Carpenter, Orphan of William Carpenter, did come into Court, and made choice of Samuel Gibbons as his Guardian, who enters into bond with security in the penalty of ~~\$2500~~ ^{\$2500} ~~\$2500~~ as the Law directs

Hardisty vs. A. P. Robinson, upon an attachment
The Constable having return, on the attached execution on 4 barrels of flour &c. and the defendant not appearing to reply the same, and the Court being satisfied with the Justice of the Plaintiff's Claim, Judgment is awarded him for the sum of \$16.03 ^{with interest from 13 March 1849 to date 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 from the sale thereof pay ^{to the} the ~~Plaintiff~~ ^{on account of the} Judgment

Ex. vs. P. Serrano upon an attachment
The Constable having return on the attached execution on 4 beds &c. and the said Defendant not appearing to reply the same, altho solemnly call it is ordered by the Court that the Plaintiff have Judgment for \$45.23 cents with interest as per specification, and Costs, and it is ordered that the Sheriff make sale of the said attached property according to Law, and pay the money arising from the sale thereof, to the Plaintiff in discharge of this Judgment &c.

On the Motion of Jacob Shantz Guardian for Erns Bartscholden, it is ordered that Richard P. Fitch be appointed a commissioner to examine the accounts of said Jacob Shantz, and make report to the Court

On the Motion of Samuel Weaver and for Reasons appearing to the Court. It is ordered that the said Samuel Weaver have leave to alter a small part of the dry river Gap Road as set forth in his Petition this day made to the Court. which is granted to be certified but the said ^{old} dry road is not to stop, until the said dry way is open ~~and~~ ^{and} in good repair by the said Weaver

On the Motion of John Spetter and for Reasons appearing to the Court. It is ordered that the said John be exempted from the payment ~~and~~ of County and Parish Taxes from the date hereof

On the Motion of Reuben N. Harrison and of Nathl Harrison decess, It is ordered that the said administrators have leave to transfer the indenture bearing Isaac ^{a free boy of colour} to said Nathl Harrison, to James Harrison, as the Law directs

On the Petition of Thomas Lewis Jr. for leave to alter a part of the Swift Run Gap Road, which lies between the lands of Sawt Lewis and the foot of a hill about a mile below said Lewis, whose alteration is on his own land, it is ordered that Henry P. Cangerfield, Ambrose M. Carter, Jacob Stray & Jacob B. Argubright, or any 3 of them being first sworn, advise of the said alteration and make report of the same to the Court and in case necessary attending the same, as well to the Public as to individuals. R.

Review of the Poor of Shannandoah - May 1858 in negro Books & Contents

On the Motion of Jacob Steff Guardians for his infant children John St. Steff and Elizabeth Steff by his late wife Magdaline Steff late Magdaline Bremer, a Daughter of Philip Bremer decd, it is ordered that John Reed Jr. John Shann and George M. Perry be appointed Commissioners to go upon the lands of Philip Bremer decd lying & being in the County of Rockingham, and situate on the North fork of the Shannandoah River, and that the Surveyor of the County do accompany them, and that

they divided the said lands into Miss equal parts according to quantity and quality, and that the said Commissioners do allot and apportion to the following persons legal heirs and representatives of said Philip Brenner deceased, one part of the said land^s to be divided to wit, to Philip Brenner one Ninth to John Brenner, one Ninth ^{to Michael Brenner one Ninth} to Jonathan Brenner one Ninth to Susan Barr & Sarah Creighton, daughters of Catharine Barr and late Elizabeth Catharine Brenner, daughters of said Philip Brenner one Ninth to Betsey Mount one Ninth to Polly ^{to George P. Noble one Ninth} ~~Brenner~~, one Ninth, to the said John Henry Steff & Elizabeth Steff infant children of said Magdalen Steff deceased as aforesaid, one Ninth, and it is further ordered that the said Commissioners do return to the Court a plat of the division of the said lands to be read by them as aforesaid, as therein designates the lots or divisions of said lands allotted & apportioned to the persons aforesaid

Boots & Glover upon an appeal condone for Plaintiff

Henry Boots is admitted upon an appeal

This day came the defendant by his attorney, and the Pepp was solemnly called but came not, and the said court having seen and inspected the Record ^{of the Judgment}, it is considered by the Court that the Judgment be in all things affirmed, and that the Defendant recover of the Plaintiff & Arden South his security in said appeal, ~~the sum of \$15.75 cents, with costs from the 15th day of May 1837 to the amount of the Judgment aforesaid. Together with 10 per cent damages on the whole amount of said Judgment from the 30th day of March 1838.~~ ^{with payment} ~~with~~ ^{and his costs expended in defending the said appeal}

William B. Smith. . . Plaintiff

apn

} In Charge.

John Rader ^{George} Rader adm of John Rader

recd 26
24th 1838

This Cause came on by Consent to be finally heard on the 15th day of March 1839. on the bill & exhibits, and on the answer of the said defendants and the replications thereto, and on the depositions, to take and file in this Cause, and it appearing to the satisfaction of the Court, that the said John King in his life time did fairly and without fraud, and for a fair consideration on the 13th day of March 1827. execute the single bill in the Plaintiff bill mentioned to the Plaintiff for the sum of \$300 and 12 months after the date thereof and that the same is still unpaid, and the said John Rader having admitted in his answer that there are funds sufficient in his hands to discharge the sum and interest and costs, and George Rader, the administrator of John King having admitted likewise that the said John Rader has paid to him of the said Monies enough to discharge the debt, interest and costs, The Court doth Therefore, order and decree that the said George Rader administrator of John King do and pay to the said William B. Smith the said sum of \$300 with interest thereon at the rate of six per cent per annum from the 13th day of March 1828 till paid and the costs of the said Smith expended in this suit, and that the Plaintiff have leave to sue out such execution as he may deem fit to enforce the same

Augustus Paton

appt

upon an appeal

C ~~Andrew~~ ^{James} Dorman } This day came the parties by their attorneys and for reasons appearing to the Court, it is considered by the Court that the Inquest returned by the Defendants appt the Plaintiff before a Justice of peace of this County to be reversed and annulled, and that the Plaintiff recover appt the said Defendants his costs expended in prosecuting his appeal aforesaid here - and this Court ^{proceeding to} giving, such Inquest as the said Justice ought to have given the Warrant is ordered to be dismissed

Commonwealth v. May. for a breach of the peace.

C For reasons appearing to the Court this prosecution is ordered to be dismissed

William Young Hays Pursant P. Harrison.

Robertson & Watson on appeal and for Defendant.

George W. Peffer ... Deft

agst
William Young Hays Defendants Recovered by the appellant agst.

The appellant, before a Justice of the peace of this County.

This day came the parties by their attorneys, and the Court having seen and inspected ^{of said Judgment} the record, and ~~heard~~ ^{heard} the evidence, it seems to the Court, that there is no error in said Judgment. Therefore it is considered that the said Judgment be in all things affirmed, and that ~~the~~ the appellants recover agst the said appellee and S. Smith his security, the amount of said Judgment, together with damages according to Law, on the whole amount of said Judgment, from the 2^d day of April 1838. ^{tell payment} ~~to be paid~~ and their costs expenses and in defending the said appeal.

On the Motion of William Keister admr. of Jane Keister decd. the Court that Richard P. Fletcher be appointed a Commissioner to examine and settle the accounts of said Jane Keister decd. and make report thereof to the Court.

Boardman State

Plaintiff

agst
William Beckard

Deft

upon an appeal from a Judgment Recovered by the appellee agst the

appellant before a Justice of the peace of this County.

This day came the parties by their attorneys, and the Court having heard the evidence, and inspected the record of the Judgment aforesaid, it seems to the Court here that there is no error in said Judgment, therefore it is considered by the Court that the same be affirmed, and that the appellee recover agst the said appellant ~~the~~ and M. Neal Effinger his security, the amount of said Judgment, together with ~~costs~~ damages at the rate of 10 per cent per annum, from the 30 day of ^{Nov.} ~~Dec.~~ 1838 ^{payment} ~~to be paid~~ and his costs expenses in ~~the~~ defending the said appeal.

On the Motion of the administrators of the estate of Henry
 Minnibrecht dec'd. it is ordered that the sheriff of this County
 to take into his hands the estate of Casper Hays in Jr dec'd and
 Mary Hays dec'd. and administer the same according to law

C. Minnibrecht, admin

apth

E. H. Charny

C. Hays & Co. By consent of the parties by this Court
 it is agreed that this suit shall stand and be removed against
 Richard P. Fletcher sheriff of this County, & whose administration
 of the estate of Casper Hays and Mary Hays dec'd was
 this day committed

Ordered that the court be adjourned until the 7th
 Monday in April Next

Peckey Harrison

Virginia to wit

At a Court held at the Court house of Rockingham County on the 20th day of April 1839 by Virtue of a Warrant issued by Augustus Waterman Esq. a Justice of the Peace for this County on the Complaint of William Bushnell agst James Meadows and Henry Meadows which Warrant of Complaint is in the words following to wit, To the Sheriff of Rockingham be agreeably to the act of assembly in that case made and Provided.

Present

Peachy Harrison & Michael St. Harris Gent Justices

William Bushnell . . . Plaintiff

agst

James Meadows & Henry

Meadows

for unlawfully entering
agst the Current of the

Defendants Plaintiff, upon the terms
in the Complaint ~~from~~ mentioned, &c

This day came as well the Plaintiff by his attorney as the said defendants by their attorney, and the Sheriff returned a list of 18 good and lawful Men being freeholders to act as Jurors from which list 12 Jurors were selected by lot, to wit, Samuel Sterling, Andrew McCallan, John Longf, Benjamin Vanpelt, Samuel Shackel, William Reckard, Jas Puff, Saul Leggett, James A. Deane, Peter B Bowdell Peter Harbarger, & Philip Miller who were sworn, well and truly to try whether the said Defendants, James Meadows & Henry Meadows, at any time within 3 years next before the exhibition of the Complaint filed by the Plaintiff in this Cause, did ~~for~~ unlawfully enter upon the Farm in the said Complaint mentioned, and turn the said Plaintiff out of the Possession thereof, and whether the said Defendants continued to hold the possession thereof at the time of the exhibition of said Complaints and having heard the evidence and arguments of Counsel, upon their Oaths to say, whether they find that the defendant Henry Meadows did within 3 years next before the exhibition of the Complaint filed by the Plaintiff in this Cause unlawfully enter upon the

Tenament, in the said Complaint mentioned and turns the Plaintiff out of possession thereof; and that the said defendant did continue to hold the possession thereof at the date of said Complaint, and we further find that the defendant Farm Meadows did not within 3 years next before the exhibition of the Complaint filed by the Plff in this cause unlawfully enter upon the Tenement in the Complaint mentioned and turns the Plaintiff out of possession thereof, and that the said defendant Farm Meadows did not continue to hold the possession thereof at the date of the Complaint. Therefore it is ordered by the court that the Plaintiff recover of the said Defendant Harry Meadows the possession of the Tenement aforesaid, and his costs by him about this suit in that 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 the possession of the said Tenement, and it is further ordered that the Defendant Farm Meadows go thereof without day and recover against the said Plaintiff his costs expended in defending this suit.

Ordered that the court be adjourned

Pearcy Harrison

Virginia to wit

An also with held at the Court house of Rockingham County
on the 13th day of April 1839 by Virtue of a writ warrant issued
by Christian Worid a Justice of the peace for said County in the
Complaint of Samuel Booth executor of Barry Winters and
against Benjamin Glover, which warrant is in the words
and figures following to wit. To the sheriff of Rockingham County
or anyone to the act of assembly concerning forcible entries
and detainers &c Present

Peachy Harris on, & Michael W. Harris her Sisters

Samuel Booth executor of Barry

Winters deced. Plaintiff

vs

Benjamin Glover Defendant } For unlawfully detaining
against the consent of the
Plaintiff, the Tenant of said land
and being in the said County, containing
by estimation 40 acres.

This day came as well the Plaintiff by his attorney
as the said Defendant by his attorney, and the sheriff Returns
a List of 18 good and Lawfull Men being freeholders to
act as Jurors, from which List, 12 Jurors was selected by both
as directed by Law, to wit Reuben Coffman, John Bunkholder,
Abraham Berry, Hugh Bruffy, Lemuel Pifer, Sherw
Nealwood, David Moyers, Jacob Limerick, Thomas Harrison
Christian Haws Jr. Christian Scrimin & Land Early who
was sworn, well and truly to try whether the defendant
Benjamin Glover against the Consent of the Plaintiff, holds
possession of the Tenant mentioned in the Complaint
filed in this Cause; whether the said defendant hath so
held a possession thereof against the Consent of the Plaintiff
for Three years next before the exhibition of the said
Complaint; and whether the Plaintiff hath the right
of possession in the Tenant aforesaid. and afterwards
examined the depositions and having heard the
evidence and argument of Counsel, upon their oaths

do say. we the Jury find that the defendant Benjamin Glaw
 is at the time of the exhibition of the complaint filed in this
 cause holder of the Tenant therein mentioned against the
 current of the Plaintiff and that the defendant, hath not so
 held possession thereof against the current of the Plaintiff for three
 years next before the exhibition of the 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 against the said Defendant the possession of the
 Tenement aforesaid, and his costs by him about his suit in
 that 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 the possession of the Tenement
 aforesaid,

Ordered that the Court do adjourn.

Peasey Harrison

Seized

Virginia to wit,

At about held for the County of Rockingham
on the third Monday, being the 15th day of April in the
Year 1839. Present.

Samuel Cook, Jacob Varnabarger, Augustus Waterman

& William B. Gausey Esq. Justice

A list of Deeds & other writings admitted to Records in
the Clerk's Office of the County Court of Rockingham from
the 1st to the 31st of March 1839. Inclusive, was returned
into Court by the Clerk thereof, and was examined by the
aforesaid Justices, Court. is ordered to be posted up at the front
door of the Court house of said County, and be entered
in the Minutes, and is as follows (to wit):

R.R. Deed for said John Sanders to Jacob Early Jr. —

X Deed for Personal Property. Jacob Sherry to A.C. Byrnes in Trust for M. McCausland

R.R. Deed for said John T. Helms to Robert Grattan Jr.

R.R. Deed for said William G. Proctor to Elias Stokes

Found Deed for said . . . same . . . to Anthony Bentscholden

R.R. Deed for said Anthony Bentscholden to Henry Stockard

R.R. Deed for said . . . same . . . to W. G. Proctor

X Deed for P. Property. M. Lyle to R. W. Palmer in Trust for Geo. M. Kemper & Co.

R.R. Deed for said George Stager to Dorcas Soffard

R.R. Deed for said W. Bottom to David Bottom

f Deed for P. Property Geo. White to St. Otto in Trust for Peter Effinger

R.R. Deed for said Martin Bentscholden to Jesse Bentscholden

R.R. Deed for said Peter Myant to Frederick Myant. +

Found Deed for said Fielder Sollett to Joseph Maury. —

R.R. Deed for said Schuss Looker to David Flood

R.R. Deed for said W. G. Thompson to Adam Sechtler

Found Deed for said . . . same . . . to Moses Beard

R.R. Deed for said Saml Mount to Robert W. Thompson & Co.

Found Deed for said Jacob Pierce to Isaac Long

Found Deed for said Anthony Stufferman to George Melsel

R.R. Deed for said Joseph Brink to Samuel Mount

R.R. Deed for said William Byrd to Jacob Byrd

- Found. *Deed* for Sams. Christian Sets to George Setts
 B.R. *Deed* for Sams. Andrew to Sams. & Co. Sams.
 B.R. *Deed* for Sams. Conrad Rodchufes to Sams. & Co. Sams.
 B.R. *Deed* for Sams. Sams. Shoencker to Jacob Sams.
 B.R. *Deed* for Sams. Sams. to Robert M. Kyle
 B.R. *Deed* for Sams. Mary Kyle to Jacob Braithwaite
 B.R. *Deed* for Sams. Sams. to Sams. & Co. Sams.
 B.R. *Deed* for Sams. Sarah Fishback to Frederick Speith.
 B.R. *Deed* for Sams. John Kline to Alexander Stolsing
 B.R. *Deed* for Sams. Abraham Stoum to Jonas Stoum
 B.R. *Deed* for Sams. David Mary to Stephen Starnsberg
 Found. *Deed* for Sams. Allen to Bryan to Henry Bare
 B.R. *Deed* for Sams. Cordelia Stet to William Reckers.

Certificates of the qualifications of Alfred S. Moor, Peter Newton, Jacob Rohr, Samuel Cook, John Reith, Sams. Davis.

as officers of the Poor of this County, was returned, and ordered to be entered of Record

of Thomas Sinslow & William Robinson Plaintiffs
 vs. William Dever, Edwin Dever & John A. Ruffer Defendants

William Dever, Edwin Dever & John A. Ruffer } In Chancery.

The Defendant William Dever who is out of the County, and against whom the Plaintiff appears to have proceeded in the mode prescribed by Law, against absent defendants, still failing to appear and answer, on the Motion of the Plaintiff Sinslow by his Counsel the Court doth take his bill for Confession as to the Defendant William Dever, and the Cause coming on by Consent to be heard as to the other defendants, on the bill, their answers and exhibits, and was argued by Counsel; on consideration whereof the Court doth adjudge, order and decree that the defendant William Dever pay to the Plaintiff Thomas Sinslow the sum of \$72.50 with interest thereon from the 4th day of September 1837.

Together with his costs, and it being admitted by the deft Joshua A. Ruffer that he had in his possession at the time the Deft William Jones left the Commonwealth a single bill, executed by the Deft Ewen Dew to the Deft William Dew, on the 13th day of December 1836 for the sum of \$70. payable 12 months after date, this single bill, the deft Ruffer has filed with his answer marked A. which it would seem ought to be applied to the payment of the Deft William Dew's debts, and amongst others to the claim of the Plaintiff; but it also appearing to the Court that before the institution of this suit, the Deft Ewen Dew became the owner of a single bill, executed by the deft. William Dew to Coffman & Cooper for the sum of \$39. 66 $\frac{1}{2}$ cents on the 21st day of February 1837, exhibited with the answer of the Deft Ewen Dew, marked (B.) and payable on demand. It is therefore, further adjudged, ordered and decreed that the deft Ewen Dew, do and, he is hereby, authorized to retain in his hands the said sum of \$39. 66 $\frac{1}{2}$ cts with interest thereon from the 21st day of February 1837, and that the said Ewen Dew do pay to the Plaintiff, Serrano the balance due on the aforesaid single bill executed by him to the Deft William Dew, for the sum of \$70. after deducting from the amount of principal and interest due thereon the aforesaid sum of \$39. 66 $\frac{1}{2}$ cts with interest due thereon and after deducting, also the costs by the said Ewen Dew expended in defending this suit; But the Plaintiff Serrano is not to have the benefit of this decree, until he shall have entered into bond with sufficient security in the Clerk's office of this Court in a penalty equal to double the money decreed to be paid by the respective defendants Ewen Dew, with such conditions as the Law requires in case of absent Defendants.

A Sale bill of the estate of said Hart and Related named above to be Recorded

On the Motion of Reuben Moore assn with the will
 of George Hoof and it is ordered that Wilem
 Perry Baker & Isaac Thomas be appointed commissioners
 to examine said and settle the estate accounts of said
 Hoof and make report to the Court

On the Motion of Samuel Bowman assn of John Byrd and it
 is ordered that Edward M. Smith, Algernon S. Gray, James S. Saffman or any 3 of them being first sworn do appraise the
 lands belonging to the estate of S^r Byrd and make report
 to the Court

On the Motion Christian Krotyer assn of George Olsen
 and it is ordered that Richard P. Fletcher be appointed
 a commissioner
 to examine and settle accounts of said George Olsen and
 make report to the Court

Robert Gattens Esq who was heretofore appointed a
 Commissioner to lay off and allot the homas between the
 City & S. Precincts N^o 1 & 2 on the Freedom Church Road made
 a report, which was examined and approved by the Court
 and ordered to be entered of Record, and the Talhalls so
 allotted is hereafter to worth on said Precincts

Joseph & John Spitzw Children of Philip Spitzw and Grand
 Children of Peter Knapp and it is 14 years of age and came
 into Court and was as chosen of said Philip Spitzw as their
 Guardian, and it is ordered that the said Philip Spitzw
 be appointed Guardian for his son & brother Spitzw and
 infant under 14 years of age, and also a Grand son of said
 Peter Knapp, and who entered into bond with security
 in the penalty of \$1000 as the Law directs

An appraisment bill and sale bill of the estate of Peter
 Knapp and was heard examined & ordered to be Recorded

Rebecca Moyer orphan of Daniel Moyer and now
14 years of age came into Court and made choice of
Jackson Storn as her Guardian, who entered into bond
with security in the sum of \$2000. as the law directs

Peter Paul vs. William Stealer. upon an attachment.

The Constable having returned on the attachment, excepted
on 14 Bushels of wheat 20. 20. Oats 2 Bushels of 1/2 c. and
the said defendant not appearing to reply the same altho
solemnly called. Judgment is awarded the Plaintiff for \$11.22
cents. with interest from 1st day of September 1838 till paid
and Costs, and it is further ordered that the sheriff make
sale of the said attached Property according to Law and
pay the Money arising from the sale thereof, to the Plff.
on account of the Judgment &c

On the Motion of Henry Bellhimer son of Jacob
of Pross and it is ordered that Richard P. Fleisher be
appointed a Commissioner to examine the Estate and
settle the accounts of said Pross and make report
to the Court.

An appraisment & Sale bill of the estate of
Wilson Mephis and ~~and make report to the Court~~
was returned & ordered to be Recorded.

Settlement of the estate accounts of Francis Dever
Jacob Miller, William Carpenter & Wilson Mephis
were severally returned examined & ordered to be
Recorded.

Settlement of the accounts of Jacob Storn as
Guardian of Daniel Storn. was examined by the
Court & ordered to be Recorded.

Overseer of Poor
James Moyer on Receipt Controversy

Countess to La. Foley, on allegs for abnash of the peace, in the
Complaint of Phoebe Foley. The Defendant appears in Court, in
discharge of his duty, and the Prosecution not appearing, altho
solemnly call, the said Prosecution is craved to be dismissed.

Boots & gloves. On an appeal, The parties having agreed this
Court, that each party is to pay one half the costs, The same is
therefore craved to be dismissed.

On the Petition of Andrew Knapp, ~~for leave to change~~ ^{for leave to change} a part of the Public
Road leading from Kington to New Market, the said alteration
of being on the lands of said Knapp, it is craved that John
Oliver, John Knapp, Daniel Kerst, and Matthias Merriam
or any 3 of them being first sworn, do View the said alteration
and make report to the Court of the conveniences attending
the same, as well to individuals as to the Public.

On the motion of John Rohr (son of John) who enters into
bond with security in the sum of \$600. and made oath
thereto as the Law directs, a certificate is granted him for
obtaining Sellers of administration on the said estate in due
form, and it is craved, that Nelson Sprinkled George W
Stanford, Samuel Shacklet P. Daniel Jones, or any 3 of them
being first sworn do appraise the estate of said John Rohr
and make report to the Court.

Michael Maury a constable in the South new
district, came into Court and resigned the said Office, Whereupon
Philip Leggett was unanimously elected a constable
in said district (the Court having been first as directed by
Law) to serve untill first July Court Next. The said Philip
Leggett having entered into bond with security, in the sum of
\$1500. and took the several Oaths of Office as the Law
directs, whereupon was acknowledged by the parties thereto
and craved to be Recorded, and it is further ordered, that
it be Certified that the said Philip Leggett is a

Manner of honesty, probity and good Character.

The day of Election having been changed from the fourth Thursday in this month to the fourth Thursday in May next. It is therefore ordered that the commissioners appointed at March Court last to superintend the said Election, proceed to hold said Election, ~~respectfully~~ respectfully, on the said fourth Thursday in May next, in the manner directed by law.

On the Motion of Davis Stewen Esq. Sheriff of this County to whom administration of the estate of John Erwin deceased was committed, it is ordered that Richard P. Fletcher be appointed a commissioner to examine said estate and settle the estate accounts of said John Erwin and make report to the Court.

On the Petition of Fountain M. Layton for leave to change a part of the Public Road leading from Port Republic to Staunton where alteration is to begin at the Shop of Robert M. Palmer & ~~extend~~ intersecting the said Road between 200 or 300 yards above, the place of beginning, it is ordered that Jacob Mohler, John Miller, James Lerage & John Austin, or any three of them being first sworn, do view the said alteration, and make report to the Court of the convenience and inconvenience, attending the same, as well to individuals, as to the Public.

On the Motion of William H. Gaily administrator of Samuel Hart decd. it is ordered that Richard P. Fletcher be appointed a commissioner to examine said estate and settle the estate accounts of said Hart and make report to the Court.

On the Petition of John Pinner to change a part of the public road leading from Franklins Quarter to the mouth

of the same mouth of Harris Lake, on the road leading to Pryor
 Mill, which alteration is to begin at said Franklins Quarter, and
 to end at the mouth of said Harris Lake, and also for him to
 alter a part of the road leading from Mount Crawford into the
 Turnpike, which alteration is to commence at or near the sign
 Post and to ~~terminate~~^{end} at the mouth of said Harris Lake, it is
 Ordered that Christian Garber, Martin Miller & Emanuel
 Harnsbarger, being first sworn, do View the said alterations
 and make report to the Court, of the conveniences and
 inconveniences attending the said alterations, as well to understand
 as to the Public.

Prerogative

Stephen Harnsbarger.

<sup>go
into
out</sup> Ordered that Franklin Kemper be appointed Surveyor of Prerogative
 No. 1. on the road from Port Republic to Staunton in the room
 of Charles Carthew Bernard.

Ordered that the Court be adjourned until the Third
 Tuesday in May Next.

Stephen Harnsbarger

Virginia to wit: At about half for the County of Rockingham
 on the 7th day of May 1839. for the Trial and examination of George
 M. Cockrell, who was Recognized to appear here on this day to
 answer a Charge of Felony and stands Charged with Feloniously Murder-
 ing a Woman, with an intent to Kill a certain John Mills
 Jacob Prerogative, Abraham Smith, Michel M. Harris, Augustus
 Waterman & Charles L. Spear. Ed. Foster

The Prisoner appears in Court in discharge of his said recogny.
 and being Charged with the felony aforesaid, pleads Not Guilty, and
 thereupon several Witnesses were sworn to wit: Marshall Rogers Jr.
 Jeremiah Caldwell, & Peachy Harrison.

were sworn and examined, Touching the felony of which the prisoner
 stands Charged, and the Court having Maturately considered of the
 evidence and arguments of Counsel, are of the opinion that
 the said Prisoner is Not Guilty of the felony whereof he

stands charges and is a judge and discharges and
go through without day

Orans that the Court be adjourned

Mr. Smith

Virginia to wit

At a Court held for the County of Rockingham, on the third Monday being the 20th day of May in the year 1839.

Present

Jacob Reub. John H. Campbell, Jacob Starbarger &

Reuben Moore

E. G. Justice

A list of Deeds and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham from the 1st to the 30th day of 30th April 1839. both days included, was returned into Court by the Clerk thereof, and being examined by the Court, was 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.

Found Deed for Land George Stecy to Samuel Lambert

B.R. Deed for Land Samuel Lambert to George Stecy

B.R. Deed for Land Samuel Lambert to Henry Cripps

B.R. Deed for Land William Cherryholmes son to Emanuel Roadcap.

B.R. Deed for Land John Dentel to Jonathan Shaver.

Found Deed for Land Abraham Spitzer to Hamilton P. Huffman

B.R. Deed for Land Hamilton P. Huffman to Sarah Feshbach

B.R. Deed for Land Henry Tarling to John Chrisman

B.R. Deed for Land Solomon M. Hunter to Michael St. Effinger

Found Deed for Land Thomas Manzey to Stewell Rogers.

X Deed for P. Property John Wooley Jr to Thomas Clarke in Trust for J. Wooley Jr

Found Deed for Land James Lee to Benjamin Huffman

Found Deed of Release for Land Henry Booz to Thomas Clarke.

Found Deed for Land Pleasant A. Clarke to Thomas P. A. Linsay

X Deed for P. Property Briscoe Smith to Geo. W. Kemper in Trust for Jacob Heagle

B.R. Deed for Land J. Sherey to P. A. Clarke in Trust for Adam Detreid

B.R. Deed for Land Martin Streeten P. to Benjamin Streeten

Found Deed for Land William Stisen to James C. Shepman &

B.R. Deed for Land James Foley to Henry Applegate

B.R. Deed for Land Abraham Reswanjo to David Roads.

B.R. Deed for Land Alexander R. Givers to Joseph Allen

B.R. Deed for Land John Roller to Lemard Tutwiler

B.R. Deed for Land Madison N. Brown P. to Fountain M. Layton.

- Found Deed for Land Robert Grafton Jr to James Foley.
 B.R. Deed for Land David Bournaw to Joel Hitzger
 B.R. Deed for Land same to Jacob Bournaw
 B.R. Deed for Land Peter Roadcap to Jacob R. Roadcap
 Found Deed for Land Adam Wier Jr to David Wier
 B.R. Deed for Land Samuel Millers heirs to Saml. Lambert
 B.R. Deed for Land Reuben Amick to John Lancia
 B.R. Deed for Land Christian Hitzger to Samuel C. Hoffman
 B.R. Deed for Land George Glen's heirs to Samuel Glen
 B.R. Deed for Land same to Alexander M. Giley
 B.R. Deed for Land same to Smith & Hyle
 B.R. Deed for Land same to Richard & Clarke
 B.R. Power of attorney for the conveyance of Land Mary Hysor P to John Hysor
 B.R. Power of attorney . . . for same . . . C. Brown to C. Hitzger
 B.R. Deed for Land John Shepley to Frederick Roads
 B.R. Deed for Land Peter Bentscholder to Joseph Tressell
 Deed of Gift for P. Property Catharine Torrey P to Harriette Bowart
 B.R. Deed for Land R. Robert Gray to Samuel Gabbons
 B.R. Deed for Land Mary Hyle to Robert F. Hyle
 B.R. Deed for Land Peter Reed to Samuel Hysor

Certificates of the qualifications of Jacob Trunk & Abraham Byss as Oathmen of the poor was returned, and ordered to be entered of Record

Grand Jury sworn (to suit) Peter B. Bowdell, ^{foreman} Peter Hitzger, Jacob Bentscholder, Henry Tarflinger, Peter Fitch, George Nicholas, Elchan Hyle, Jonathan Shaver, John M. Alder, John Fustly, Archibald Macalister, Thomas Harrison, Allen Green, Christopher Whetzel, John Palmer, Richard Wingfield, Volanters Bar, Philip Baker, Henry Manger, Michael Brown & Isaac Bents, who were then charged and returned from the bar to Counselor of their Presentments, and after some time returned into Court and made the following and heard, as follows. Whether above bill, any indictment as to Effinger above as a said. Allenow above bill, and made out as Michael

Effraiges a true bill, an indictment agt Saul Brown a true bill, an indictment agt Thomas Woodford a true bill, an indictment agt Myant Frazer, a true bill, an indictment agt H. Starnum a true bill, and no present. Pauline Tyler for selling goods as a bankrupt & dealer without license &c. and the said Grand Jury having no further business before them they were discharged, and it is ordered that Summons be awarded agt the said Defendants, to answer the same returnable here at August Court next

Count is Zerkle. By consent the deft consents a fine for the costs of the prosecution

Count is J. Shewalter for. Fine consents for costs

On the Motion of Richard P. Fletcher Shff of this County Henry H. Smith, George Brannen David Charles & Abraham Byrd. are admitted as Deputies who thereupon appear in Court and took the several Oaths of office as the Law directs. The Court being of the opinion that they are men of honesty, probity and good recommendations.

On the Motion of Peter Dinkels, Samuel Cook, Richard Pickering, Hugh Bruffy & Margaret Lewis, Authy Stuffman, D. Vanpelt, Zebu G. Linnard & John Nicholas & Harry C. Flocking and they having paid to the Sheriff of this County the taxes imposed by Law, it is ordered that license be granted them to keep a saloon at this County, until the May Court 1840. on their entering into bond with security in the Clerk's office as the Law directs, the Court being of opinion that the said are men of good character not addicted to drunkenness or gambling & that they will keep orderly and useful houses of entertainment.

Another Motion of Saml Cook

Samuel Clarke, & Jacob Bellhimer Comptrollers of the Revenue came into Court and gave the Court the information as required by Law

20 Feb. On the Motion of Thomas Chapman, and he having entered into bond with security in the penalty of \$800 and made oath thereof as the Law directs. a certificate is granted him for obtaining letters of administration on the estate of Robert Palmer and in due form, and it is ordered that Messrs Sallan, Daniel Harrison, & Adam Long being first sworn do appraise the estate of said Robert Palmer and make report to the Court

On the Petition of John Siter and others for a View of a way for a road leading from the sign board on the New York & Obedts Gap Road, to the road leading from Harrisburg to Peracton, as set forth in the petition. It is ordered that Peter Paul Jr John W. Dunlap James Anderson & Ezechie Anderson or any 3 of them being first sworn do View the said way for a road and make report to the Court of the convenience and inconvenience attending the same, as well to individuals as to the Public

On the Petition of Emanuel Starnberger & others for a way for a road, beginning at the Warm Springs and Harrisburg Turnpike Road near Samuel Durbles and near the termination of the Road of which James Jones is Surveyor, and from thence to what is call'd the old Buller Road as set forth in the petition. It is ordered that Henry St. Wyant, George Myers & George Hooper, being first sworn do View the said way and make report of the convenience and inconvenience attending the same to the Court, as well to individuals as to the Public

On the Motion, John F. Rush, who and he having entered into bond with security in the penalty of \$4000 and made oath thereof, as the Law directs. a certificate

is granted him for Obtaining Sells of arms in whole Debenture
-ment of Isaac Robbins, and Michael Mayheffer and in
due form,

C The Verdict appointed at April Court 1839. to View and
alterations in the Public Road by John Perce, and the Court
having examined the said report, and duly considered the
same and there being no Objections thereto, it is ordered
that the said alterations or alterations be established agreeable
to the said Report. &c

C Committed a Motion upon a Fact The Defendant appears
in Court and Confess a Fact for the Costs

C On the Petition of Adam Seathite for View of a
way for a Road from Sawdust Mill, to enter it into with
of the Brock's Gap Road by the Lomas. M. G. Thompson, it is
ordered that William G. Thompson, John Benson & George
Benson, being first sworn, do View the said ^{Way} alterations and
make report to the Court of the Commission and receive
-ment attending the same to the Court, as well to
understand as to the Public

C Susannah Mier a Daughter of Jacob Mier and ~~James~~
~~Daughter of~~ over 14 years of age came into
Court and made choice of the said Jacob Mier as her
Guardian who enters into bond with security in the
penalty of \$300. Considered as the Law directs

Ordered that William H. Gaily be appointed Guardian
for Ralph Loftin, Sarah E. Loftin, Archibald Loftin & Margaret
* Loftin Children of John Loftin all under 14 years of age who
entered into bond with security in the penalty of \$100.
as the Law directs.

On the Motion of Jacob Quintel, William West, George Kuegel
Samuel Miller, William Schryver, John Fagles, Jacob Coplinger
and Daniel Harrison, Daniel Lincoln ~~James Thayer~~ Christian Knicker, Holo Perley
and they having paid to the Sheriff the taxes imposed by
Law, it is ordered that License be granted them to keep
private entertainments at their respective houses in this County
until May Court 1840

On the Motion of John Anderson & Richard White
per Negroes. it is ordered that the Sheriff summon
all the acting Magistrates in this County to appear
here on the second day of June Court next, to decide
whether they will grant the said Anderson and
White to remain in the Commonwealth of Virginia
and to reside in the County of Rockingham, they the
said Negroes having been emancipated since the 1st
day of May 1806.

Commonwealth v Joseph Bonville, an attorney for abate
of the peace. By Counsel. The defendant appears in Court
and confesses a judgment for the Costs of this prosecution

On the Motion of William Rees esq. it is ordered that
Richard P. Fletcher be appointed a commissioner to examine
the and settle the estate accounts of said William
Rees and make report to the Court

On the Motion of said Executors adms of Isaac Sellars
ad. it is ordered that Richard P. Fletcher be appointed
a commissioner to examine state and settle the estate
accounts of Michael Moughaffer dec^d. & with the said
Executors (as the adms of s^d Sellars) who was the adms of
said Moughaffer, and make report to the Court

Q Poor of ^{Shanainpatt} Moy in. or azezy p? Content was sent the
sent terms

On the Motion of the Plaintiff and a director of the Valley Road
 C Turpike Company, it is ordered that Jacob Bowman, Jonathan Peal
 Christian Coffman, Jacob Starnberger & John Rusk — be appointed
 commissioners, any 3 or more of whom (being first sworn) may act
 to go upon the lands of John Larcis, ^{on the 1st day of June next} and New and Valley Road
 c.p. ^{part of the} lands of the said John Larcis, that will be condemned by
 the opening of the Road by the said Company, as also the addition
 fencing, which will be required thereby and all other necessaries
~~that~~ which will result to the ^{said Larcis} ~~proprietor~~ ~~land~~, and shall
 continue therein, a just regard to the advantages which
 the owner of the land will derive from the construction of
 the said Valley Road & and make report to the Court, ^{as directed by Law} and
 it is ordered to be certified that the said John Larcis was in
 Court and consented to this order, and it is further certified
 that the said John Larcis consented that the Justices now sitting
 should make the appointment of said commissioners altho. a part
 of them ^{might be} ~~might be~~ stock holders, in said Company.

On the Several Motions of John Allibough, Conrad St. Witte
 and Franklen ^{Kemper} ~~Kemper~~, Jacob Starnberger, Jeremiah Starnberger
 and they having
 paid to the sheriff, the tax imposed by Law, it is ordered
 that License be granted them to keep houses of private
 entertainments in this County until the May Court 1840

Boogles & Rev. dismissed.

C Keller in Woods. Controversy for Defendants ^{costs} both

On the Motion of Jonathan Peal William L. Smith, son of
 Henry Smith dec. it is ordered that Richard P. Fletcher be
 appointed a commissioner to examine into and settle the
 estate accounts of said Henry Smith and make report
 to the Court

Printed by Peasey & Harris

James Flook & William Ferry P. on the Motion of the Plaintiff leave is given him to withdraw the note filed in this cause, upon his filing an attested copy thereof in the papers. —

On the Motion of Jacob Stambarger executor of Henry Stambarger and it is ordered that Richard P. Holcher be appointed a commissioner to examine said estate and settle the estate accounts of said Stambarger and make report to the Court.

Ordered that the Court be adjourned until to morrow morning at 10 o'clock.
Peachy Harrison

Tuesday the 21st of May 1839

Present

Peachy Harrison John St. Campbell, Michel St. Hatten
& Augustus Waterman Esq. Justices
Frances Dever Plaintiff

agst

Copied Sarah Dever, Polly Dever Malinda Dever, Owen Dever Hugh Dever Defendants
In Chancery

This cause came on by consent to be specially heard this 21st day of May 1839. on the bill & exhibits the answers and the reply thereto, & orders made in this cause, and on the report of the Commrs. Joseph Maughey, John Black & Martin Miller, and no exceptions being taken to said report, the same is confirmed; The Court doth therefore, adjudge, order and decree that the said Frances Dever do hold in severally, as of his own free the 111 acres assigned to him by the said Commrs. in full of his interest in said lands: that the said Sarah Polly & Malinda Dever, do hold jointly as of their own free, but in severalty from the other parties in this cause, the 95 acres and the 24 acres assigned to them by the

said Comrs. in full of their interest in the said Lands, and that the said Owen and Hugh Owen, do hold jointly as of their own fee, but in severalty from the other parties in this Cause, the Ct. are agreed to them by the said Comrs. and the Court doth further adjudge Order and decree that the Clerk of this Court do make up a complete record of the proceedings in this Cause, and that the entire cost of this suit be divided into seven equal parts, and that the Plaintiffs pay three sevenths, the defendants, Sarah, Polly & Melinda each one seventh part and the defendants Owen and Hugh jointly one seventh part, and leave is hereby reserved to the infant defendants Owen and Hugh Owen to show Cause if any they can against this decree, within twelve months after they respectively attain the age of Twenty One Years

Order that the Sheriff summon all the acting Magistrates in this County to appear here on the second day of June Court next for the purpose of appointing the County Jury for the year 1839. and for the purpose of acting on any other business which may then be laid before them, and which may require the action of a Majority of the Magistrates to be present or to be summoned.

C. Owen and Storm dismissed.

C. Hills for P. O'Rourke continues by Court

C. Cantel & Davis continue

C. Cantel & Gilman continue

C. Cantel & Hammock continue

C. Cantel & Davis continue

C. Hartow & Berke upon a Note, Note acknowledged & continued

Cornth & Wilhem Continued

Cornth & Allman Left call not appearing Capricious
 & Returnable here at August Court Next

Cornth & Beare at by & Freeman Continued

Young & Pochoy & Pefer Continued

Peckerin & O'Rourke W & E waived & Inad for Costs

Windsor for B is Continued by Court

Gaily & Faint Continued by Court

Bates & Polerman Continued by Court

Stato & McGray Continued by Court

A Settlement of the estate & accounts of Voluntary Persee
 der. Returned ^{or answer} & Orders to be Recorded

A Settlement of the accounts of Michael Wind as Guardian of
 Lydia Moore Returns & answers Orders to be Recorded

Stewart & Hopkins plea was & Inad except as per Specialty
 with interest & Costs (saving equity)

Moore & Mangold same

Bliss & Rayner same

Spruit for B & Murry same

Roads & Mount same

Creighton & Mount PO same

Flood & Waga same

Newton for B & Bryan PO same

Montague & Linnam same

Deussen & Long same

same same

Hopkins & Rogers same

Holland & Mount same

More 4 Sanai Contin.

✓ Please see in Koffman's contents

W. Mahan to Evans Contents

Abney (Trustee) to Dowdall & Co. Contins

Fishes in Fry Mr. E set are as N. a Good Replication of Spec & contents
Mr. E set are as

Leadbough "Wenters ex. ex. ^{the 6 are all} A. a Gent. repliation of the 6 carbos

(Shaver & Song). No. set around A. G. Good replication of the track.

(~~A. Long~~) & J. Evans. No 6 st and St. Louis duplicator & fine bank

C Harry Infant & Braithwaite Jury sworn to try the case to wit:
George Carson, Harvey Effinger, Mitchell Carson, John Fryer,
Samuel Henry, John Bowen, John Cokerly, David Harrison, Henry
B Lewis, George Armstrong, David Jones & Philip Miller
verdict for the Plaintiff for one Cent Damages &
August accordingly —

Receives in Whistler's case. Offers to pay ret. and payment
pleads. Good replication to offer to Carleton

Leggett & Howalter same

Clevis alba + *longicollis* P. *salva*

Modern an d Roberts on same

Chrisman O'Saffy - Wilson same

✓ Krotyer for ρ^0 in Realtime ρ^0 same

2. Mr. Carey Williams for P^r Powell same

Revel & Morgan saw

Thygesen & Palmer *PO* same

Perkins in Ever Rd Salme

C - Discharge & Tariffing same

Carlisle H. Lins. & Booz saw

Stout for Crawford / 4 Bears PO same

Drinks - Beverages 500

Pefer & Braganza saw

Peper 4 Boaz same

C. P. 200 4 Robinson same

c. Eisen " Dunkelgrün same)

Piper v Logan P^d Offens. Inapt. set aside pay must be made
 Good Replication & Spec & Continu

Piper v Month same

Stevens for P. v. Garrison same

Effinger v Swann adms. same

Piper for M. D. E. v. Clarke same

W. H. May for H. G. Harris v. Shaffer same

Piper v Braithwaite same

W. H. May for M. D. E. v. Logan same

Pager for A. Smith v. J. Miller disrup^d agreed.

An appraisment bill of the estate of Phoebe Ewen dec^d
 was returned & various Orders to be made

Graham for P. v. Helms continues for Plaintiff

Davis for M. Maury v. M. Davis. It appearing that Debt
 was paid before the bring of the suit the same is ordered
 to be discontinued.

Stewart v Braithwaite, The Defendant appears in Court
 and confess a Inapt. for the debt in the writ mentioned with
 interest & Costs

M. Mahan v. State (Negro) Cont^d by Consent

Hoggs son for P. v. Headrick P^d The Defendants for further
 cf. plea in the behalf please 3 special pleas which are herofor
 as writing to which the Debt replys generally and spec are
 Thereupon joined, and thereupon came also a jury to wit
 William Ewen, Samuel Sterling, Jacob Effinger, William
 Eaton, Henry Kelly, James Moore, Joseph Braithwaite, Peter
 Pringle, Jackson Napier, Jacob Burdholow, Henry Ott. &
 George M. Perry takes Ver dict, for the Debt ^{to wit} 1500 \$
 that the writing obligatory in the declaration mentioned was
 the property of George Clarke, on the 7th of March 1838, and
 that before the Defendants had any notice of the Transfer of
 said writing to Peter Pringle (for whom benefit the suit
 is prosecuted) had procured legal setoffs which with
 the interest thereon till the 21st of May 1839. amounts

" to \$190.32 $\frac{1}{2}$ cents, which sett-off we allow, and fees for the
 "Plaintiff \$18.10 $\frac{1}{2}$ cents the Remittance of said Writing Obligatory
 "on the 21st of May 1839. with interest on the said \$18.10 $\frac{1}{2}$ cents from
 "said 21st May 1839 till paid," and Judgment accordingly.

C Double & Toly Returns (in Case)

same & same in Tols returns for Defendants.

P. and on the Motion of the Deft by his ^{attorney} ~~attorney~~ that Matthew
 Helms and Andrew Helms witness for the said Defendant show
 cause at the next term why they shall not be fined according
 to law for such their non attendance.

@ May & Helms The Deft being called that appearing, now
 B. sent is answered with \$5. damages and I say for the Deft
 Hosts, and by count the of the Parties the said Damages
 is Release

Ordered that the Court be adjourned until the Third
 Monday in June Next

Peachy Harrison

Virginia to wit

At a Court held for the County
of Rockingham on the 17th day of June in the
year 1839

Present

Jacob D. Williams, Auditor of the County, ^{John H. Harris}
and Jacob Rush

Sh. Justice

A List of Conveyances and other writings admitted
to Record in the Clerk's office of the County Court
of Rockingham from the 1st to the 31st May
1839 both days included was returned into Court
by the Clerk thereof and being examined by the Court
was ordered to be entered on the minutes and a
like list posted up at the door of the Court house
of said County and is as follows

BR. A Deed for Land William B. Abbott & wife to John Lawson

BR. A Deed for Land William B. Abbott & wife to Stclair D. Kerley

BR. A Deed for Land John Frymer & wife to Christian Bowers

BR. A Deed for Land Ananias Davison & wife to James A. Delworth

Found. A Deed for Land John Brown & wife to John L. Brown

Found. A Deed for Land James Clark & wife to Susanna Miller

BR. A Deed for Land John Swartz & wife to Christian Greder

Found. A Deed for Land Charles D. Spears to Edward Buster

BR. A Deed for Land Geo. Eskridge, late Marshal, to Charles Bates

BR. A Deed for Land Adamine Smith to Addison Barth

BR. A Settle Bond for Land Richard Thomas to Thornton Thomas

BR. A Deed for Land Jacob Dunkle & wife to John Dunkle & wife

Found. A Deed for Land John Dunkle & wife to Jacob Dunkle

Found. A Deed for Land Stewey Smatts & wife to Peter Shickle

BR. A Deed for Land Stewey Roads & wife to David Rhodes

BR. A Deed for Land Stewey Moyers & wife to William Dyer

Found. A Deed for Land Emanuel Sellers & wife to Jacob Brild

BR. A Deed for Land John Bowser & wife to Jacob Nicholas

BR. A Deed for Land Luther Bellings to William B. Abbot

Found. A Deed for Land Robert Gray to John Kuning in Trust
for James Blakey

- BR. A Deed for Land John H. Meller & Wife to Levi May
X A Deed for P. Propoy Richard Blatterbuck to Jackson
Manpitt in Trust for Lewis Lane
BR. A Deed for Land James Turner & Wife to Jacob Turner
BR. A Deed for Land James Turner & Wife to John Turner
BR. A Deed for Land Jacob Nicholas & Others to George Nicholas
BR. A Deed for Land Jacob Koogler & Wife to Gabriel Steatwolt
Found. A Deed for Land Joseph Baugher & Wife to Thomas Marshad
BR. A Deed for Land George M. Cuny Baker & Others to Joseph Yount
BR. A Deed for Land David Brannaman & Others to Jacob Kiff
Found. A Deed for Land Matthias Phipps & Wife to John Jones
BR. A Deed for Land Peter Muenck & Wife to David Kazy
BR. A Deed for Land Isaac Song & Wife to John Song
BR. A Deed for Land Dr. John Rankin to John Kiny in Trust
for Isaac Hardisty & Others
BR. A Deed for Land William Snider & Wife to Henry Smalls
BR. A Deed for Land Augustus Waterman to Henry Flick
BR. A Deed for Land Henry Flick to James Manpitt
BR. A Deed for Land John Showalter & Others to David Showalter
BR. A Deed for Land Peter P. Koontz & Wife to George Rhodes
BR. A Deed for Land Joseph Bury & Wife to Robert Stook
BR. A Deed for Land Robert Stook & Wife to Joseph Bury
Found. A Deed for Land John Bible & Wife to Christian Brunk
BR. A Deed for Land James Blakey Come to Robert Snay
BR. A Deed for Land James Blakey Come to George W. Cifer
Found. A Deed for Land John Barber & to David Steatwolt & Reha
Found. A Deed for Land Joseph Maug & Wife to Albert G. Maug
BR. A Deed for Land Christopher Burner to Levi Stotzpetter
RR. A Deed for Land Hugh Bruffy & Wife to James Clarke
BR. A Deed for Land David blind & Wife to Samuel Yount

The Court doth hereby establish the following rates & fees for Ordaining
x Reapers for 1839. (to wit) the same, as shown ^{find} for the year 1838. which
is ordered to be Certified

Present. Augustus Waterman & Peasey Harrison.

On the Motion of Abraham Lincoln Guardian of
 Copy of Caroline E. Evans Orphan of Joseph Evans and it is ordered
 that Samuel Loffman be ~~appointed~~ appointed a commissioner to examine state
 and settle the ^{estate} accounts of said ^{Lepscott} ~~Caroline~~
 and make report to the Court.

On the Motion of Daniel Stanton & Martin Bentschneider
 Copy of Martin Leroux dec. it is ordered that Richard
 P. Fletcher be appointed a commissioner to examine state
 and settle the ^{estate} accounts of said Leroux and make report
 there of to the Court.

On the Motion of Barnet Stufferman administrator of Henry
 Copy of Stufferman dec. it is ordered that Richard P. Fletcher be
 appointed a commissioner to examine state and settle
 the ^{estate} accounts of the said Henry Stufferman and make
 report to the Court.

An appraisal bill of the estate of Philip Eagle dec. was
 returned examined & ordered to be Recorded.

On the Motion of James Dunkle and Joseph T. Neadele administrators
 Copy of Philip Eagle dec. it is ordered that Jacob Stambarger be
 appointed a commissioner to examine state and settle the
 estate accounts of said Eagle and make report to the
 Court.

On the Motion of Daniel Blofer. it is ordered that Richard
 Copy of P. Fletcher be appointed a commissioner to examine state and
 settle the Guardian accounts of said Blofer as Guardian
 for Henry Blofer and make report to the Court.

On the Motion of Peter Olsen administrator of Conrad Olsen dec.
 Copy of it is ordered that Richard P. Fletcher be appointed a commissioner
 to examine state and settle the estate accounts of said Olsen
 and make report to the Court.

Ordered that Smith Soffland be appointed Surveyor of Precinct
 of No 2 on the road from Krotzger to ~~Krotzger~~ Krotzger Town in the room
 of William Belmont resigned

+ Ordered that Lewis Keller, be appointed Surveyor of Precinct
 of No 2 on the road from Harrisburg to Bowman Mill in the
 room of James Bly the resigned

Ordered that John Gebben be appointed Surveyor of Precinct
 of No 3 on the Summers Gap road in the room of John Lingo resigned

Attestory purporting to be the Last will and Testament of
 Elisha Fowler and was presented in court and was read by
 the Clerk of Jacob L. Erwin and Jacob Myquart two witnesses
 thereto ^{ordered} ~~to be~~ to be received, and on the Motion of Michael
 H. Harris, who entered into bond with security in the penalty
 of \$500. and made Oath that as the law directs, a certificate
 is granted herefor obtaining letters of administration on the estate of
 said Fowler in conformity with the said Will annexed, (it
 appearing to the court that Adam Erwin the executor named
 in the said Will is dead) and it is ordered that Emanuel
 Hanks aspx, Pleasant A. Clarke Adam Beltrick & Adam
 Lugo, or any 2 of them being first sworn do appear to the
 estate of said Fowler and make report to the court

+ Ordered that Samuel Paul be appointed Surveyor of Precinct
 of No 2. on the road from Clin Mill P. in the room of Isaac
 Burns resigned

Benjamin F. Feshbach now 14 years of age and orphan of Benjamin
 Feshbach and, came into court, and made choice of Sarah
 Feshbach as his guardian, and it is ordered, that Gabriel
 F. Feshbach, John A. Feshbach, Albert C. Feshbach, Sarah
 E. Feshbach, William M. Feshbach Harriet F. Feshbach, Children
 of the said Benjamin under 14 years, who entered into bond
 with security in the penalty of \$15,000 as the law directs

An appraisal bill and sale bill of the estate of George Blinn and was returned ex parte for and to be Recorded

A settlement of the estate accounts of George Blinn and was returned ex parte for and to be Recorded

Ordered that the Oversee of the poor have John Evans to copy John Berry who is 15 years old the 1st October 1839. to learn the farming business as the law directs, who is to receive for freedom due \$20

Henry Blosper orphan of Jacob Blosper and over 14 years of age came into Court and made choice of Adam Treney as his Guardian who entered into bond with security in the penalty of \$700. as the law directs

A report of the Commissioners appointed to view and alterate in the road, made on the Petition of William G. Thompson, was returned into Court, who having examined the same and there being no exceptions thereto, the same is hereby affirmed and the alteration established agreeable to the said report of the Viewers

A settlement of the estate accounts of Abraham Berry and was returned, examined and ordered to be Recorded together with the several affidavits thereto annexed, which are intended to explain an error in said Accounts

On the Motion of Moses Joseph, who entered into bond with security in the penalty of \$300. and made oath thereto, as the law directs, a Certificate is granted him for Copy Obtaining Letters of administration on the estate of James Joseph deceased in due form, and it is ordered that Augustus Allen, John Robinson, John Blair & Reuben Harris, or any 3 of them being first sworn as appraisers,

the estate of said James Joseph and make report to the Court

An appraisment bill & Sale bill of the estate of Nathaniel Harrison and, was returned examined and ordered to be recorded

~~Orders upon the same and the same is hereby ordered to be recorded~~

Orders that Francis M. Brewer, do and he is hereby appointed a Commissioner to let out to the lowest bidder the keeping in good repair the dry river gap road from John Blains to the ~~to the Turnpike~~ ^{for the term of 5 years from the date of the contract} having first advertised the selling thereof at the law courts, And it is further ordered that the said Commissioner enter into a contract with the undertaker or undertakers for the faithful performance thereof, with a penalty of at least equal to double of the sum agreed upon, which contract is to be made payable to the Justice of the peace in and for this said County, ^{other Successors} and it is further ordered that the said road, from where the New Hampshire road turns off to the top of the Mountains, ~~be discontinued~~

Orders that John H. Austin be appointed Surveyor of Precinct ^{on the road} No 2 leading to Mellers forge, in the room of Mr. Mary remains and that the ~~following~~ following listable, at the following plantations or places (to wit) Francis Price, Abner Angstrom, & Robert Palmer, ^{be added to, and made apart of the said precinct} which precinct begins at Scotts ford and ends at the South River near the said forge

Orders that Abraham Zwick be appointed Surveyor of Precinct No 6 on the old North Mountain Road in the room of Christian Hawks Resigned

Orders that Isaac Miller be appointed Surveyor of Precinct No 6 on the road call by the name old Mountain road in the room of Henry Taeflerizer Remains

Huston & Burke Controversy

On the Motion of Algernon S. Gray, and for reasons appearing to the Court it is ordered that the said Gray be appointed a commissioner to have such repairs done to that part of the road near William Enman and nearly opposite the Meadow of the said Gray as shall be deemed necessary and proper so as to prevent the water from flowing back on the Meadow of said Gray, provided the said expenses thereof shall not exceed the sum of \$20. and make report thereof to the Court.

On the Motion of Emanuel Starbarger, ^{4th} and for reasons appearing to the Court it is ordered that Wanda Wiso Mann Lago & John Perce (of Cooks Creek) be appointed commissioners to view a way for ~~any~~ a road from the turnpike road near Sand District, to the Mill of the said Starbarger as set forth in the petition, and that they make report thereof to the Court of the conveniences and inconveniences attending the same, as well to individuals as to the public, and that the order made in this case at May Court, last on appointing Henry St. Wyant & others of said road be set aside,

On the Petition of Jacob Heblinger ~~to them~~ for an alteration in the public road leading from Herzels Town to Staunton where an alteration is to be made on the land of said Heblinger as set forth in the petition, and is to begin immediately after the present road passes the Cross Keys the property of D. Kemper in the direction towards Staunton, it may be turned to the left nearly at right angles with the present road and run thence on the land of ^{sa} Jacob Heblinger until it arrives at a point in a line with the present road, as it passes the Tavern of said Jacob Heblinger, and from that point to the old road - it is ordered that Philip Keller, Robert Stooth & Abraham Mohler being first sworn do view the said alteration as also the old road and make report thereof to the Court of the

Conveniens and inconvieniens attending the same, as well to the Public. as to individuals.

Ordnrs that Archibald Stophers Jr. be appointed Surveyor of sp. Precinct No 4. on the old Rock's Gap road. in the room of Jehu Warren removed.

Copy Ordnrs that Archibald Stophers Jr be appointed a school Commissioner in this County in the room of Jehu Warren removed. and that he give his attendance accordingly.

On the Motion of Joseph Maugzy Jacob & John Rush exors Copy of John Rush and it is ordnd that Joseph Maugzy be appointed a Commissioner to examine state and settle the estate accounts of said John Rush and make report to the Court.

Ordnrs of the Poor of Shannandoah to John Moyers. upon a Copy as the father of a bare born Child of ———— Warbet Walage, The Plaintiff being calld and not appeared it is ordnd that this proceeding be dismissed. and that the Defendant receive his costs ~~expended in the~~ agt the Pltffs in defending this proceeding.

On This Court. doth Certify that Lucian M. Smith. who wishes to Obtain a License to practice as an attorney in the Courts of this Commonwealth, hath resided in this sp. County for the last preceding 12. Months; that he is a person of honest. & discreet, and upwards of Twenty one years of age.

At present out of execution & before their Representatives the Chancery. On the Motion of the Plaintiffs by their Counsel and it appearing to the Court. that this suit has remained on the docket of this Court. for the space of one year. without final decision ~~there~~ thereof having been.

made; it is ordered that the said same be returned
to the Circuit Superior Court of Law and Chancery for
this County for trial, where it is ordered to be certified, &
that the clerk hereof deliver to the Clerk of said Superior Court the proper
On the Motion of James Sams executor of David Sams
deceased, it is ordered that Richard P. Fletcher be
appointed a commissioner to examine state and settle
the estate accounts of said David Sams and make
report to the Court.

On the Motion of Abraham Smith, and from satisfac-
tory evidence given the Court they are of the opinion
that Mathew Tate is a person of unsound mind; it
is therefore ordered that the said Abraham Smith
be and, he is hereby, appointed a commissioner for said
Mathew Tate, who thereupon appears, in Court and
entered into bond with security in the penalty of
\$200; with such conditions as the Court directs, which
bond is ordered to be filed amongst the Records.

Ordered that the Court be adjourned until tomorrow
morning at 10 o'clock
Pachy Harrison

65-

Tuesday 18th June 1839.
Prerogative.

Peachy Harris, Michael H. Harris, Jacob Rush, Reuben
Moore, Augustus Waterman, Peter P. Kooty, William
G. Thompson, James L. Shipman, Sawd. Lewis. Jacob R.
Williamson, Robert Gratton, Charles L. Spear, Samuel
Moffett Jacob Namberger, Stephen Namberger, Samuel Booth.
Jacob Miller, Abraham Smith (~~Smith~~) / Mr. H. Campbell. Hans
Thomas

On the Motion of John Steph and his having paid to Jacob
A. Mettchell Deputy Sheriff of the tax imposed by law, it
is ordered that a License be granted him to keep private
entertainment in this County until May Court 1840.

Mr. Anderson (a free Negro) Plaintiff

vs
The Commonwealth

Upon a petition for leave to
Remain in the Commonwealth
of Virginia to reside within the County of
Rockingham

This day came, as well the Plaintiff by his attorney
as Robert Gray attorney for the Commonwealth, in and for said
County, and it appearing to the Court by the Sheriff's Return
on the summons awarded at the last term, that he had duly
executed the same on all the Acting Magistrates for the
said County, and a Majority thereof being present, and it
also appearing to the Court, that Notice of this application
had been given in the manner directed by Law, and
the Court having fully heard the evidence and arguments
of Counsel, and the facts of the facts present, ^{not} being satisfied
of the good Character of the said ^{and for other reasons appearing to the Court} Anderson, it is
Ordered that the application aforesaid be refused, and that
the said Petition be dismissed.

Richard White (Negro) Plaintiff

agst
The Commonwealth
upon a Notice, for leave to
Remain in the County
of Virginia and Reside within in the County
of Rockingham.

This day came as well the Plaintiff by his attorney
as Robert Gray attorney for the Commonwealth in and for the
said County, and it appearing to the Court by the Sheriff
Return on the return awarded at the last term, that
he had duly executed the same on all the acting Magistrates
for the said County, and a Majority thereof being present,
and it also appearing to the Court that Notice of this
application had been given in the manner directed by
law; and the Court having fully heard the evidence and
arguments of Counsel; and therefore of the Justice present
not being satisfied with the good Character of the said
Richard White, and for other reasons appearing to the
Court. It is Ordered that the application aforesaid be refused,
and and that Petition be ~~refused~~ dismissed.

Settlement of the estate accounts of George Stapp and
deceased was returned. examined and ordered to be Recorded

Settlement of the accounts of Jacob Davis as Guardian
of Ann Davis deceased was returned. examined and ordered to
be Recorded

Ordered that Henry Chambers agent for the County pay
unto Isaac Stordish \$20 out of any money in his
hands and the County for his services in taking care of
the Public square

Ordered that Peachy Harrison Saw St. Lewis and Augustus
Matherson be appointed Commissioners to have such repairs
and alterations made on the Court House as they shall
deem necessary, and proper so as to render

It now comfortable, and for the expenses thereof. they are hereby authorized to draw on Henry J Gambel the agent for the County who is hereby directed to pay the same out of any money in his hands due the County

C On the Motion of Sylvester W Fuller and for Reasons appearing to the Court, it is ordered that Hugh Bruffy have leave to appear to the said Fuller the undersigned term of his Ordinary Securus. ~~as the law directs~~ which is ordered to be Certified

C On the Motion of The President & Directors of the Nally Turnpike Company. it is ordered that, Jacob Stambaugh, Jacob Acker, Joseph Maury, John Neger, & George Bournan (Treas.) being first sworn ~~to give~~ ^{upon} ~~the~~ ^{the} ~~land~~ ^{land} ~~of~~ ^{of} John Sandis on 28 June 1839. on the land of Abraham Smith, Henry Tulewiler & A W Hunter on the 28 June 1839. William H. Sutton & David Lamm Clarke on the 29th of June 1839. and then and Value that part of the lands of the several persons aforesaid, which may be said opened and condemned, by the opening, the said Road, as also the additional Fencing which and Hedges and other parts of the lands may be required thereby, and all other inconveniences that may result to the said Parties, and to Complain there with, a just regard to the advantage, which the owners of the lands will derive from the construction of the said Road, and make a report of their proceedings therein (in each) Case to the Court, and it is further ordered to be Certified, that the aforesaid several persons, were personally in Court, or appeared in Court by Counsel and a knowledge of the Motion.

to copy made out 18 Oct.

C Jacob A. Mitchell & Harry H. Smith Deputies for David H. Smith Sole Sheriff Return Lists of Delinquent and insolvents in the County Levy for 1838. which Lists were examined and allowed by the Court, and ordered to be Certified

On the Motion of Joseph McKay, and for reasons appearing to the Court. it is ordered that he be exempted from the payment of County & Parish Taxes.

John Nichols & William Tignor The said
Philip Tasing same

The Court doth unanimously appoint Tyro Maupers & Philip Siggitt Constables in and for the South River district for two years from July Court Next. — and in like manner doth unanimously appoint John D. Plecker a Constable in the Beaver Creek district for two years from July Court Next. — and the Court doth in like manner unanimously appoint William Bryan & Reuben P. Kooty. Constables in and for the Smiths Creek district for two years from July Court Next. — and the Court proceeds to the election of two Constables in and for the Starvation Bay district, ^{and} ~~whereupon~~ the names of the Justices present and Voting, unanimously voted for William H. Gaily and John Billhimer, with the exception of Mr. Smith who voted for Mr. Billhimer and the first Balloting, whereupon it is ordered that the said Mr. H. Gaily & John Billhimer be appointed Constables for the said district for 2 years from July Court Next as appears by the ^{list of} ~~list of~~ Ayes & Noes filed. — The Court in like manner proceeds to the Election of 2 Constables for the Buckles Gap district, and the names of the Justices present & Voting unanimously voted for John Radew Jr. and the names of the Justices present and Voting, voted ~~unanimously~~ ^{unanimously} for John Cyler all of Harrison, Williams, Campbell, S. Harris, Barger, Lewis, Moffitt, Coote, Park J. Hartsberger, Miller, Walenman, ~~Waller~~, Cratlan Jr. Moore Spears, Herring ^{for Alder} ~~Thompson~~ & Shepman ^{for Alder} ~~Thompson~~ Smith, Harris, Thomas Kooty & Thompson, ~~for Alder~~, and it is ordered that the said Radew & Cyler be appointed ^{constables} for said district for 2 years from July Court Next, and it is ordered that

the said several persons so appointed Comptables appear here at
 July Court next for the purpose of ^{being} qualifying, as the Law
 directs

On the Motion of Isaac Thomson exor of Christina Moyes
 Copd. it is ordered that Gerrish Perrybaker be appointed a
 Commissioner to examine state and settle the estate accounts
 of said Moyes and make report to the Court

Ordered that Peachy Harrison R. P. Fletcher, Augustus Walter
 & son, Abraham Smith & Michael H. Harris be appointed
~~Commissioners~~ to have the Walks a crop the Court house
 square, ~~promised~~ ^{or gravelled} ~~panels~~ in such manner as will render them
~~fit for use~~ ^{fit for use} ~~transportable~~, provided the Cost do not exceed \$100 which sum
 is to be levied in the present Levy, subject to the order of S. Commf.

A Majority of the acting Magistrate being present the Court proceed
 to appt the County Levy for 1839. where Year Commences at
 December Court 1838. a statement of is as follows to wit:

To Robert Gray attorney for the Comm. & w. for the	\$100.00
ensuing Year	
To Henry J. Gambell Clerk same	100.00
" Olway starting Jailor for an year from the date thereof	50.00
" same for keeping the Court house for the same term	55.00
" The sheriff for the year ending at Jan Court 1840	75.00
" For Compensation to Overseers of the Roads and for	
work thereon, within the last year, ^{for} Messrs. Genl. Powers	\$381.19.
For Compensation to the Commissioners to have the Court	
house square paved &c.	\$100.00
For Compensation for Woolf scalp ~~Provision~~ ~~Repaired~~	
~~of the same~~ as per last account	\$3000.
For towing and allowance for delivery into town	150.00
For compensation to pay sheriff Commissioners for Collecting P.	94.00
	\$1105.21.
County depositories ~~Supplies~~	611.91.
On	\$1717.12
By 4579 Tithables at 37 1/2 cts	\$1717.12 cts.

Ordered that the sheriff collect from each Tithable person in this County not exempted by Law 37 1/2 cents, and out of the moneys arising therefrom, pay to the several persons entitled ^{the claim} ^{of repairs} thereto, at the term prescribed by Law, and the balance ~~into the~~ to Henry J. Gambell the agent for the County, at the term directed and directed by Law.

Ordered that Peachy Harrison, John Kersing & Isaac Allen to buy a piece of Building land
+ Hardly to appraise. To prepare a draft of a Court Office, with an estimate of the costs of its construction - and upon what terms a contract can be made putting up the walls, spreading the building under roof. during the ensuing fall and repair to the first day of the August Court next.

On the Motion of Stephen H. Hanger a sum of William Lewis decd. it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Lewis decd. and make report thereof to the Court.

On the motion of Stephen Hausbarger exec of Abraham
Fisher decd, it is ordered that Richard P. Fletcher be
appointed a commissioner to examine and settle
the estate accounts of said Fisher decd and make
report to the Court

P
Owens that the Thanks of the Court be presented to Isaac Starchy Esq for his attention to, and taking care of the Mts in the public square the last year, and that he do and is hereby respectfully requested to continue his care and attention thereto for the ensuing year.

Orders that the Court adjourn until the 1st Monday in
July Next
Percy Harrison

Reuben Harrison

Virginia to wit

71

At a Court held for the County
of Rockingham on the 15th day of July 1839

Present

Wm. H. Campbell, Augustus Waterman, Saml Cook &c

William B. Hays

S. J. Justice

A List of Conveyances and other Writings admitted
to Record in the Clerks office of the County Court
of Rockingham from the 1st to the 30th of June
1839, both days included, was returned into Court
by the clerk thereof and being examined by the
Court was ordered to be entered on the minutes and
a like list posted up at the door of the Court
house of said County and is as follows

RR. A Deed for Land George Byrd & Wife to Jacob Byrd

RR. A Deed for Land Jonathan Byrd to Jacob Byrd

RR. A Deed for Land Magdalena Studdert to Jacob Byrd

X A Deed for P. Property Jacob Seward to Peter Sepe

Found A Deed for Land Dr. Frederick Dove to Samuel boots in

Trust for Aaron Dove

RR. A Deed for Land Samuel Liggert & Wife to Eli Kuraw

Found A Deed for Land Thomas Clarke to James Lee

RR. A Deed for Land Abner S. Nicholas to Eli Kuraw

RR. A Deed for Land Daniel Roadcap & Wife to Henry Roadcap

X A Deed for P. Property Philip Bryan Negro, to Ab Bryan

in Trust for Abraham Smith

RR. A Deed for Land William Stinton to Jacob Stouch

RR. A Deed for Land Andrew Byrds ex. to Ambros Ben

Found A Deed for Land. Same to John Strayer

RR. A Deed for Land. Same to John Hoffmann

RR. A Deed for Land. Same to Jacob Stewart

RR. A Deed for Land. Same to Daniel Shoma

RR. A Deed for Land. Same to Zachariah Shirley

RR. A Deed for Land. Same to Frances Schert &c

Found A Deed for Land Elizabeth Roads to Christian Kratzer

Found A Deed for Land George Koehner & Wife to Christian Kratzer

BR. Adm for Land John bowood & wife to Henry Taffinger
 Former Adm for Land George Spear (exr) to Anthony Rader
 BR. Adm for Land William Rees (exr) to John Robinson
 BR. Adm for Land William Rees (exr) to Edmund Bridges
 BR. Adm for Land James Hanpitt & wife to James Hopkins
 BR. Adm for Land David Roadcap & wife to Martin Roadcap
 Former Adm for Land David Rotston & wife to S. B. Hamblin trust for J. B. Shresman

On the Motion of the executor of William Rees and it is
 ordered that Richard P. Fletcher be appointed a comr. to examine
 (C) state and settle the accounts of the said William Rees as
 Guardian for Morand & Calvin Rees Children of Burke Rees
 and make report to the Court

On the Motion of Daniel Webster admin of Ann Webster
 and it is ordered that Richard P. Fletcher be appointed
 Comr. to examine state and settle the estate accounts
 of said Ann Webster and make report to the Court

Lucas D. Smith Esq. procs in Court a Decree to practice
 as an attorney in the Courts of this County and having taken
 the Oath prescribed by law is admitted to practice in this Court

Sept. Bellhorne procs in Court an account for the
 services as Comr. of the Revenue ^{for this County} and the Court having consid-
 (C) ed that ~~same~~ 75 days were required for him to perform the
 service that fact is ordered to be Certified

On the Motion of John Setts, and he having paid to the
 Crown. Deputy Sheff, \$13.50 cents. It is ordered that a Decree
 be granted him, to keep an Ordinary ⁱⁿ this County, under
 May Court 1840. upon his entering into bond with
 (P) security in the Clerk's Office as the Law directs; and the
 Court being of the Opinion that the said John Setts is
 a man of ^{good} ~~sound~~ ~~probity~~ ~~disposition~~ ~~and~~ ~~character~~, not addicted
 to drinking or gambling, and will keep an orderly
 & a useful house of entertainment,

A New and report of an alteration in the public Road. Call'd
the Heezel-Town Road, made on the Petition of Jacob Heblingen
was returned into Court by the Heevern. who being examined by
the Court, and approved by the Court, was ordered to be established
agreeably to said report. and it is further ordered that the said
Jacob Heblingen have leave to make said alteration in said
road.

* Onslow & Angeline Ducken Orphans of John F. Ducken are over
 14 years of age. Came into Court, and made choice of Jared
 cf. Powell as their Guardian, and it is ordered that said Jared
 Powell be appointed Guardian for Eliza Ducken also an orphan
 of said Ducken, who entered into bond with security in the
 penalty of \$2000. Conditions as the Law directs.

Mary Raper Orphan of John Raper d^d over 14 years of age
Came into Court and made choice of Daniel Fisher as her Guardian
who entered into bond with security in the penalty of \$100 as
the law directs

John Bell, Warren, William H. Gaily, Tyre Manfrew, Reuben
+ Kooty, John Maden Jr, Philip Suggs, John Cyler & John
R. Pletcher, ^{William Bryan} who were at June Court last appointed Commissioners
in this County for 2 years from the date her. of, appeared in
Court and severally entered into bond with security in
and took the several oaths prescribed by law
the penalty of \$2,000 each, which bonds was acknowledged
as the law directs and ordered to be Recorded. The Court
being of the Opinion that the said several persons, are
men of. Honesty, probity and good Means, where fact
is ordered to be entered of Record.

+ Order that James Clarke be allowed ^{for} 75 day, for services as
ex. Comm. in regard to the Revised Tax for this County for 1839
which allowance is ordered to be certified

Present Jas. C. Shipman & Eliza Harris

Settlement of the estate accounts of Henry Miller
Barrow Oliver, John Byrly & Isaac Stenton was returned
examined & severally found to be Required.

Report of the Viewers for a road from the Turpentine road to the
Mell of Emanuel Stansbury, made in the Petition of said
Emanuel Stansbury P. was returned into Court by the Viewers
and it appearing to the Court that Samuel & Peter Dunkle
and others are interested in the opening of the said Road, it
Ordnance that the said Samuel & Peter Dunkle, James Magill
an infant of James Magill decd, and By and M. Stepten
~~are not~~ be summoned to appear here at August
Court Next, and shew Cause if any they can why the
said Road shall not be opened agreeably to said Report.

Commenced

Moses Joseph

upon a recogno for the peace

upon the complaint of John Sturges

The Defendant appears in Court in discharge
of his Recognizance, whereupon Sunday Wetters, being
sworn and examined, and the said Moses Joseph fully
heard it is the Opinion of the Court, and accordingly
Ordnance, that the said Moses Joseph give security for his
good behavior for the term of 12 Months for the date
hereof, that is to say the said Moses Joseph in the sum
of \$100. with good security in the sum of \$200, and
that he stand Committed until he give such security
and pay the Costs of the proceedings; Whereupon the
said Moses Joseph, with John Robinson & Abraham
Joseph his security, appears in Court and acknowledge
themselves to owe and be indebted to Daniel Cairns
Governor of Virginia and his Successors, that is the
said Moses Joseph in the sum of \$100. and the said
John Robinson & Abraham Joseph in the sum of \$200.
and of their respective goods and Chattle lands and
Tenements to be levied and to the said Governor and his

successor, for the use of the Court to be rendered. Yet upon the condition that the said Moses Joseph shall keep the peace, and be of good behavior for twelve months from the date hereof towards all the good Citizens of this Commonwealth, and particularly towards the said John Sturges then this recognizance to be void also to remain in full force and Virtue and that the said Defendant pay the Costs of this prosecution,

Orders that the Overseer of the poor here Lemuel Moore for Copehead of — Moore, to the age of 6 years old the 22 of December 1838, to Henry Towler, to learn the trade of a shoemaker as the law directs, who is to pay the said Lemuel Moore \$20 for freedom dues.

Commitment to John Sturges, upon a Recognizance for breach of the peace in the complaint of Moses Joseph

The Defendant, appeared in Court, in discharge of his recognizance; whereupon sundry Witnesses, being sworn and examined, and the said John Sturges fully heard, it is the Opinion of the Court, and accordingly Order that the prosecution be dismissed and that the said defendant, recover against the said Moses Joseph the prosecutor his Costs by him about his defence in that behalf expended.

President & Directors of the Nally Turnpike Company to John Sanders Clerk by Court

Saw to Henry Towler . . . saw

Saw to Huston . . . saw

Saw to Houston . . . saw

Saw to . . . saw

Saw to Smith . . . saw

President & Directors of the Vally Turnpike to James Clarke.

The report of the Commissioners appoint at the last Court. to
Vally the land ~~proposed to be~~ ^{which will be conveyed by the said Road} ~~through the land of James Clarke~~
passing through the land of said Clarke
~~with the consent of the said James Clarke, being returned, whereupon~~
by consent the said report is hereby affirmed

Ordered that the Court be adjourned untill the 2nd Monday in
August Next

Wm. H. Harris

Virginia to wit

At a Court held for the County of Rockingham on the 3rd Monday being the 19th day of August 1839

Present

Samuel St Luns, Jacob Rush, Reuben Moore & James C. Shipman
Esqrs Justices

A List of Conveyances and other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1st to the 31st July, 1839 both days included, was returned into Court by the Clerk Thence, 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 as follows

- BN. A Deed for Land Mathew Abellor Wife to William Abellor
- BN. A Deed for Land Stephen Harnsinger Wife to John Abellor
- BN. A Deed for Land Alexander R. Loring to John Abellor
- BN. A Deed for Land James Donaghy Wife to Samuel Abellor
- BN. A Deed for Land James Donaghy Wife to Samuel Abellor
- BN. A Deed for Land Emancip Rollins Wife to Martin Kain
- BN. A Deed for Land John B. Kibber Wife to John Brownman
- Found A Deed for Land Peter Blum Wife to Eli Burns
- BN. A Deed for Land Bernard Rainer Wife to William Sampson
- BN. A Deed for Land John Stumm Wife to Peter Good
- Found A Deed for Land Eve Stuter to Joseph D. Abellor
- Found A Deed for Land Eve Stuter to Joseph D. Manhoury P. Attorney
- BN. A Deed for Land Christian Zimmerman Wife to Geo. Myersmith
- Found A Deed for Land Virginia Atkinson to Thomas Atkinson &c
- BN. A Deed for Land Samuel Hoffman Wife to Jacob Stinewalt
- BN. A Deed for Land Henry Shanks &c to Sherr Stetevold

Of Coven of the Part is Peter Mayers disrup^d at the defendants
Costs & Expenses accordingly

and on the Motion of Adam Weir the recorder names in the sum
will who enters into bond with security in the penalty of \$40,000
and makes oath there as the Law directs, a certificate is given
him for obtaining approval thereof in due form; and it is ordered
that George Hysor, Emanuel Hainsberger, Jacob Wyant & Jacob
Hainsberger, or any 3 of them being first sworn as appraisers the
estate of the said Adam Weir and make report to the Court.

Countess v. Paul Brown upon an indictment for an assault & battery
The defendant appeared ^{with the assent of the} Court and confessed a default for the
costs of this prosecution.

Countess v. Joseph Melcher upon an indictment for an assault & battery
The Defendant (with the assent of the Court), confessed a default
for the costs of this prosecution.

Settlement of the estate of Sayer Harney and was returned
examiners & orders to be received.

On the Motion of Henry Miller and he having paid to
of the sheriff \$3.50 with the tax imposed by Law, it is ordered that
a License be granted him to keep private entertainment in this
County until the May Court 1840.

Countess v. S. Allman upon a indictment for an assault & battery.
The defendant was brought into Court upon a capias and confessed
a default for the costs of this prosecution.

On the Motion of Williams Miller, and he having paid
to the sheriff \$15. it is ordered that a License be granted
him to keep an Ordinary at his house in this County until
May Court 1840. on his entering into bond with security
in the Clerk's Office as the Law directs, the Court being
satisfied that the said W. 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,

On the Motion of John Neger, who entered into bond with security in the penalty of \$2000, and made oath thereto, a certificate is granted him, for obtaining sellers of administration on the estate of John Black decd. in due form. Mary Black the Widow of s^r. John Black having put under her hand & returned her right of administration and it is ordered that Francis Capps, Henry Capps, John S. Whitman & Ottery Wrightwell or any 3 of them being first sworn as appraisers the estate of said John Black decd. and make report to the Court

~~On the Motion of J. B. Blevins, on a writ of habeas corpus for not keeping the road in repair, the defendant with the approval of the Court, consents to judgment for the costs of the proceedings~~

On the Motion of Isaac Thomas, who entered into bond with security in the penalty of \$4000, 00 and made oath thereto as the Law directs, a certificate is granted him for obtaining sellers of administration on the estate of s^r. Brother Thomas decd. in due form, (Elizabeth Thomas the Widow of the said Brother Thomas, having put under her hand refused to act) and it is ordered that said Joquent John Clin, George Brannen & Michael Thomas or any 3 of them being first sworn, do appraise the estate of said Brother Thomas and make report to the Court

Ordered that George Sherman be appointed Surveyor of Precinct N^o 2 on the Stage Road in the Room of James Folsy

Ordered that William West be appointed Surveyor of Precinct N^o 14 on the Stage Road in the Room of Abraham Williams decd.

On the Motion of William West and he having paid to the sheriff \$1500 under the law imposed by Law, it is ordered that a license be granted him to keep an Ordinary in this County until May Court 1840. 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 West is a Man of good Character, not addicted to drunkenness or Gambling and that he will keep an Ordinary and respectable house of entertainment.

On the Motion of Joseph Leroux, and he having entered into bond with security in the penalty of \$1500, and made oath thereunto as the Law directs, a certificate is granted him for obtaining Letters of administration on the estate of Mary Ann (his late wife) formerly Mary Ann Harriburg a Daughter of Henry Harriburg deceased.

Harvey Penna Widow of John Penna did appear in Court and make a written declaration, in order to obtain a perjury Oath which declaration being sworn to in due form is ordered to be Certified to the War Department in due form.

A Declaration of Magdalen Beble, was presented in Court, and being sworn to in due form, the same is ordered to be Certified to the War Department agreeably to the act of Congress.

A Declaration of Mary Rayner Widow of J. Rayner, was presented in Court and being sworn to in due form, the same is ordered to be Certified to the War Department as required by the act of Congress.

On the Motion of George Hyson, who entered into bond with security in the penalty of \$1500, and made oath thereunto as the Law directs, a certificate is granted him for obtaining Letters of administration on the estate of his late

A New and Report of a way for a road from Samuel Stone, to
 where it will intersect the road leading to Proctor Gap, by the leave
 of William G. Thompson, ^{was returned by the Deems} and it appearing to the Court that the
 several persons through whose lands said road is to be conveyed
 have consented thereto, it is ordered that the same be established
 agreeable to said report of the Deems, and that it be st^d
 as one precinct, and that John Brainerd be appointed
 surveyor thereof, who is to open work thereon and keep the
 same in good repair, — and it is further ordered that William
 G. Thompson be appointed a commissioner to allot the Tithables
 to work on the said precinct, and that he report to the Court
 from what roads and from which precincts said Tithables are,
 taken, with any other matters thereof proper by himself.

~~Shesegunabys~~
 On the Petition of Henry Karsay for a way for a public road
 beginning at the North River on the line between the lands
 of James Davis and the Map Deems running on the line
 between the lands of those individuals to connect with the
 public road already open leading from Jacob Harnbacher
 to Bridgewater, it is ordered that Jacob Miller, Joseph Miller,
 John Brown, Aramis Stevenson & Jacob Harnbacher, or any 3
 of them being first sworn, do view the said way and make
 a report of the convenience and inconvenience attending the same
 as well to the Public as to individuals.

On the Petition of William G. Thompson for a public
 road, beginning at the Mill of Samuel Stone and thence
 through the lands of said Samuel Stone John Brown
 Jonathan Perce, Mark Caldwell, John Ritchie, Jacob Brown
 William Andis and Peter Shaw, to intersect the Moun-
 tain Road near William Andis, it is ordered that Jos^{ph}
 Birkhart, George Miller Jr, Henry Staff & George Bournon
 or any 3 of them being first sworn do view the said way
 and make report of the convenience and inconvenience
 attending the same, as well to the Public as to
 individuals, —

Sherry is Cylus wife, on a note on a belly worn. Note
6 found as to Sherry Peiray Defunct Galt. See and the mention
awarded

CH. Or aims that the owners of the poor brd Susan Welby
a poor child of — to ^{her} William Quinlan, as the Landlords
the said Susanna being at this time about 14 years of age
who is to give her for freedom due \$10

On The Petition of Robert L. Thompson, to change ^{apart of} the public
road, leading from Bro. St. George to New Market, to include
Copy of the Lands of the Late Brother Thomas. The change proposed
is to begin at the dawn of your Petition & to end near
the house of the Late Brother Thomas deceased so as to restore
the road ^{to} where it originally run, - it is ordered that
Geo. M. Perrybaker, Joseph Ascut, George Setts & Abraham
Lincoln, or any 3 of them being first sworn do view the
said alteration, and make Report to the Court of the
Conveniences and inconveniences attending the same as well
to individuals as to the public.

On the Motion of George Boughner, Clerk of Peter Wright decd
it is ordered that Joseph Maury be appointed a Commissioner
of the Court to examine and settle the estate accounts of said
Peter Wright and make report to the Court.

The Commissioners appointed to ascertain & assess the damages that John Sanders would sustain by the opening the ^{Valley} Turnpike Road through his lands, ^{which was made on the} ~~an~~ application of the President and Directors of said Company: having read, their Report, my consent the said Report is hereby affirmed.

7 Orders that Peabody, Harris or Allen L. Bayard & Robert M. Kyle be appointed commissioners, with authority to contract for the erecting and furnishing a school office, on the plan, and of the dimensions specified in the report.

of the Commissioners appointed at June Court last, for that purpose, provides that the whole cost of the said building do not in any event exceed \$3000. and that the said Commissioners report to this Court at its September Term next.

On the Motion of Martin Nair who enters into bond with security in the penalty of \$100. and reads Oath thereto as the Law directs, a certificate is granted him for obtaining Letters of administration on the estate of Martin Nair deceased in due form, and it is ordered that Abraham Steffensen, Geo. Baker, Peter Olson & William Fisher or any 3 of them being first sworn do appraise the estate of the said Martin Nair and make report to the Court.

Ordn'd that the Court be adjourned until to Morrow morning at 10 O'clock

[Signature]

S. H. Lewis.

Tuesday the 20th August 1839

Present

Saml^l St. Lewis, Stephen Stansbarger, Augustus
Waterman & William B. Macey . . . E. C. Fisher

Foley & Anna Nelson.

same & Mathew Nelson & a Rule, by Consent of the
Plffs the said rules are hereby discharged.

Foley & Henry Foley do appear, by Consent Rule discharged.

Cornish & James Cornish.

Chesley & Coffman Corp Defendant.

Krogher for D & Roalston & Cardenas for Payor (Certs to D)

Krogher for D & Palmer for . . . same

Peter & Clouson . . . same

Slouch & Bontz . . . same

Countth a Wellborn Jury sworn to try the Issue to wit
 George M. Pifer. Nicholas S. Ruthven, Robert M. Hyle
 John Warren, Dan Gilmore, Gabriel Wood. Henry
 Landon George Evers, Abner Wiso, John Frymeyer
 William Fairburn & David Kester Verdict that the
 Defendant is not guilty. & Judgment accordingly

The Grand Jury sworn for this County on Yesterday
 appeared in Court agreeably to their adjournment
 and returned from the bar to consider of their presentments
 and after some time returned into Court and declared that they
 had not finished the business before them, whereupon the Grand
 Jury was adjourned until to Morrow morning at 10 o'clock
 and on the Motion of the attorney for the County, it is ordered that
 as far as to an award agt Henry Moore against whom an indictment was
 found on yesterday ^{for unlawfully playing at Faro bank} returnable here on to Morrow morning at 10 o'clock

Sarah Ann Wood Orphan of William Woods
 now 14 years of age came into Court and made
 choice of Ferrisall Anthony as her Guardian who
 entered into bond with security in the penalty of
 \$100 as the Law directs

Henry J. Gambell agent for the Overseers of the poor
 returned into Court an account of his agency for the
 year ending 30th June last, showing the amount received
 by him, and the amount expended, in the same year
 which account was examined and allowed by the Court
 and ordered to be entered of Record, and that it is
 further ordered that the said Gambell be allowed \$75
 for his services for the year aforesaid.

Henry J. Gambell Clerk of the Overseers of the poor
 for this County, made a report of the ^{ages} ~~status~~
 and condition of the poor in the parish, on 1st Monday
 in June last, which report was examined by the Court
 and approved, and ordered to be filed amongst the

Recor of the County

Mouth for R. & Beers vs. Offense Indict set aside & paid. Gent application & fees are Contd

Bartscholder & Sandeman same

Thompson vs. Smith & Brannan same

Ford vs. O'Rourke same

Dovell vs. Applegate vs. same

Roller vs. Showalter same

Effinger vs. Snell same

Kuntz vs. Gibson same

same vs. Dunlap same

same vs. Coughlin same

Kerwin vs. Sturton same

Inch vs. Houston same

On the Motion of the attorney for the County, it is ordered that
x a subpoena be awarded for the County to summon Isaac Adams
to appear before the Grand Jury on to Morrow Morning at
10 o'clock to give evidence before the said Grand Jury.

C County & Beers Contd

C County vs. Woodford Atty. pleads & fees are Contd

P. C. County vs. S. Allman. Costs awarded

P. C. County vs. Harrison New Sum awarded

P. C. County vs. Myat Fraser Costs awarded

P. C. County vs. R. Tyler. New Sum awarded

C County vs. Gibson Contd

C same vs. Kammock Contd

C County vs. Rayner, plea waived & Indict. Confess for the costs
of this prosecution

C Houston vs. Beebe Contd

C Kelly Turfpike Company vs. Houston Contd

C same vs. Houston Contd

✓ Kelly Turnpike Company v. Tulliver continued
 same v. D. Smith continued

✓ Mendelsohn v. Moos continued

✓ Gail v. Fink continued

✓ Bates v. Balmain continued

✓ Heto v. Murray continued

✓ Heto for D. v. O'Rourke continued

✓ McMahon v. Evers continued by Court

Q. B. ✓ Graham for D. v. Helmer. Jury sworn to try the issue to
 wit, Henry Sanders, Michael Effinger, John B. Myers,
 Peter B. Dowdall, Andrew McClellan, Michael Ward
 Henry Beery, William Plecker, William Parks, James
 Taylor, William Fairburn & John Gray, and having heard
 the witness & argument that agreeing in their verdict by consent
 Peter B. Dowdall one of the said Jurors was withdrawn and the
 rest of the Jurors sworn remaining their verdict as charged & the
 Cause is continued

✓ McMahon v. Heto (Negro) continued

✓ Hutto v. Bates. P. Dismisses agrees

✓ Commonwealth v. Michael Effinger. upon an indictment for
 a misdemeanor, for reasons appearing to the Court, the
 Defendant confessed a Guagrent for the Costs of this procees

✓ Commonwealth v. So. Effinger same

Q. B. ✓ Wiro v. Sanders. plea of payment withdrawn, and the
 said left for plea in this behalf plea a special plea which
 filed, to which plea the Plaintiff Reply is generally & Issues is
 thereupon joined, Jury sworn to try the same to wit

✓ Daniel Helmer, John Linchough, John Frymyer, Gabriel
 Woods, William Parks Jr, Peachy Rice, Jasper Hart, William

✓ Alexander Donahue, Felix Sheets, Joseph Kelly, St. Clair Springle
 & Washington Graham. Verdict for the Plaintiff for \$25. the debt
 as declared in complaint with interest from 22 August 1890 till paid
 & Judgment accordingly

Harrigan for Shely) - Pennycuik. Offser Inad & aside paymt
 & duplication of the & contents

C Atney & Bowdell & plea was & Inad. Confess for the debt
 in the declaration mentioned with interest & costs saving equity)

C Fisher & Fry. Contemned by Court

C Simsbough & Winters was contemned for the Plaintiff

C Sharer & Long contemned by Court

C Long & Evers contemned by Court

Williams & McGahy for R. & Powell. the debt for further plea
 pleads a special plea which is here filed. to which plea the Piffs
 filed a special replication & the in thereupon Joins, and thereupon
 came a jury to wit. David ^{Hepburn} ~~Spokane~~, John Simsbough, John
 Frymeyer, Gabriel Wood, William Parks Jr, Peasly Rice
 Jasper Clark, Joseph Kelly, ^{Spinkley} ~~Spokane~~, Washington Graham
 Geo. Bellhimer & Abraham Wiers, Verdict for the Piffs for
 Debt in the declaration mentioned, with interest ^{from the 1st March 1834} & costs.
 & Inad. accordingly

C Rees & Whisler was plea was & Inad. Confess
 for the debt in the declaration mentioned with interest & costs
 (saving equity)

C Leggett & Showalter same

C Bliss & Longworth same

C Chrisman & Bruffy & Wilson same

C Pennell & Moyer plea was & Inad. Confess for the debt in
 the declaration mentioned with interest & costs saving equity

C Perley & Evy P. plea waves & signed Confessⁿ for the
 Court in the declaration mentioned with which the Court ~~may~~
 agree

C Hensbarger & Tarflinger same

C Carlisle & Helen & Booz same

C Stout for P. & Bears P. same

C Pifer & Buzen same

C Pifer & Booz same

C Pifer & Robertson same

C Pifer & Crumley P. same

C Pifer & Logan Jr same

C Stevens for P. & Barris same

C Pifer & Clarke same

C W. Gahen the for P. & Sheffield same

C W. Gahen for P. & Logan Jr same

C Carlisle & Berven adms. plea of fully answered pleas
 heretofore & free & continued

C Effenger & Swann adms. same

C Pifer & Branthwaite continued

C Carthwaite & Allen continued

C Woodford & Robertson continued

C King & Royce M & set aside. Covenants performed
 pleas heretofore & free and continued

C Whelzel Infant & Hogsh. continued

C Mooreman & Robertson continued

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

S. Harris

9/
Wednesday the 21st August 1839

Present

Samuel St. Lewis, Stephen Harrington, M^{rs} M. Harris
or William B. Hany

E. G. Furler

C An appraisment bill & Sale bill of the estate of Henry Swanwick
was returned, and ordered to be Recorded.

C Young Pocher & Pifer Continued

C Keller & Woods Continued by Counsel

C Settlement of the estate accounts of Martin Leronow, James
Hall, John Ewen, Peter Byrd, Mrs. Whistler, & Jacob Paul, was
returned, examined by the Court and ordered to be Recorded

C The Grand Jury sworn for this County on Monday last, appeared
in Court, agreeably to their adjournment, and returned from
the bar to Counsel of their presentments, and after some
time, returned into Court and stated that they had had before
them two Witnesses to wit: George W. Shockrell and William ~~W~~
Watts, who after being sworn to give evidence to the Grand Jury, and
being interrogated, whether they knew of any unlawful gaming in
the County of Rockingham, stated that they knew of no gaming
at any Tavern, or other public place, as they believed, nor did they
know of any gaming at a private place, where more than \$20. were
won or lost, the Grand Jury then interrogated the said Witnesses
if they knew of any gaming at the house of Joseph Coglio (a Frenchman)
in the Town of Harrisburg, this question the Witnesses both refused
to answer, they were informed and admonished of their duty, and
instructed that unless they would answer the question, they
submitted to them, ^{they would be considered to be in default} both the Witnesses again ^{they would answer the question} presumptuously refused
to answer the question, they were ordered to feel there to remain
until they were willing to give to the Grand Jury the evidence
required, until the Grand Jury should be sitting and prepared
to receive the said evidence, as above required, the Grand Jury then
a further business, ^{before them} they were discharged.

John Robinson son of Thomas Robinson over 14 years of age and Grand son of John Lancaster do. Came into Court and made choice of his Father the said Thomas Robinson as his Guardian, who entered into bond with Richard Robinson as his security in the penalty of \$400. Condition on the said debt. the said (Richard Robinson) having put up as to his solvency to Court,

Cometh a Henry Macdon an indentured for sketching at a Faro Bank. The Sheriff having returned a the Copies awarded yesterday that the said Defendant was not found, on the Motion of the attorney for the Com. with, it is ordered that an alias Copies be awarded agt the said Defendant Returnable here at November Court Next

Or and that the Court be adjourned until the 8th Monday in September Next,

L. Lewis

Virginia to wit

At a Court held for the County of
Rockingham on the 3rd Monday being the 16th day of
September 1839

Present:

Jacob Rath, Augustus Waterman, John A. Herring
and James C. Shepsan

Esq. Justices.

A List of Conveyances and other writings admitted to Record
in the Clerk's office of the County Court of Rockingham
from the 1st to the 31st of August 1839, both days
included, was returned into Court by the Clerk thereof
and being examined by the Court was ordered to be entered
on the minutes and a like list posted up at the door
of the Court house of said County and is as follows

BK. A Deed for Land Charles Nicholas & Wife to Jonathan Peale

Formal A Deed for Land John blind & Wife to William Smith

Formal A Deed of Release from Richard P. Fletcher to Philip Spitzer

X A Deed for P Property John Tankersley to Thomas Clark in trust
for John Rubush

X A Deed for same David Branaman to L. W. Lambell in Trust for
John Chresman

BK. A Deed for Land James Lee & Wife to William Cook

BK. A Deed for Land George Kinkelhorst & Wife to Arthur Rader

BK. A Deed for Land butchert St Spangler & Wife to David Bolton

BK. A Deed for Land John Angubright & Others to George Bowman

Formal A Deed for Land Christian Barber & to George St Chresman

BK. A Deed for Land Matthew Stacey to David Stanley

BK. A Deed for Land Richard Wengfield & Others to Aaron Armoutrou

BK. A Deed for Land same & to David Bolton

Formal A Deed for Land same & to Henry Bolton

BK. A Deed for Land Henry Bolton to David Bolton

BK. A Deed for Land David Bolton & Wife to Henry Sheets

BK. A Deed for Land Benjamin Solomon & Wife to James Clarke

BK. A Deed for Land David Stenton & Others to William K. Gaily

Formal A Deed for Land George W. Piper & Wife to Samuel Stirling

On the Motion of the executor of William Reed
 and it is ordered that Richard P. Fletcher be appointed
 a Commissioner to examine state and settle the accounts
 of said William Reed and as Guardian of Person
 Robert & Elizabeth Reed. Orphans of Luke Reed and
 and make report to the Court

On the Motion of Samuel Gibson ~~and~~ admin of ~~Charles~~
~~Bay~~ ^{Sellars} ~~Moyheffer~~ and it is ordered that Richard P. Fletcher
 be appointed a Commissioner to examine state and
 settle the estate accounts of said Sellars who was the
 admin of Michael Moyheffer and and make report
 thereof to the Court

Another Motion John Bourne ^{admin} of Voluntary
 Voland and it is ordered that William G. Thompson
 be appointed a Commissioner to examine state accounts
 of said Voland and make report thereof to the
 Court

An appraisement bill and sale bill of the estate
 of John F. Recker and was returned examined and
 ordered to be recorded

On the Motion of Oliver Hastings Justice of this
 County, ^{and on a report made by him} it is ordered that James A. Belworth and
 Robert Moony be appointed a Commissioner to
 examine into the state and condition of Elizabeth
 Proctor and make a report of such examination to
 the Court forthwith.

On the Motion of Alexander McElroy admin of
 Leonard Tulwite decd. and it is ordered that Richard
 P. Fletcher be appointed a Commissioner to examine
 state and settle the estate accounts of said
 Tulwite and make report to the Court.

A Register of John Anderson a free Negro, was presented in Court and compared with the said Anderson and found duly made a copy thereof is ordered to be furnished him as directed by law

On the Motion of William Ewen son of Phoebe Ewen decessed, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate a account of said Phoebe Ewen and make report to the Court

On the Motion of the Precients and directors of Valley Turnpike Company, it is ordered that Jacob Stambarger, Jacob Rink, Joseph Mearry, John Negew and George Bowman Forest, be and they are hereby appointed Commissioners, any 3 or more of whom may act, being first ^{duly} sworn or affirmed before a Justice of the peace for ~~said~~ ^{this} County, as to go upon the lands of Berchus Marty, Sarah Marty, Polly Marty, Clara Ann Marty & Rebecca Marty proposed to be considered by said Company, on the 4th day of October next, and upon the lands of John Seay, and after viewing the same, and hearing such proper evidence as either party may offer ascertain according to the best of their Judgment the damages which the said Marty & Seay will sustain by the ^{of the lands} consideration thereof for the use of the company; and in performing this duty they shall consider the said Marty & ~~Seay~~ ^{Seay} as being the Owners of the fee simple interest in the lands aforesaid, they shall take into consideration the quantity and quality of the lands to be considered, the additional fencing, which will be required, thereby and all other incumbrances, which will result to the said Marty & ~~Seay~~ ^{Seay} from the consideration thereof, and shall consider therewith a full right to the advantage, which the said Marty and ~~Seay~~ ^{Seay} will derive from the Permission of the Turnpike Road for the use of which the lands is ~~congenial~~ ^{congenial} proved, that not less than the actual value of the lands, without reference to the location &

and construction of the road shall be given by the said Commissioners, and make report thereof to the Court, notice of this Motion having been a showings by the said parties.

On the Motion of ~~the~~ Peary Harrison & Co. Commissioners
 for the Clerk Office having further time until the
 next Court, to make their report.

On the Motion of Michael Effinger, who made Oath
 thereto, and with security entered into bonds in the
 penalty of \$200. Certificate is granted him for obtaining
 letters of administration the estate of Joseph Stebbins in
 and for him, and it is ordered that William H.
 Gaily, Edward Stephens, Simon H. Burdick, Daniel
 Leggett or any 3 of them being first sworn do appraise
 the estate of said Joseph Stebbins and make report
 to the Court.

On the Motion of James Wilson, an injunction is
 awarded him to stay all further proceedings on a Judgment
 recovered in the County Court of Rockingham, by Chris-
 tian P. Ruffey against the said Wilson, until the
 further order of the Court, on his entering into
 bonds with security in a penalty of at least equal
 to double the amount of said Judgment, and filing
 with the Clerk a Release of all errors at Law that
 may be in said Judgment & proceedings.

Joseph Belthorne was by the Court unanimously
 appointed a Commissioner of the Poor for the
 the South east District of this County for the year
 1840. and that he give bonds with security, and take
 the Oath prescribed by Law.

~~Ordered~~

James A. Delworth & Robert Moony Commissioners this day appeared
 & examined into the state and Condition of Elizabeth Brooks
 of a Summated Confess in the Jail of this County. made as aforesaid, after
 view where and other evidences, it is ordered that the said Brooks be allowed
 at the rate of 25 cents per day for necessary attendance on
 said E. Brooks which is or are to be certified to the Auditor
 of Public Accounts.

Swann Effinger upon an appeal docketed & entered

A Settlement of the estate account of Grace Layton and
 was returned examined & ordered to be Received

A Report of the Surveyors of the alterations proposed to be made
 in the road leading from Brooks Gap to New Market, was
 returned into Court and the Court having duly examined
 the said report. the alterations prayed for, and as reported by
 the said Surveyors, is hereby established, and that the ~~same~~
 Survey of ~~that~~ part of said Road hereby (dis)continued, work
 on the part hereby established, and keep the same in good
 repair

The Court proceeded to the appointment of a Commissioner of
 the Revenue tax for this County for the North East district, and
 the names of the Justices present and voting, being polled they
 voted, as follows for Tyro M. Maupin, Mrs. Stansbory, Mr. Dennis
 Mr. Waterman, Mr. Spears & Mr. Mauney, and for Mr. Blake
 Mr. Harrison, Mr. Harris, Mr. Moore & Mr. Herring. whereupon
 the said Tyro M. Maupin was declared duly appointed a
 Commissioner in and for said district for the Year 1840. on
 his entering into bond with security, and taking the Oaths
 prescribed by Law.

By consent of the parties, it is ordered that the report of
 the commissioners heretofore appointed to ascertain the value

of the land of Archibald M. Stewart, who
 whose the Vally Turnpike Road is to run, & and the same
 is hereby affirmed.

Stewart & Buckle Contain

Vally Turnpike Company & Storer Contain

same & Tulew Contain

same & Smith Contain

Drake & Starnbagen & a list of Agents. Return to the

Heptern & same

Orains that the Court to adjourn until the 7th Dec
 Monday in October Next.

M. H. Haring

Virginia to wit

99

At a Court held for the County of Rockingham on the 3rd Monday being the 21st day of October 1839

Present

Jacob Rush, Robert Grafton, John A. Merring

and Charles C. Spear

J. G. Justice

A List of Conveyances and other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1st to the 30th September 1839 both days included, was returned into Court by the Clerk thereof and being examined by the Court was ordered to be entered on the minutes and a like list posted up at the door of the Court house of said County and is follow

B.R. A Quid for Land Frederick Armontrout & Wife to Henry Mazon

B.R. A Quid for Land Saml V^o to Lewis Barnichhooff

Found A Quid for Land Catharine Kerckhoof to Leonard Suld

B.R. A Quid for Land Leonard Suld & Wife to George Suld

B.R. A Quid for Land Henry Bowler to Jacob Bowman

B.R. A Quid for Land Jacob Ritchie & Wife to John Ritchie

B.R. A Quid for Land John Ritchie & Wife to Abbechard Ritchie

B.R. A Quid for Land David Denton & Wife to Emanuel Grove

B.R. A Quid for Land Samuell ~~Walter~~ & Wife to John Bowman

Found A Quid for Land Susanna Thomas to Mary Miller

Found A Quid for Land Isidore Salvage & Wife to Jacob Kiff

B.R. A Quid for Land James Blythe & Wife to Benjamin B. Ewing

B.R. A Quid for Land Abraham Fisher & Wife to Jacob Shafter

B.R. A Quid for Land Jonathan Lamb to Allan W. Brown

Found A Quid for Land John Brown to Adam Peper

B.R. A Quid for Land Abraham Flory & Others to Abbechard B. Klein

B.R. A Quid for Land Benjamin Fry & Wife to Peter Fitch

Found A Quid for Land Solomon Fultz & Wife to Christian Core

B.R. A Quid for Land Christian Core to Abbechard Brind & Others

B.R. A Quid for Land Charles Bates & Others to Jonathan Bateman

B.R. A Quid for Land John Kuning & Others to Solomon W. Hunter

- BR. A Qued for Land Abraham Hoffman & others to James Williams
 found A Qued for Land William W Pollock & wife to John Chresman
 BR. A Qued for Land John Strayer & wife to Thomas Moore
 BR. A Qued for Land John Rader & wife to George Branner
 found A Qued for Land Anthony Rader & wife to John Rader & wife
 found A Qued for Land Peter Swope & wife to Reuben Swope
 BR. A Qued for Land James Buster to Charles B. Spears, P. Attorney
 BR. A Qued for Land Peter Hetch & wife to John B. Gost
 found A Qued for Land Addison Barthre to Charles L. Barthre
 BR. A Qued for Land & John Barthre to David Stute in trust for Charles Barthre
 X A Qued of Loan from Charles L. Barthre to John Barthre
 found A Qued for Land Anthony Rader & others to Archibald W. Houston
 BR. A Qued for Land Henry Miller & wife to John Miller
 BR. A Qued for Land & Henry Booge to R. P. Fletcher in trust for H. H. Effinger
 A Qued for Land Henry Miller & wife to John Miller
 BR. A Qued for Land John Daniels & wife to Richard Sellers
 BR. A Qued for Land Samuel Yount to John blind Seins
 X A Qued for Person and Property Hubbard Gaines to Thomas
 Clark in trust for Francis Gaines
 BR. A Qued for Land Jacob Dinkle & others to John Thomas
 BR. A Qued for Land Amos Moore to David blind
 BR. A Qued for Land John Kuning to David Stenton & others
 found Agreement about Land John Sits Jas. Black & Philip Eng
 BR. A Qued for Land Richard Mungfield & wife to Volintine Bolton
 BR. A Qued for Land Samuel Yount to Philip Pirkey

Henry J. Gambrell Clerk of the Court presented Claims for attorney
 of said Court & examining Commission book for 1879 which
 were examined & allowed by the Court & ordered to be Certified

On the Motion of John Allbough and of Michael
 Copey Allbough as to it is ordered that Richard P. Fletcher
 be appointed a C. S. to examine said and settle the
 estate accounts of said Michael Allbough and make
 report to the Court

On the Motion of Philip Knappe exor of Peter Knappe dec. it is
 Copy Ordered that William G. Thompson be appointed a commissioner
 to examine the and settle the estate accounts of said Peter Knappe
 and make report to the Court

The appraisment bill of the estate of Stephen Thomas dec. was
 returned, examined & ordered to be Recorded

A Declaration of Anna Wright Widow of Richard Wright
 dec. appeared in Court and made her declaration for to
 enable her to obtain a person and the Court being satisfied therewith
 the same is ordered to be Certified

A Declaration of Mary Giddens Widow of Giddens dec.
 was presented in Court, and the same having been sworn to
 before a Justice of the peace for said County, is ordered to be
 Certified

The appraisment bill and sale bill of John Lora dec. was
 returned examined & ordered to be Recorded

A Writing purporting to be the last will and Testament of
 of Samuel Garter dec. was presented in Court and was
 proved by the Oaths of George Miller & George Sherhart two
 witnesses thereto & ordered to be Recorded, whereupon on the Motion
 of John Ziegler who reads & attests thereto, a Certificate is granted
 him for obtaining letters on the estate of said Samuel Garter
 as dec. forew. (with his said will thereto annexed). George
 Bowman an executor named in the said will having
 Copy appeared in Court and refused to qualify as such and
 it is ordered that George Bowman, John Bowman John
 Menegaram & Henry Sherhart or any 3 of them being
 first sworn do appraise the estate of said Samuel Garter dec.
 and make report to the Court

Settlements of the estate accounts of Henry Lowson
Phoebe Ewing, Mary Harshbarger, Leonard Tutwiler, were returned
examined & ordered to be Recorded

Settlement of the ~~business~~ accounts of David Blosier, William
Reid did and Jacob Shanks, as Guardian of their
respective Wards, were ~~examined~~ and ordered to be recorded

Stanley Harrison Alphon of Zebulon Harrison did now
14 years of age came into Court and made choice
of William Sellers as her Guardian, who entered into
bond with security in the penalty of \$2,000 conditioned
as the Law directs

A Writing purporting to be the Last will and Testament of
Phoebe Scott deceased, was presented in Court, and was proved
by the Oaths of Richard P. Fletcher and ^{John} ~~Joseph~~ R. She.
two Witnesses thereto, and ordered to be Recorded, and on the
Motion of Sam. Ladd the executor thereof names
who made Oath thereto, and with security enters into
bond in the penalty of \$2,000 conditioned as the Law
directs. ~~a~~ Certificate is granted him for obtaining
a probate thereof in due form, and it is ordered that
Jacob R. She, Amos W. Clellan, William Beckard
and John Gougherty, or any 3 of them being first
sworn as appraisers the estate of said Phoebe Scott and
and make report to the Court

Oliver Sterling procs in Court on account for debt
of persons confined in the Jail of this County which was
examined & allowed by the Court & ordered to be Certified

Ordered that Henry J. Gambell agent for the County pay to
Oliver Sterling \$2.00 for certain repairs done to the Jail, out
of any moneys in his hands due the County as per account
rendered

Catherine Mellers orphan of James Mellers do. now
 14 years of age came into Court and made choice of
 Samuel Ellinger as her Guardian, who entered into bond
 with security in the penalty of \$200. as the Law directs

On the Motion of Robert L. Thompson, and for Reasons
 appearing to the Court, it is ordered that the order made at
 the last Term, authorizing him to alter a part of the road
 leading from Brooks Gap to New Market, as set forth in
 the Petition & Report of Vermin to be set aside, and on the further
 motion of the said Thompson, it is ordered that a
 Summons be awarded agt George, John, Rebecca
 Elizabeth, Richard & Isaac Thomas Children of Strother
 Thomas decd, the Owners of the Land through which said
 road passes ~~there~~ do appear here at the Next Term
 to shew Cause why the said alteration should not be
 made in said Road

On the Motion of Abraham Mosher, who made Oath
 thereto, and entered into bond with security in the penalty
 of \$200, a Certificate is granted him for obtaining Letters
 of administration ad bonos mor, on the estate of Henry Pesky
 deceased in due form,

On the Motion of John Neesh, who made Oath thereto
 and entered into bond with security in the penalty of
 \$600, a Certificate is granted him for obtaining Letters
 of administration on the estate of Barbara Royce
 deceased in due form, and it is ordered that John
 Nicholas, Peter Myer, Christian Argubright & Peter Miller
 or any 3 of them being first sworn do appraise the estate
 of the said Barbara and make report to the Court

Ordered that the Orphan of the poor and lame free boy
 of colour of years do the 15 September 1839, to George Pennington
 + to learn the ~~trade~~ of farming business, who is pay \$100. in

the said Hall was proved by the Oath of John Kenney.
James Hall & Archibald McHurtow, which was also ordered
to be certified

Ordered that the Oath of the poor man Benjamin
Cop Black upon Child of Catherine Black, 11 years old in
to George Howard
+ April 1839, to learn the farming business as the Law directs,
who is to receive for freedom dues, when paid \$20

On the Motion of John Lybert, who entered into bond
with security in the penalty of Two Thousand Dollars and
made oath thereof as the Law directs, a certificate is granted
him for Obtaining Letters of administration on the estate
Copy of said Harrison and in due form, and it is ordered that
Joseph Armstrong, Cyrus Pease, Moses Thomas, & Williams
Meadell, or any 3 of them being first sworn do appraise
the estate of said Harrison and make report to the Court

Levi Parker orphan of Mary Parker, now 14 years of age
came into Court and made choice of Abraham
Mokler as his Guardian who entered into bond with
security in the penalty of \$100. as the Law directs

Ordered that Madison Staley be appointed Guardian for
Margaret Staley (his daughter) an infant under 21 years
of age, who entered into bond with security in the
penalty of \$100. as the Law directs

~~George Bruffy~~ On the Motion of Hugh Bruffy, and
Copy he having paid to Saml Gibson Deputy Sheriff \$3.25. It is ordered
that a License be granted him to keep private entertainment
X in this County until May Court 1840

Copy On the Petition of Henry Bellhimer, for leave to change
C apart of the Public Road leading from Lumbertold to Proctor's
Gap, where alteration is to commence on the lands

of your Petitioner and to run entirely on his land, with a line of William G. Thompson's land until it intersects the old road, on the land of said Belknap, it is ordered that Christian Brink, John Bible, Joseph Mount and George M. Perrybaker, or any three of them being first sworn do view the ^{proposed} alterations, as also the old road, and make report to the Court of the Commission and inasmuch as attending the same as well, to individuals as to the Public.

A Register of John Gibson a free Negro, taken by the Clerk, was presented in Court and compared with the said John and found duly made a copy thereof is ordered to be furnished him as the law directs.

David Hinton Towns and R. D. Felder the Pursant of this County, returned into Court an account for attending said Court which account was examined and allowed by the Court and ordered to be certified.

Ordered that the Court do adjourn until the third Monday in November next.

Jacob Pugh
11

Virginia to wit.

At a Court held for the County of Rockingham on the 26th day of October 1839, by Virtue of a Warrant issued by M. W. Harris a Justice of the Peace of this County on the Complaint of Mary Whitman against Lewis Byrd (a free Negro) whose Warrant is in the words and figures following to wit: "To the Sheriff R." according to Law.

Pursant

Peahey Harris on F. Michael W. Harris G. Justices

Mary Whitman Deft

agst

Lewis Byrd Deft { upon a Warrant for an unlawful Detaining against the consent of the Plaintiff on Tenants of land lying in Rockingham &c

This day came the parties by their attorneys

and the sheriff, returned a pannel of 18 good and
lawfull persons, summoned to act as Jurors, from which
pannell 12 Jurors was selected by lot as directed by
Law, to wit, James A. Delivath, Edward St. Smith, Solomon
Stufferrow, Isaac Long, Philip Miller, Daniel Whisler
Nelson Spunkle, George Miller, John Warren, Reuben
Gavin & Adam McClellan, who being sworn well
and truly to ~~try~~ try whether the defendant, Lewis
Byrd against the current of the Plaintiff holds possession
of the Tenament mentioned in the Complaint filed in
this cause, whether the said defendant hath so held
possession thereof, against the current of the Plaintiff
for 3 years next before the exhibiting of the said Complaint,
and whether the Plaintiff hath the right of possession
in the Tenament aforesaid, and having heard the
evidence and arguments of Counsel, ~~upon which~~
~~both~~ ~~is~~ say, and retired from the bar to consider of
their Verdict, and not agreeing, by consent they were
discharged, and by ^{like} consent this suit is dismissed, as
per agreement filed in the papers, each party paying
their own costs expenses in this suit.

and the Court arose

Peachy Harrison

Virginia to wit.

At a Court held for the County of Rockingham on the 1st day of November 1839. for the trial of & examination of William Jarrin. Charged with felony and charged with ~~and~~ feloniously & unlawfully stabbing of Erasmus ^{Christman} ~~Christman~~, of said County.

Present

Peachy Harrison, Michael H. Harris. Augustus Waterman
Charles Spear & William D. Nacey.

The prisoner appeared in Court ~~and~~ discharge of his recognizance and ~~there~~ ^{thereupon} charged with the felony aforesaid, pleads Not Guilty, and thereupon summary witness to wit. Erasmus Christman, George Dove who was ^{sworn} ~~examined~~ touching the offense whereof he stands charged, and the said prisoner being fully heard in his defence by his Counsel, upon consideration whereof the Court is of the opinion that the prisoner is guilty of the said felony, and for the same is tryable in the Circuit Superior Court of Law & Chancery for Rockingham and that he be committed to the jail of the said Superior Court thereto remain until discharged by any Court of Law, whereupon on the Motion of the prisoner by his Counsel to be admitted to bail which Motion upon argument was refused by the Court.

Then on the 1st day of November 1839. Erasmus Christman George Dove. Seldon W. Gambell, William Baker, James Baker, James Perry, Abram Perry, Fuller, Jacob A. Melchell & Michael M. Laughlin appeared in Court and severally acknowledged themselves to owe and be indebted to his Excellency James Campbell Governor of Virginia and his Successors in Office in the sum of \$100 each to be secured of their respective goods and Chattle, lands and Tenements and for the use of the County to be rendered.

Yet upon the Condition that if the said E. Christman George Dove, S. W. Gambell, W. Baker for Baker, James Perry, Abram Perry ~~Attest~~ Jacob A. Melchell & Michael M. Laughlin shall appear ^{before} ~~in~~ the Circuit Superior Court of Law and Chancery for this County on the first day of the next, which will be on 8th day of May at which time and there to give

examine agst William James. Charges with unlawful
 stabbing, and will not depart the Court until
 discharged by any Court of Law. Thus this program
 to be Noed also to remain in full force and better

Let and that the Court be adjourned.

Pearcy Hamilton

Virginia to wit.

At about noon for the County of Rockingham on the Third Monday, being the 18th day of November 1839.

Present.

Geo. W. Kemper Justice of the Peace, Reuben Moore

& Robert Gallaw

Esq. Gent. Justice

A List of County arrears, and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham from the 1st to the 31st day of October 1839. Both days included, was returned into Court by the Clerk thereof, and being examined by the Court, is ordered to be entered in the Minutes, and a like list orders to be posted up at the door of the Court house of said County, and is as follows, (that is to say.)

B.R. Order for said James Myler and wife to Charles Nicholas others

found Order for said Thomas Lowry to John Grimsly

B.R. Order for said Mary Applegate to William H. Gaily

found Order for said John Ranken to Jasper Roalston

B.R. Order for said Thomas Lowry to Nicholas Breeding

B.R. Order for said Adam Stearns to Francis Dyer

B.R. Order for said Joseph Maury to Jacob Beare

found Order for said Thomas Shepley to Frederick Myant

found Order for said James Sharp to M. Gray in Trust for William E. Pickerson

B.R. Order for said Benjamin Sharkey to Jacob Ritchey

B.R. Order for said Samuel Gount to Michael Horran

B.R. Order for said Daniel Mathews to George Setts

found Order for said said said said said to Daniel Bowman

B.R. Order for said Edward Stevens to George Carson

B.R. Order for said Benjamin Rice to Thomas Rice

B.R. Order for said Thomas Rice to Benjamin Rice

B.R. Order for said Henry Booz others to Edward Stevens

B.R. Order for said John H. Lee to Paul Rolten

B.R. Order for said Michael Archart to Henry Archart

found Order for said Richard Weyfield others to James Said

B.R. Order for said Henry Bolton to John Shoemaker

B.R. Order for said Jacob Bowers to Daniel Pulse

B.R. Order for said John Setts others to George Branner

- BR. Order for Land Henry Karsagy to Land Clark P. in Trust for W. McDowell &
 BR. Order for Land James Turner to Andrew Turner
 BR. Order for Land same . . . to James Turner Jr.
 BR. Order for Land Philip Miller to David Freely
 BR. Order for Land John Kennedy Camp to Alexander Newman.
 BR. Order for Land John Flory to Michael Flory.
 BR. Order for P. Estate John Gray to S. B. Jennings in Trust for W. Coward
 BR. Order for Land Francis Oliver to Francis Miller & others.
 BR. Order for Land Land H. Steffenow to Catharine Byers
 BR. Order for Land John J. Rife to Samuel Oliver
 BR. Order for Land Jacob Storch to John Chrisman

On the Motion of Geo. Williamson Admin of Elizabeth
 of Mathews ad. it is ordered that Abraham Byers be
 appointed a commissioner to examine state and settle
 the estate of said E. Mathews ad and make report to the
Court

On the Motion of Leonard Tulewiter exec of John Leonard
 Copias. it is ordered that Michael W. Harris be appointed a
 commissioner to examine state and settle the estate accounts
 of J. Tulewiter and make report to the Court

On the Motion Daniel Henry Showalter Admin of Joseph
 Copias Showalter ad. it is ordered that William G. Thompson be
 appointed a commissioner to examine state and settle the
 estate accounts of said Showalter and make report to the
Court

Valley River Turpentine Company v. W. Houston Contina for
the Defendant

Also bill of the estate of John Tulewiter ad, was return
 examined and ordered to be Read

Mellean L. Harrison (foreman), John Rees, David Ogles,
 George Perce, Philip Rymer, George Webb, Joseph Berry, George
 H. Shanks, James Blythe, John Whitmore, Henry Bear, Joseph
 Burkholder, ~~Abraham May~~ Absalom Wright, Samuel Shanks,
 John Orin, John M. Blair, Abraham Berry, Adam Lamon
 & Abraham Getse, were sworn a Grand Jury for this county,
 who received their charge and retired from the bar to consider
 of their presentments, and after some time returned into court
 and upon their Oaths made the following indictments to wit, an
 indictment agt J^r Dougherty for an assault & Battery with a knife, an indictment
 agt Addison Rogers for a Misdemeanor with a bill, an indictment agt Peter
 Rogers for a Misdemeanor with a bill, and indictment agt James
 Moore for an assault & Battery with a bill, and the said Grand Jury having
 no further business for 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 February Court Next.

C. Peter is Robinson & on a motion on a Bill was noted
 to promt & Def^r call J^r agt & execution awarded,

A bill of the estate accounts of Henry & Jefferson and
 was returned various orders to be received.

On the Motion of Rice and Fletcher Merchants and for
 reason appearing to the court. It is ordered that Christian
 & Rodden late Merchants have leave to sign and transfer
 the unsold sum of their account to the said Rice & Fletcher.

Cometh & Sherman, on presentment, the defendant
 appears in court, and with the assent of the court
 confesses a part of the costs.

The Cometh & Sherman same

The Cometh & Dougherty same

A Report of Newen, to alter apart of the public road leading from New Market to Brooks Gap. made agreeably to the petition of Henry Bellhimer, was returned and examined by the Court and there being no objection thereto the same is hereby affirmed, and it is ordered that the said Henry Bellhimer have leave to alter the said road accordingly.

George Thomas Orphan of Brother Thomas now 14 years of age came into Court and made choice of Thornton Thomas as his Guardian, and it is ordered that the said Thornton Thomas be appointed Guardian for John Rebecca and Elizabeth Thomas infant Children of the said Brother Thomas and who entered into bond with security in the penalty of \$3000 as the Law directs.

Ordered that, John G. Finkbe be appointed Guardian for Elizabeth, Richard & Isaac Thomas infant Children + now 14 years of age of Brother Thomas and ~~and~~ who entered into bond with security in the penalty of \$3000 as the Law directs.

On the Motion of Elizabeth Thomas Widow of Brother Thomas and it is ordered that Michael Stannard, George Breunier, Copyist, Abraham Finkbe and John Blew, be appointed Commissioners to examine lay off and apportion to the said Elizabeth Thomas her Rights of Dower in the Lands of the said Thomas her late husband and make report to the Court.

Burke - Tobias Beam, Guy sworn to with Adam Lamb, George E. Darnall, Erasmus Loffman, Peter Roller, George Myser, Henry Steff, John St. Roalston, Jacob Shank, James Hoffman, James Davis, Archibald Hoffman & Henry Thomas, and after some returned into Court and declared that they could not agree, whereupon they were adjourned until the next Monday the Guy was discharged & the cause was carried until the next term.

Orders that Samuel Shacklet, Solomon M. Herwin & Edward Stevens, be appointed Commissioners to have done the repairs to the Jail of this County, which is suggested in their report made to the Circuit Superior Court of Law and Chancery for this County, at their October Court last, and the expenses thereof, be paid out of any money in the hands of Henry Gambill the agent for the County, and for that purpose they are hereby authorized to draw on the said Gambill for the amount of said expenses.

Orders that the Owner of the poor boy Charles open boy Copd of Colours, two years old the 4th day of July 1839. to Michael H. Harris to learn the ~~business~~ business of a farmer, as the Law directs, who is to have for freedom due. when paid \$20.

J. S. Carson Treasurer of the Nally Turnpike Company
 & upon a Note for failing to
 pay the installments ~~for~~ ^{for} said
 said Company as mentioned in said Note, Note filed &
 the defendant call^d. In apt is awarded the Plaintiff for \$42 the
 sum claimed in said Note & Costs

The same to Samuel Keller, on a Note & Note filed
 & deft call^d. In apt awarded for \$22, and Costs as per Note

The same to Christian Berthold, upon a Note &
 Note filed, & defendant call^d, In apt awards the plaintiff
 for \$44. the sum demanded by said Note and Costs

On the Motion of ^{Saml. Moffatt} ~~Isaac Thompson~~ ^{Isaac Thompson} administrator of Michael Lore
 Copd^d den? it is ordered that ~~Samuel Moffatt~~ ^{Isaac Thompson} be appointed
 a Commissioner to examine state and settle the estate of the
 said Lore and make report to the Court.

Commithⁿ to S. Allman. Not guilty pleas. Offens, and returns

The same to Brad Allen. The same

The same to Joseph Brathwaite New Suits awarded

Count & Laws entered by Court

Present. Jacob Miller

The President & Directors of Holly Turbipeta Company

appt.

John Seay

upon a Note

PO

The same

appt

upon a Note PO

Doctors Marty & others

The Commissioners appointed at September Court, last to value and apppr. the lands proposed by the said Company to be condemned for the location of the said road not having complied with the said Law, it is by consent of parties, agreed that James Laws, Anthony Stufferaw, John Cooper, Jacob Rusk & Jacob Harrisburg, be appointed Commissioners in the room of ~~James~~ Jacob Harrisburg & others (appointed at said September Court) any 3 of whom may act. do go upon the lands of the said John Seay & Marty, on the 2nd day of December 1839. and ~~to the satisfaction of the parties~~ having heard such proper evidence as either party may offer, ascertain according to Law, the damages that the said Defendants may sustain by the condemnation of the lands thereof for the use of said road and in all other respects proceed, in the business, in the manner directed by Law. and make report thereof to the Court PO

A Return of the estate accounts of John Lamon dis

was returned, examined & ordered to be Received

A Return of the estate accounts of Christina Meyer

was returned, examined & ordered to be Received

A Return of the estate accounts of Volentin Voland dis

was returned, examined & ordered to be Received

An appraisement bill and sale bill of the estate of David Garber dis ~~was~~ returned, examined & ordered to be Received

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

Jacob Miller

116
Tuesday. 19th of November 1839.
Present.

Frederick Holburn, Andrew Moffatt Jas. M. Miller
Reuben Moore & Augustus Waterman S. G. Justice

- ✓ The appraisment bill and sale bill of the estate of Martin
Hair and was return examms orders to be Recorded
- ✓ A Sale bill of the estate of Anthony Showalter and was return
examms orders to be Recorded
- ✓ A Sale bill of the estate of Jacob Probst and was return
examms orders to be Recorded
- ✓ A Settlement of the estate of ^{Jacob Probst} Philip ~~Callender~~ and was return
examms and orders to be Recorded
- ✓ On the Motion of Alexander R. Givens, it is ordered that
Amos Davidson, Stephen Sternberger & John Miller be
appointed Commissioners to lay off and apportion to Francis Prew
his Dower in the Land of Thomas Prew as Clerk of the Court
to the Court
- ✓ On the Motion George W. Kemper ~~Justice~~, it is ordered that
the Sheriff of this County do take into his hands and possess
the estate of John Parkey and administer the same
according to Law.
- ✓ Smith & Frazer N. G. & J. and Contine
✓ saw a Tyler dismissed, with the assent of the Court
✓ same & Henry Macdonald alias Plura Capas awarded
✓ same & Geo. Effert Capas awarded
✓ same & Peter Reed, ^{this prosecution is} with the assent of the Court dismissed
- Ordered that William Mabee be appointed surveyor of
Precinct No. 1. on the Road to Wyler quarter in the Room of Geo
Effert. and that the Tithables as William Smith & Aaron Baskin
make plan, be added to his hands

Orders that John M. Rice be appointed Surveyor of Precinct No. 12 on the swift run Gap road in the room of Paul Shreckshier. R

The Nally Turupke Company

appt

upon a Note R

Henry Tutwiler

By consent of the parties by their attorneys it is ordered that the report of Commissioners Hannabarger & Co be set aside, and it is ordered that James Sains Anthony Stiffman, John Carpenter, Jacob Rush and Jacob Hannabarger any 3 of whom may act be appointed commissioners to go upon the land of said Tutwiler; and there and there the said land proposed to be condemned, by the said Nally Turupke Company on the 3rd day of December 1889. and there the same in the manner directed and prescribed by law and make report thereof to the Court,

Newton & Bents on a Note Continued

Precinct Abraham Smith

Exhibit
meat

The Court proceed to recommend a Sheriff of this County for the ensuing year, and the names of the Justices being called they unanimously vote for Richard P. Feltner, Jacob D. Williamson & John H. Campbell. Whereupon it is ordered that they be recommended to the Governor as proper and fit persons to act as Sheriff of this County for the ensuing year.

Commenced - The Woodford Jury sworn to with Leno Shava, John Evers, Philip Cole, Gabriel Woods, Adam Long, John Warren, John Frymeyer, George Evers, John Swaty, John W. Roller, John H. Mallett & Adam Long Verdict that the Debt is not legally & Lawful

On the Motion of Robert M. Weir, it is ordered that Mr. Margaret Swan have leave to assign and Transfer the unexpired term of the said Swan Ordeinary Seamus to the said Weir, the Court being of the opinion that the said Weir is a man of Good Character, not addicted to drunkenness, or Gambling, and that he will keep an orderly & usefull house of entertainment, all which is ordered to be Collected

Givers & Thomas Prichard others in charge.

On the Motion of the Plaintiff. Henry J. Gambell is hereby appointed Guardian ad litem, to defend this suit for the infant Defendants. and thereupon the Deft filed his bill in Court, and had awarded a Deft to answer said bill &c

C. Cornuth & J. Gilmore, Jury sworn to try the issue to wit: Richard Robinson, Abraham Coffman, David Fisher, William Fry, Moses Joseph, William Woodford, James McDorman, Samuel Fisher, William N. Keller, Anthony Neely, Henry Sanders & Philip Miller. Verdict that the debt is fully answered one dollar and Twenty accordingly

C. Woodford & Robinson West side. N. a. pleas. & represented & free

C. Cornuth & J. Gilmore Jury sworn to try the issue to wit: The same Jury as in the Case of Cornuth & Gilmore, Verdict. that the Defendant is Not Guilty & he was accordingly

C. Turnpike Company & Smith. The report of the Commissioners is hereby affirmed by Consent of the parties.

C. Gleason & Sons & Stamborg P. D. continues by Consent

C. Gambell P. D. & same continues by Consent,

C. Stamborg P. D. & Gambell P. D. continues

C. Thompson & Thomas, heirs. on a petition for a R. O. S.

Authenticated ^{The} ~~Defendants~~ ^{being infants} Defendants, the parties Thomas is hereby appointed Guardian ad litem to defend this suit for these infant Defendants. and on his Motion a writ of Agreed return is awarded them to be directed to the sheriff

of this County and to be sealed on the 30th day of
this month returnable here at December Court Next

Black & Coffman Contend for Plaintiff, and on the Motion
of the Plaintiff, it is ordered that John Leaven who was
summoned to attend on this day as attorney for him against said
J. Coffman, shall cause at February Court Next why he should
not be found according to law for such has now appeared.

Young & Pochon & Papp Contend

Mindel for P & Woods Contend

Galy & Fink Contend

Bales & Bateman Contend

Heto & McCray Contend

Reynolds & Price, W & et alia St. G. & Spurr & Contend

Chandler P & Robinson W & et alia Covenants not broken

Guilford & Spurr & Contend

Joseph & Starnes W & et alia St. G. & Spurr and Contend

Peckham & Stuart W & et alia St. G. & Spurr and
Contend

Hevern & Blakeman & Coyne W & et alia St. A. G. &
Guilford & Spurr and Contend

Forster & Co for and D. Forster & Palmer W & et alia
St. A. Guilford & Spurr & Contend

Burner & Stokes W & et alia St. G. Guilford &
Spurr & Contend & Contend

Keller & Woods Jury sworn to try the issues to wit
Levi Shaver, John Evans, James Almon, Adam Long
John Warren, John Frymeyer, John W. Butler, John St
Miller, Adam Leach, John Ranken, Smithfield King &
Samuel Royce. Verdict for the Plaintiff for \$175 damages
and a Judgment.

Per Stephen Stambarger.

Carthage for Bremen as Master of Office. Inq. set aside payment. Good
Replication to Spec. and Controversy

Exam. adm. to Showalter R. same

2. Salt for Beer or wine. Wiso same

Mount to Canada same

Oct 4 to bank 3 am

Gain adm & Gain po same

Thompson Hoof of Warm - Raper same

2 Hoghead $\frac{1}{4}$ Clarke same

Q. Auto for 20 - 200000 *Continued by car*

On the Motion of James Taylor and he having paid to Samuel
Gibbons Deputy Sheriff of the tax imposed by law, it is ordered that a
License be granted him to keep an Ordinary at his house in this county
until May 10 next 1840 on his entering into bond with security in
the Clerk's Office as the Law directs, the Court being satisfied
that the said James Taylor is a Man of Good Character
not addicted to drunkenness or gambling, and that he will keep
an orderly and useful house of entertainment.

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

Attest

 Andrew Harnsburger

Stephen Harnsburger

Wednesday Aug 20th Nov. 1839

Present

Stephen Harsbarger, Brandon Moffett Jacob

Miller P Pe & by Garrison

S. G. Foster,

Reci ena a Rio p^o M. Chaney.

On the Motion of the Plaintiffs... Peachy Rice, is hereby appointed
Caretaker and guardian ad litem, to defend this ^{cause} ~~cause~~ ^{suit} for them, and the Plaintiffs
having filed their bill, and the said Defendant Peachy Rice, in his own
right, and as guardian for the infant defendants, filed his answer
to which a general replication is filed, and this cause came on this
20th day of November 1839 to be heard (by consent) on the

held to answer, and exhibits filed in this cause and it appearing to the satisfaction of the Court that the rights and interests of the ~~several~~ different parties requires the sale of the said slaves Anthony and ~~Andrew~~; the Court doth therefore, order and decree that ~~Richard Smith~~ ^{August 2 Smith}, who is hereby appointed a Commissioner for that purpose shall sell the said Anthony and Andrew at Public ~~notorious~~ Vendue in the town of Harrisburg to the highest bidder or bidders on a credit of six months taking bonds with ample security for from the purchaser or purchasers for the price of said slaves. The said Commissioner is required to advertise the time, terms and place of sale for at least four weeks previously in the Newspapers printed in Harrisburg and by a printed or written notice of the same set up for the same term on the front door of the Court house of Rockingham and to report to the Court at its next Session after said sale what he has done in the premises.

(B) P. Pinkel is James Foley Jr (in Care). Jury sworn to try the
 James to wit, Adam Long, Perry Byrd, Henry Booz, James
 Harrison, John Warren, Peachy Rice, James McDonald
 Thomas Logan, Henry Sanders, John Rankin, Abraham
 Braumman & Smithfield King, Verdict for the Plaintiff
 for \$100 Damages & Judgment accordingly

(B) Fisher & Frye Controvers for the Plaintiff

Carthage & Allen dismissed agreed

Managers for us of J. Sharly & Geo. M. Perry & others, plea was
 & Judgment confessed for the debt in the deed mentioned with
 interest & costs

- (a) P. Puntke vs Jas. Foley Jr (in Tals) Jury sworn to try the issue, to wit
 (b) Samuel Henry, John Frymyer, John M. Miller, Mitchell Leonard
 George Ewer, Benjamin F. Woodster, David Gledhill, William Foye,
 * Harrison Sifferus, Sand Rogers, Samuel Hesterting & John St. Miller
 Verdict for the Plaintiff for 1 cent damages, and the defendant
 agreed to pay the costs, & I magt. accordingly

- B Graham vs Jas. Frymyer & D. Graham Jury sworn to suit,
 (b) Jacob Puffer, Stuart Gledhillson, Philip Miller, Frederick Holliday
 Thomas Woolford, Robert Edwards, Benjamin Sanders, Richard
 * Robertson, James Foley Jr, James Almar, Henry Sanders, George
 Fankthorn, and not agreeing in their Verdict, James Foley one of
 the said Jurors was withdrawn and the rest from rendering their
 Verdict discharged and the Cause is continued until next term

- (a) Stout vs J. Johnson vs Beers P. plea was I magt. confessed for
 the Debt as the declaration mentioned, with which Stout saving
 equity

- (c) Burkholder vs Sanderson same
 (c) Thompson vs Brannan same
 (c) Ford vs Orourke same
 (c) Loney Powell vs Applegate & Co same
 (c) Effinger vs Small same
 (c) Hunter vs Gibson same
 (c) Same vs Orendorp same
 (c) Same vs Dougherty same
 (c) Greath vs Stone same
 (c) Lebowen vs Weston Continued (by consent)

Orders that the Court do adjourn until to Morrow
 Morning at 10 o'clock

Stephen Harnsburger

123
Thursday the 21st November 1839.

Present

Peachy Harrison, Stephen Haurbarrow.

Michael Harrison & Augustus Waterman & G. Justice

W Mahan & H. C. C. Continued by Consent.

S. Shaver & A. Long Continued for Deft (contd)

A Long & Ever. plea of A. Long's withdrawal, plea of A. C. & ~~the interests of the parties~~ please have replication & file ~~there~~.

Mooreman & Robertson plea was & L. C. C. for the Deft in the declaration Mentions with interest & costs

Quibbler & Deven Adams Continued by Consent

W. Croafas & Robertson Continued for Deft by ~~consent~~ Consent.

Whitely Infant & Hoghead, Jury sworn to enquire of the damage (to wit), John Sheehy, John Ranken, George Miller John Rohr, George Ever, James ~~and~~ M. Dorman Lewis Shaver, Peachy Reed, Adam Long, Samuel Harting Perry Byrd & Philip Miller, Verdict for the Plaintiff for \$400 damages & Judgment accordingly

Effinger & Swann Adams Continued for Defendants

King & Royce. In Covenant By consent of the parties
B. all matters in difference between them in this suit is referred to the award and final determination of Joseph M. Auger. Jacob Rush & Samuel H. Lewis whose award or the award of any two of them is to be made the Judgment of the Court

W Mahan & Geo. Ever Jury sworn to wit
Edward Reed, Richard Robinson, Mitchell Connor

(B.) Simon R. Burkholder, Mary Booz, Lewis Keller, Adam Seap, John Haged, Samuel Fisher, Samuel Royce, Smithfield King & Abraham Newmeyer, Verdict for the Defendants and ~~unanimously~~ Judgment accordingly.

Piper & Branthwaite Continued by Consent

12. Leadbough & Winton vs. Leadbough, the Deft being call not appearing
 13. Now suit awarded, with \$5 damages according to law, and
 Judgment accordingly, and by consent, the Damages hereby awarded
 is released

14. Adams & Co. vs. Evers, the defendant for further plea in this behalf
 15. filed a general Demurrer to the Defts declaration in which the
 Plaintiff joined, whereupon the matter of law arising on said
 Demurrer being argued, the said demurrer was overruled, Jury sworn
 to try the issue (to-wit) John Sheets, John Ranken, James McDermott,
 Samuel Hestring, Perry Byrd, Philip Miller, William Reckard,
 John M. Miller, David S. Jones, John M. Roller, Philip Cole
 and Frederick Holliday. Verdict for the Defendant. &
 Judgment accordingly

16. Roller & Showalter, plea of payment withdrawn, and the said
 17. Defendant for further pleas in this behalf pleads two special pleas
 which are here filed in writing, to which pleas the Plaintiff replies
 generally & specifically, is thereupon joined & continued for Defence —

18. Levi Shaver & Adam Long vs. Levi Shaver, in Case.

- By consent of the parties all matters in difference between them
 in this suit is referred to the award and final determination
 of Robert Grattan Jr. Robert M. Kyle and John A. Harrington, whose
 19. award is to be made the Judgment of the Court, and by like consent
 20. Copy is agreed that the said arbitrators shall decide the matter in
 controversy depending in the Circuit Superior Court of Law and
 Chancery between the said Adam Long Plaintiff and the said
 Levi Shaver Defendant, and report thereon award to the said
 Circuit Superior Court.

21. John M. Roller & M. Showalter, Jury sworn to wit, John Billhimer
 Adam Long, Simon H. Burkholder, Abraham Milachuk
 Counsel by George Evers, Lewis Keller Thomas Legaw Levi

Shaver, Jacob Effinger, Samuel Royer, Smithfield King
 & John Evers. Verdict for the Peff on both pleas and
 we therefore find for the Peff \$100 the debt in the debt
 mention with interest at 6 per cent from 27th of March 1839
 till paid & Supt accordingly

Orders that the Court do adjourn until the 2nd
 Monday in December Next

Stephen Harnsbarger

Virginia to wit

At a Court held for the County of Rockingham on the Third Monday being the 16th day of December 1839

Present

Jacob Rush, Isaac Thomas, Charles to Spear

& John A. Herring

S. G. Huston

A list of Conveyances and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham from the first to the 30th day of November 1839. included, was returned into Court by the Clerk thereof, and was examined by the Court, is ordered to be entered on the Minutes, and a like list. Orders to be posted up at the door of the Court house of said County. and is as follows (to wit)

RR. Deed for land John Retcher to Christian Wills

X Deed for personal Property, W. Adams to Tho. Adams in Trust for Jacob Reynolds
found Deed for land John Wentow to Daniel Wentow (son of Peter)

RR. Deed for land E. Rutherford to Robert M. Kyle

RR. Deed for land Jacob Bowers to Sherr Bowers

RR. Deed for land James Foley to Voluntarius Switzer

O Deed for land Geo. A. Armstrong to John Rolles

found Deed for land William Laskie to Jacob Baker.

O Deed for land John Wetsel to Geo. St. Shanks

found Deed for land Mr. Creighton to Michael Brannen.

O Deed for land Richard O'Neale to George Moffett & Co.

O Deed for land Elizabeth O'Neale to Jacob W. Williams

O Deed for land A. Byrd to W. G. Thompson in Trust for land offered

O Deed for land Abram Brannen to Robert Smith

found Deed for land James Foley to J. C. Shepman in Trust for Stephen Road cap. —

found Deed for land Daniel Wentow to William Wentow

O Deed for land John Christman to Samuel Zerkle

O Deed for land same to John Swarts

X Deed for Personal Property John Martin to Jacob Rohr in Trust for N. Rogers

X Deed for personal Property, James Kelly to J. D. Dawson in Trust for Randolph Hollis

RR. Deed for land Augustus Waterman to John St. Wentow

X Deed for P. property, R. M. Weir to J. Hardisty in Trust for Margaret Swan

X Deed for same. The same to same in Trust for H. Swan admin

B.R. Order for ~~Land~~ John Seton to Christian Mene.

B.R. Order for ~~Land~~ James Foley to Pleasant A. Clarke

The Clerk & County Clerk on a Deity basis, notice given & Defendant called. Judgment thereupon awarded

Written order Taylor on an appeal Docket & Continue

An appraisal bill and sale bill of the estate of Lydia Harrison and were returned ex parte & ordered to be Recd.

An appraisal bill of the estate of Robert Palmer and was returned & ordered to be Recd.

On the Motion of Richard P. Fletcher Sheriff of this County Andrew B. Smith is admitted his deputy, who took the several Oaths of Office as prescribed by law, the Court being satisfied that the said Andrew B. Smith is a Man of Good Morality, Probity and Good Character, which is ordered to be entered of Record

William H. Gault a constable in the Harrisonburg district came into Court and resigned the said Office which is ordered to be Certified of Record, whereupon Samuel Hitting was unanimously appointed a constable in said district until July Court 1846 who thereupon entered into bond with security in the penalty of \$2,000. Conditions as the law directs, the Court being of the Opinion that the said Samuel Hitting is a Man of Morality, Probity and Good Character.

An appraisal bill and sale bill of the estate of Joseph Byrd and were returned ex parte & ordered to be Recd.

The Court doth unanimously appoint William H. Gault a constable in the Beaver Creek district for this County until July Court 1846 who thereupon entered into bond with security in

the penalty of \$2000 in addition to the Law duty, which was a Monopoly by the parties thereto & Ours to be Received. the Court being of the Opinion that the said William H. Gay is a man of ~~stagnant~~ ^{stagnant} property and good demeanor;

Joseph Beltham & Tyro H. Maupin who were appointed
 x Commissioners of the Mexican Land for this County for the year 1840. came into Court and entered into bond with security in the penalty of \$1000. which bond was acknowledged by the parties thereto & Ours to be Received and it is further Ours that they qualify to their respective ~~Commission~~ ^{Commission} appointments in the manner directed by Law.

On the Motion of John Albright on of the Lora and it
 C. Ours Ours that Jonathan Peal be appointed a Commissioner to examine state and settle the estate accounts of said
 Lora and make report to the Court.

On the Motion of Joseph Ryals on of Joseph Ryals and it
 is Ours that Saml A. Delwath be appointed a Commissioner
 C. Ours to examine state and settle the estate accounts of said
 Joseph Ryals and make report to the Court.

A Certificate of the Power of Elizabeth Thomas Widow
 C. of Stephen Thomas and in the Land of her said Husband as laid
 off by the Commissioners heretofore appointed was returned
 for Ours to be Received.

Ours that Joseph L. L. be appointed Guardian for his
 C. son Emanuel L. ^{a grand son of Martin L. L.} an infant under 14 years of age who
 entered into bond with security in the penalty of \$5000.
 as the Law directs.

Richard P. Fletcher produces in Court a Commission wherein
 x he is appointed in the Office of Sheriff for this County for the year
 1840. and thereupon entered into bond several bonds in the
 penalty of \$10,000. in addition to the Law duty, which

were severally acknowledged by the parties thereto, and
 ordered to be Recorded.

~~Remembrance Ephraim Moore~~

On the Motion of Tyre Maupers, and he having paid to
 Saw Gibson Deputy Sheriff, \$7.50 into the law imposed by Law.
 it is ordered that a License be granted him to Keep an
 cff. As a way at his house in this County until May Court 1840
 as his entering into bond with security, in the Clerk's Office
 as the Law directs, the Court being of the Opinion that the
 said Maupers is a Man of Good Character not addicted to
 Drunkenness or Gambling and that he will keep an Orderly
 and a useful house of entertainment, all which is ordered
 to be entered of Record.

Hambarger P. & Driskell on Petition Entered

Ordered that the Overseer of the poor be and paid a few
 Copy boy of Colour, (a Child of Mahala Williams a woman
 of Colour, 3 Years old the 16th day of December 1839 to
 Franklin Eckard, to the learn the business of a Farmer
 + as the Law directs, the said Franklin Eckard binding
 himself to pay to the Overseer of the poor of Rockingham County
 or to their agent ~~per~~ \$7. per year from the 16th day of December
 1846. to the 16th day of December 1856. the said Mahala the
 Mother of said Child being blind, and now at the poor house
 of this County and \$30 to the said Child on the 16th of
 December 1857.

Driskell P. & Hambarger P. on Writ Adj. Entered

J. S. Barr on Motion of the Valley Turnpike Company

George M. Especter

upon a Notice to
 the Defendant called and not appearing

The Judge is awarded agt him for \$25. as in the Notice mentioned
 and Costs.

The same is John Krohn upon a Notice

Notice pronounced & The Defendant being called and not appearing

The Judge is awarded agt him for \$96. as in the Notice mentioned
 with Costs.

J. S. Carson Treasurer of the Vally Turnpike Company

agst

upon a notice

C David Reardon, D. Notice from the defendant not
to appearing at the return call. I have awarded him for
\$100. as in the Notice mentioned, and costs

Settlement of the state accounts of Henry Smith and was returned
examined & found to be correct.

J. S. Carson Treasurer of the Vally Turnpike Company

agst

upon a notice.

Jr. M. Dunlap.

By Consent. Notice acknowledged

and contented until the next Term

Stenson has in Harbinger on days ended

Another Motion of the President and Directors of

C On the Motion of Levi Studdle and Elizabeth his wife, John Seay,
Dorcas Marty others, Sec'ds. Kyle, Reuben Randall, Allen C.
Bry an adm with the well annexes of farm Stalls and and
Henry Tubwell, it is ordered that, Jacob Burk, Joseph Maury,
Jacob Stambarger, James Laird, Ruthen Stuffer, &c and they
herely are appointed Commissioners, any 3 of whom may act, being
first duly sworn, according to Law, to go upon the lands of the
the several persons aforesaid propors by the Vally Turnpike Company to be
Commenced for the use of the road, to wit, on the lands of the said Ebenezer
Kyle, James Stalls and Henry Tubwell on the 27th of the present
month, and on the lands of said Levi Studdle and wife, John
Seay & Dorcas Marty &c on the 28th day of the present month
and after viewing the same, and hearing such proper evidence as
either party may offer ascertain according to the best of their
Judgment the claims which the said Levi Studdle and others
will sustain by the Commencement thereof, and in performing
this duty they shall consider the said parties as being the owners
of the whole fee simple interest in said lands, they shall take into
consideration the quantity and quality of the lands to be Commenced
the actual and future which will be required thereby, and all
other incumbrances, which shall result to the said

An appraised bill of the estate of Saml Houn and was
returned, examined & ordered to be Received

Richholder = Mount P. as a note on Bely bond notes
y. paid & debt call. Supd & executor awarded

R. of Pifer & Dunlap P. said

A bill of the estate accounts of Elizabeth Matthews do
was returned, examined & ordered to be Received

Ordered that the return of the poor man Melly Reray
Copy 12 years old the 15. October 1839. to ^{George Smith} ~~John Smith~~, as the law
directs, who is to receive for freedom dues \$20

On the Motion of Ann Gray, it is ordered to be Certified
that satisfactory evidence has been exhibited to the Court that
supd William Gray was a prisoner of the United States at the
rate of \$8 per Month was a Merchant of the County
of Rockingham in the State of Virginia, and died in the town
of Harrisburg in the County of Rockingham and State of
Virginia in the year 1840. on the 8th day of January that
he left a Widow whose name is Ann Gray.

On the Motion of David Shank, who entered into bond
with security in the penalty of \$3.400. and made Oath
thereto as the Law directs, Certificate of administration
of the estate of Mary Shank and in due form, and it
is ordered that Gabriel Sealwood, James B. Blosse, Abraham
Copy Blosse & John Bournes, or any three of them being first
sworn, do appraise the estate of the said Mary Shank
and make report to the Court

A Writing purporting to be the Last will of George DeJoy deceased
(all written in the German Language) was presented in Court and the
Original will was proved by the Oaths of Noah Bowen & Samuel

Harris or two witnesses thereto, and the said Translation being proved by the Oath of Jacob Rohr, the Translator, said Translation is ordered to be Recorded and on the Motion of John & Philip Depoy, the executors named in the said Will, who made Oath thereto, and entered into bond with security in the sum of five thousand Dollars, conditioned as the Law directs, a Certificate is granted them for Obtaining a probate thereof in due form, and it is ordered that Michael Sellars, John Leedy, Philip Spitzew and James Doval, or any three of them being first sworn, do appraise the estate of the said Carlos Depoy and make report thereof to the Court.

Present

Jonathan Peal & John A. Sterling

Abent.

Pearley Harrison

Elizabeth Meseck late of this County of Rockingham, who was Com-
mitted to the Jail of this County on Suspicion of felony, and stands
Charged with feloniously Murdering her fennail Child, (and ^{for} ~~her~~
~~whom~~ ^{her} ~~now~~ ~~examined~~ ~~before~~ ~~trial~~ and examined a Court was
ordered to be held on the 28th day of December 1839. but which
Court did not meet) was brought to the bar in Custody of
the Jailor of this County, and being charged with the felony
aforesaid, Pleaded Not Guilty, and thereupon Sunday next
to wit, George Meseck, Susanna Stelling, Mary Meseck,
Eliza Meseck, Asher Meseck, Peachy Harrison, & Michael
H. Harris were sworn and examined touching the offence
whereunto the Prisoner stands charged, and the prisoner
being fully heard in her defence by her Counsel, upon mature
consideration whereof, the Court is of the opinion that the
Prisoner is guilty of the Murder whereof she stands charged
and for the same is tryable in the Circuit Superior Court of
Law and Chancery holden for this County, and thereupon she was
remanded to Jail there to remain until discharged by said
Court of Law, &c. On the Trial of this Case a bill of
exceptions was taken to the opinion of the Court by the prisoners
Counsel which was signed and sealed by the Law Clerk, which

is ordered to be made a part of the record, whereas Be it Remembered that on the 20th day of January 1840 George Mephist, Susanna Staling, Mary Mephist, Elizabeth Mephist, Asher Mephist and Michael S. Harris personally appeared in Court and severally acknowledged themselves to owe and be indebted to his excellency James Campbell Governor of Virginia and his Successor an Office in the sum of \$100 each to be secured of them respective Goods & Chattels Lands and Tenements and for the use of the Court to be rendered, yet upon the Condition that if the said George Mephist S. Staling M. Mephist Elizabeth Mephist Asher Mephist & M. S. Harris shall make their personal appearance before the Great Superior Court of Law and Chancery holden for this County on the first day of the next term which will be on the 8th day of May next, then and then to give evidence against Elizabeth Mephist, and that they will not depart the said Court until discharged by Law then this above Recogⁿ to be void due to remain in full force and Virtue, —

X On the Motion of Jacob D. Williamson, and for reasons appearing to the Court, it is ordered that the Public Road commonly called the Stage Road, be discontinued so far^{as} it extends through the lands of the said Jacob D. Williamson, and that he has leave to stop the same

Whereas that the Court do adjourn until the Third Monday in February next

Jacob D. Williamson

Pirguina To wit

At a Court held for the County of Rockingham and on the Third Monday being the 17th day of February 1840

Present

Jacob Rusk, Jacob Miller, Augustus Waterman

& Robert G. Hallam

S. G. Fisher

A List of Conveyances and other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1st to the 31st day of January 1840, 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 ordered to be posted up at the door of the Court house of said County and is as follows to wit

- Found A Deed for Land Samuel blind wife to Henry Bear
- R. A Deed for Land John Hoagler wife to John Arey
- X A Deed for Property Thomas Cooker to D. H. Gambell in trust for Michael B. blind
- ⊗ A Deed for Land Jacob Cole & others to Richard Weyfield
- ⊗ A Deed for Land John Bowman wife to Jacob Mearcy
- ⊗ A Deed for Land Daniel Meller wife to Isaac Meller
- Found A Deed for Land Daniel Meller wife to George Cooper
- ⊗ A Deed for Land Daniel Meller wife to Philip Spitzer
- ⊗ A Deed for Land Isaac B. Meller wife to Abraham Bury
- Found A Deed for Land Andrew Byrds executors to Jacob Miness
- ⊗ A Deed for Land Andrew Byrds executors to Joseph blind
- ⊗ A Deed for Land Andrew Byrds executors to Jacob Gads
- Found A Deed for Land Andrew Byrds executors to George Moffitt
- ⊗ A Deed for Land Andrew Byrds executors to Christian ^{Shackles}
- ⊗ A Deed for Land Alexander Stolsinger wife to Peter Good
- Found A Deed for Land Samuel Hoffman & Son to Reuben Moore
- Found A Deed for Land Samuel Hoffman wife to Henry Moyers
- ⊗ A Deed for Land Peter Meller wife to Nicholas Meller
- ⊗ A Deed for Land Nicholas Meller wife to Peter Meller
- ⊗ A Deed for Land James Moore & others to Frederick A. Whotgarber

A Dec for Land Letterton W Gambell to David Stump
 found A Dec for Land Thomas M Hete to David Green
 A Dec for Land John Stump Elip to Joel Smith
 found A Dec for Land John Stale to James Ashbrook
 found A Dec for Land Abraham Kagg Elip to James Ashbrook

Richard P. Fletcher high sheriff of the County of
 Rockingham. Came into Court and took the several oaths
 of Office as prescribed by Law, which is ordered to be
 Certified

On the Motion of Richard P. Fletcher Sheriff of
 this County, George S. Churman, Jacob A. Mitchell, Saul
 Gibbons, Andrew B. Ficks & Oliver Sterling, are admitted
 his Deputies, who thereupon severally took the Oaths of
 Office as prescribed by Law, which is ordered to be Certified,
 the Court being of the Opinion that the said Churman
 Mitchell, Gibbons, Ficks & Sterling are ^{all} men of honesty, probity
 and good Character, which is ordered to be entered of
 Record

On the Petition of Isaac Long to alter a part of
 the Public Road leading from the ford at Stakes Creek
 to George Piers Mill, that is to say between the said
 ford and the tub Run from Isaac Long's saw mill now
 occupied by Thomas Gooden, then following the meanders
 of the Creek to near Jacob Blom's saw mill where it
 will intersect the old road, it is ordered that Jacob
 Bear William Wembrough & Henry Miller being
 first sworn, do View the said alteration, and make report
 to the Court of the ~~any~~ convenience and inconvenience attending
 the same, as well to the Public as to individuals in
 the manner directed by Law

Peter B. Cowdall (foreman), Michael B. Cohen, Henry Early, William Carpenter, John Hoogles, John Booth, Christopher Whetzel, Elijah Quinane, Saml Deibels, Jacob Cowar, Christian Frank, Joseph Mount, Daniel Mayers, Henry Berg, John Palsel, Amos Albright, Christian Stawer, Michael Stawer & Samuel Botter, were sworn as Grand Jury, who received their Charge and retired from the bar to consider of their presentments, and after some time returned into Court and made the following ~~was~~ ^{was} an indictment against William Abbot for an assault and Battery above said, and the said Grand Jury having no further business before them, they were discharged, and it is ordered that a summons be awarded against the said

P. M. Abbot, to answer the said indictment returnable here at May Court next

An appraisment bill of the estate of Peter Wyant decd was returned ex officio Orders to be Recorded

Settlements of the estate accounts of Peter Wyant and Saml Abramson, were returned examined and ordered to be Recorded

A writing purporting to be the last will and Testament of Edward Stevens decd was presented in Court and was proved by the Oaths of David Shatto, John Kenney & Isaac Hardisty witnesses thereto, as also a Codicil annexed to the said will which was also proved by the Oaths of Isaac Hardisty and John Kenney, who do with the said will are ordered to be Recorded, and as the Motion of Joseph Mauley ~~and of the Motion of Joseph Mauley~~ one of the executors named in the said will who entered into bond with security in the penalty of \$40,000 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 Isaac
 Hardy, Simon W. Burdick, Samuel Perry and Samuel
 Shacklet or any 3 of them being first sworn do appraise
 Cope the ^{that part} estate of the said Edward Heron and ~~make report~~
 to the Court in the County of ^{superior to the County} Rockingham, and that Abraham
 Smith, Benjamin Brewer & Robert Jones, ^{or any 3 of them} ^{or any 3 of them}
 being first sworn do appraise that part of the estate of
 said Edward Heron in the County of Augusta and
 make report to the Court of this County

As the Motion of George W. Snapp, who entered into bond
 with security in the penalty of Six Thousand Dollars, and
 made oath thereto, as the Law directs, a Certificate is granted
 him for obtaining ~~approval~~ ^{of William Fisher and} ^{as the said} ^{estate} ^{in due} ^{form}, the widow of the said
 Cope William Fisher having from under her how Refused to act
 and it is ordered that Pleasant A. Clarke And
 Sago, Cyrus Turley & George Sherman, or any 3 of them
 being first sworn do appraise the estate of the said
 William Fisher and make report to the Court

Ordered that the Careen of the poor bond Bot a few
 boy of Colour to Saml Coffman (about 13 months of
 Cope age) to learn the farming business as the Law directs
 who is to receive for freedom due \$20

A Writing purporting to be the Last will and Testament
 of Maria Green and was presented in Court and
 was proved by John Gibb & John Knapp two Witnesses
 thereto as the Law directs. Ordered to be Recorded

The appraisment bill and sale bill of the estate of
 John Stall and were returned examined & ordered to be
 Recorded

A Writing purporting to be the Last will and Testament of Thomas J. J. Jr. deceased, was presented in Court and was proved by the Oaths of Anan McClellan & Alexander McClellan and two witnesses thereto & Orans to be Decree, and on the Motion of George S. Rogers the executor named in the said will who entered into bond for Decree bond in the penalty of \$100. The will requiring no security to be given, and made oath thereto as the Law directs a Certificate is granted him for obtaining probate thereof in due form,

On the Motion of Allen C. Byrnes exor of John Hall Cofd and it is Ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate of said John Hall do and make report to the Court

A Writing purporting to be the Last will and Testament of John F. Effryer deceased was presented in Court, and was proved by the Oaths of Otway Hestling and Charles R. Gray two witnesses thereto & Orans to be Decree, and on the Motion of Michael H. Effryer and John S. Effryer the Executors named in the said will who made oath thereto, and entered into bond in the penalty of seventy five thousand Dollars. Condition as the Law directs (no security being required to be given by the said will) a Certificate is granted them for obtaining a probate thereof in due form, and it is Ordered that Solomon M. Hinton, Samuel W. Bantistolen, John Warren and Richard P. Fletcher or any 3 of them being first sworn, and make report thereof to the Court

And that the Oversee of the poor buy a free boy of Colour 7 years old the 15 September 1839 to Saml. M. M. to learn the farming business, who is to pay \$100 in the following manner that is to say \$40 to be paid in equal annual payments commencing from the date hereof to the overseer of the poor for the benefit of the mother of said boy and the remaining \$60 to the said farmer when he shall

arrived at the age of 21 years. and it is further ordered that the Order made at October Court 1834. directing the owners of this poor to send said Lamm to Geo. M. Perrybaker to be reeducated.

Rogers & Fuller up on an attached. Books are
continued until to morrow

On the Motion of Peter Rayer, agent Wilson now with the will annexed of John Rayer & co. is granted him in due form he having entered into bond with security in the penalty of \$2000. in the Law Court and made Oath thereto.

On the Motion of Lord Cootes Lord of Barry Wentes du
Copd it is ordered that Richard P Fletcher be appointed a
Commissioner to examine state and settle the estate
Accounts of said Wentles and make report to the Court

Copies
X
And that the Owner of the poor blind William
Hughes a free boy of Color ~~about~~ ⁱⁿ 16 years of age to
Rev. William Bryan to learn the farming business
as the Law directs, the said William Bryan agreeing to
pay to the Mother of the said boy
at the rate of one dollar per ^{four the said hereof} year, until he arrives
at the age of 21 years, and ~~that~~ when he the said ^{Boy} shall
so arrive to the age of 21 years, the said Bryan is to pay to
the said Negro boy Mr. Hughes the sum of \$100.

C On the Motion of Joseph Coffey who made oath thereto, and with security entered into bond in the penalty of \$200. and made oath thereto as the law directs, a Certificate is granted the said Joseph Coffey for obtaining letters of administration, on the estate of George F. Everding as due form, the widow of the said Everding having from under ^{her} hands, refused to act, and it is ordered.

that John Allibonough, Michael B. Collins, James Taylor & Solomon Stone, any 3 of them being sworn do appraise the estate of said Everding and make report to the Court

Copy A Writing purporting to be the last will and Testament of Darius Serricola deceased was presented in Court, and was proved by the Oaths of Samuel Boffman & Anthony Rogers two witnesses thereto, and came to be Recorded, and at the Motion of Darius Serricola & Abraham Serricola the executors named in the said will, who made Oaths thereto, and entered into bonds in the sum of \$5,000 each for the same debts, a Certificate is granted them for obtaining a probate thereof in conformity, (the will requiring no security to be given by the said executors) and it is ordered that William G. Thompson, Samuel G. Smith, Philip Perky and Charles C. Spear, any three of them being first sworn do appraise the estate of the said Darius Serricola and make report to the Court

Copy John Seedy & Patrick Kelly In Turf By consent of the parties all matters in difference between them in this suit is referred to the award and final determination of Edward S. Smith and Peter Steff whose award on the award of their umpire in case of disagreement is to be made the prayer of the Court

✓ McLain Hyle & Nally Turnpike Company On a Note

✓ Wells and same on a Note

✓ D. Martz same on a Note

✓ H. Tuttle same on a Note

✓ Stadalo Wagon same on a Note

✓ W. Seedy same on a Note

By consent of the parties by their ~~accounts~~ ^{by consent} attorneys

is ordered that the Commissioners appointed at December Court 1839, to value the lands proposed by the said Company to be condemned for the use of the Road, in the above cases do go upon the land as aforesaid on such days as they or any 3 of them shall appoint and value the same agreeable

to the said Order, and make report thereof to the Court in each Case to the Court in the manner directed by Law, it appearing to the Court that the said Commission has not acted under the said Order of Pecunia Court last

Commonwealth & Master Follow as a receipt for a receipt of the peace on the complaint of Adam Cox and John Jackson. The Defendant appears in Court in discharge of his receipt and the Court having fully heard the evidence and argument of Counsel and maturely considered of the circumstances of the Case, are of the opinion that the said Defendant be acquiesced and discharged and that the defendant recover against the Prosecution his costs expenses in defending the prosecution.

+ if. Ordered that the Sheriff summon all the acting Magistrates to appear here at March Court next for the purpose of taking into consideration ^{the property} of the removal of the present Clerk's office, and such other things as shall be then & there laid before the Court.

Ordered that the Court be adjourned until to Monday Morning at 10 o'clock

Jacob Puert
+1

P 144
Tuesday the 18. February 1840

Print

Jacob Rusk, Jacob Miller, Samuel Cook &
David Thomas E. L. Jones

On the Motion of Beard & a Note in Reply being taken from
By & Supt and executed awarded

On the Motion of Jos. Braithwaite, By Counsel the Defendant Confess a
Supt for the Costs of this proceeding

On the Motion of John Dougherty same

Testimon. A Register of Fielding Cochran was presented in Court
and being compared with the said Fielding and found duly
made, a copy thereof is ordered to be furnished him in the
manner directed by Law

On the Motion of Madison & George Effinger, and for Reasons appearing
to the Court. It is ordered that they have leave to sell Goods
wares and Merchandise in the Secures granted to their
father, to whom the store was devised, until the term for
which said Secures was granted shall expire

On the Motion of Joseph Maugzy executor of Edward
Stevens, dec'd. It is ordered that the said Maugzy have
leave to carry on the store of said Stevens under the Secures
granted him, until they shall have expired

On the Motion of Hugh M. Sheffey, and he having
taken the Oath prescribed by Law is admitted to practice
as an attorney in this Court

On the Motion of Laws. dismissed by order of the attorney for the Cornith

~~Cornith v. Allen Gutwiler The defendant who has been considered
to the fact of this Court by a Justice of the peace, was brought into~~

~~Colony and over the influence of the said Person Defendant by his Counsel~~
~~to quash the Warrant by which he was so committed, which~~
~~warrant~~
~~for Reasons appearing to the Court the said Warrant was quashed~~
Committed to Allen Tutwiler, The said Defendant having been
committed to the Jail of the County by Marshal St. Harris
a Justice of the peace for failing to give security in a recognisance
to appear before the County Court of Rockingham at the February
Term 1840. and in the Mean time to keep the peace, which
Warrant is here filed in the Court and he being now brought
into Court, by his Counsel he moved the Court to quash
the said Warrant as defective, the Court granted said
Warrant for being defective, whereupon the Attorney for the
Commonwealth moved the Court, as the said Allen Tutwiler
was then in Custody before them, to require the said
Tutwiler to give security to keep the peace as he was a
dangerous Citizen and ought not to be permitted to go
at large without giving security for keeping the peace
and made the special Charge that on the day of
February 1840 in the presence of the S^r Justice of the peace
he the said Tutwiler endeavoured by violence to
break into the house of S^r Tutwiler father, who he was
bared or locked to keep him out and that he made
this effort with the avowed intention of killing
Catharine Tutwiler the Sister of said Allen Tutwiler
and made the declaration in the presence of said
Justice, that he said Allen would take the hard
blood of S^r Catharine - Marshal St. Harris the said
Justice being sworn upon ~~that~~ ^{the} said special Charge
whereupon, ~~it is ordered that the said Allen Tutwiler~~
the Court determined that they would proceed to
Judgment, unless the said Tutwiler asked for a
continuance to procure Testimony if any he had, No
Motion being made for a continuance, the Court
thereupon gave Judgment that the said Allen
Tutwiler should enter into a recognisance with good
security to keep the peace for one year, That is to

say himself in the sum of Twenty Dollars and two securities in the sum of Ten dollars each, or one security in the sum of Twenty Dollars, and that he stand committed, untill he give such security, Mem^o on the trial of this prosecution, able of exception, was taken to the opinion of the Court, which was signed and sealed as the Law directs and ordered to be made a part of the Record

Countess v. Beane Contemns for Defendants

Countess v. Rogers Efforts St. G. & J. and Contemns

Countess v. Robin Royer St. G. & J. and Contemns

Countess v. Peter Royer, on the Motion of the defendant by his Counsel, the indictment found in this case is quashed and on the Motion of the atty for the Countess and for reasons appearing to the Court it is ordered that the said defendant shall stand at Mary Court next, when an information shall not be filed against him for retarding the same without appearance to George Seft as set forth in the above recited

Countess v. Moor St. G. & J. and Contemns

Countess v. Henry Macan, for reasons appearing to the Court this prosecution is ordered to be dismissed

Countess v. J. Mearns, by Consent of the atty for the Countess with the assent of the Court this prosecution is ordered to be dismissed

Countess v. Saint Allman Jury sworn to try the issue to wit Jacob Braithwaite, Joseph Braithwaite, Peter Hall, Joseph Effinger James Payne, Lewis Keller, Abraham Coffman, David Rogers, Reuben Amick, Abraham Williams, Solomon Miller & Jacob Runkle, Verdict that Debt is not legally

Helmond 147

Graham for in Try on for Centuries for Defendants

Cowth & M. Fraser. Guy sworn to by the firm to wit:
Anthony Neshy, David Feller, John Beem, Gabriel
Wood, Philip Cole, William Ferry, David Neshy, Saml.
Barry, John S. Porton, George Miller, Edmund Hovey
H. Hubbard, Gains, Neshy, find the defendant guilty
and award the damages one cent amount plus.

Nally Turnpike Company & Talbot as entered

same & Marty R. same

same & J. Ledy. same

Stewart & Buckle on Note entered

Turnpike Company & Houters Centuries

Thompson & Thomas has an application for a road as up
the Plt. not ~~therefore~~ prosecuting his Petition.

Thomas ~~Stewart~~ & Thompson on writ ~~Stays~~ Ledy
for the Plaintiff Costs.

The Nally Turnpike Company & Campbell upon a Note.
Ledy. Confers for fifty Dollars as in the Note Stake
and costs

Mendo for in Court & Woods Centuries

Gaily & Fank Centuries

Baker for in Batterman Centuries

Stetson & McGray Centuries

Stetson for in Roark Centuries

Shaver & Long Centuries for award

King & Royer Centuries for award

Copy Stevens & Blakemore abates as to St & Royer in care
abates as to Stevens, and by consent all matters in difference
between them in this suit is referred to the award and final
determination of Abraham Smith & Robert M. Hyde whose
award or the award of the referees in care of dis agree-
ment is to be made the judgment of the Court.

C. Abelbaker is State Jury sworn to try the case between Jacob Braethwaite, Joseph Braethwaite Polrod Stald Joseph Effenger James Bain Lewis Keller Abraham Hoffman Nived Rogers Ruben Amick Abraham Williams Solomon Miller & Jacob Bunkle Photagundy in the Verant were adjourned until to Morrow morning at 10 o'clock

Further in Trial

C. Pifer vs Braethwaite the Pft pleads a Special which is referred to which the Pft replies General & the Court

C. On the Motion of Isaac Stordish who entered into bond with security in the penalty of \$800 and made oath that a certificate is granted him for obtaining letters of administration Debonis - Son of Henry Swann and no and form,

C. Moorford vs Robertson dismissed agreed

C. Brown vs Sturton plea of Tender pleaded and Court enters for Defendants

C. Pedersen vs Steward Special pleads General replication & the Court

C. Forrester vs P. Palmer Court

C. Effenger vs Swann claim the claim being due this suit stands reversed by Court agt Isaac Stordish claim Debonis Son of Swann dismissed and Court

C. Carthens for P vs Eubank P. Plea was & the agt. as per Special which Court saving entry

C. Brown adm vs Showalter P. same

C. Otto vs Clarke same

C. Mount vs Carady same

Gavis adm. & Gavis P. plea w^t & Inq^t per specialy with
interest & Costs saving. Equity

Thompson H. G. P. & Read ... same

Hogshen & Clarke ... same

Rogers & Fuller upon an attachment

The Constable having returned on the attachment executed
on one Waggon & other property, and the said Defendants
not appearing aetho solemnly call^d. Inq^t is awarded the
Plaintiff for \$79.32 cents with interest from the 21. day of
January 1840 till paid and Costs, and it is ordered that
the Sheriff make ^{according to law} sale of the property so attached (except
the ² sow and five ~~pony~~ shoats which are hereby released)
and pay the Money arising from the sale thereof to the
Plaintiff on satisfaction of this Inq^t, and
August Waterman who was summoned as a garnisher
appears in Court and acknowledges that he owes
the Deft ~~the said~~ \$6.25. whereupon the said Waterman
is ordered to pay over to the Plaintiff on account of
this Inq^t.

On the Motion of Isaac Standerby adm^r Deborah
now of Henry Swan dec^d, it is ordered that Richard
P. Fletcher be appointed a Commissioner to examine
state and settle the ~~estate~~ ^{said} accounts, Henry Swan dec^d
with Joseph Maugy the executor of Edward Stevens
dec^d who was the adm^r of the said Henry Swan dec^d
and make report thereop to the Court.

On the Motion of John Rush adm^r of Peter Sellars
dec^d it is ordered that Joseph Maugy be appointed
a Commissioner to examine state and settle the estate
accounts of said Peter Sellars and make report to
the Court.

On the Motion Jacob & John Rush exec of John Rush dec
 Copd it is ordered that Joseph Maury be appointed a commissioner
 or to examine state and settle the estate accounts of said
 John Rush dec and make report thereof to the Court

Ordered that the Court be adjourned until to Morrow
 morning at 10th Clock

Jacob Rush

Wednesday the 19th of February 1840

Present

Jacob Rush, Jacob Mellin, Isaac Thomas, &

Jonathan Peal

S. G. Furler

His appraisement bill and sale bill of the estate of Joseph
 Meeks dec were returned examined & ordered to be Recorded

C. Moving & Pochow. - Refer Conting for Plaintiff

On the Motion of Mary Black Widow of John Black dec and
 Copd Mary Black, Robert Black, John B Black, Mary Black, Ben
 Black, Matilda Black and William H. Black, it is ordered
 that James Fulton, Treasr & Corp & ^{Samuel} ~~Samuel~~ M. Birgey, who
 are appointed Commissioners, for that purpose, shall go on
 the land of said John Black dec and lay off to the said
 Widow her Dower in said lands and shall also partition
 said lands amongst the aforesaid Children, & Susan Black
 James H Black & Addison H Black and Elizabeth Black
 Jane M. Glin wife of Samuel Glin, of Ohio & Sarah
 A. Glin ^{wife} of Hugh Glin, and make report thereof to
 the Court

William Fisher & M. Fry v. The Plaintiff being dead. It is
 ordered that a Seife be awarded agt the said Defendant to
 show cause why this suit shall not stand and be removed
^{out of this} ~~out of this~~ State of Geo H Snapp agent of said Fisher returnable
 here at the next Court

~~Plakemore v. Cowen. By consent of the parties & their
attorneys the rule of reference made in this Court on
yesterday is set aside & the Cause is referred~~

~~Plakemore v. Cowen. By consent the rule made against the
said Defendant at the last Court is set aside~~

~~Sent for D. & New plea vs. Judge Cropper for the
Court in the declaration mentioned ^{with intent to do} (serving equity).~~

~~McMahon v. State. The Jury sworn for the trial of
this Cause on yesterday, appears in Court agreeably to their
adjournment and retired from the bar to consider of their
Verdict and after some time returned into Court and declared that they
could not agree, whereupon David Rogers one of the Jurors was withdrawn & the
rest of the Jurors from remaining, their Verdict discharged & Cause is continuing.~~

~~On the Petition of Elizabeth Kete for an alteration
of her line the Swift Run Gap Road, which alteration is to begin
at a branch on the North West side of the dwelling
house, and to terminate at Elk Run, at the upper end part
of her plantation, it is ordered that Henry Miller Jr. Jacob
Courso, Jacob Beaman, Jacob Miller Jr. or any three of them
being first sworn, do view the said alteration, and
make Report thereof to the Court of the conveniences &
inconveniences attending the same, ^{that may} as ~~well~~ ^{may} result to
the public as to individuals.~~

~~Refer v. Braithwaite, Jury sworn to try the issue to wit
Andrew McLellan, John Warren, James Moore, Solomon
Longway, John S. Porter, Mark Waring, Stephen
Sprinkle, Matthew Miller, Emanuel Stearns, William
Allen, Jacob Price & George M. Sanford.~~

- C E. Hainburg P. & Quirk P. a Petition for a Road Act
 C J. Quirk P. & E. Hainburg P. a writ Nisi Act
 C Hainburg & same end

Quirk P. & Hainburg P.

- C D. Hainburg & Mathew Contours
 C Williams & Rice M.C. set aside N.A. & Hainburg Contours
 C Miller & Richard Contours
 C Maury for P. & Shawatto Office Supd. set aside payment
 Contours & Hainburg Contours
 C Shaver & Hainburg same
 C Guerin & Palmer same
 C Shawatto for P. & Bryan same
 C Keiffer for P. Hainburg / & Denial same
 C same & Denial same
 C same Thomas (H) & Denial same
 C J. Shaffer for P. & Quirk same
 C Brock for J. C. / & Petition same
 C Williams adu. for A. D. / & Setu same
 C Rowdick & Williams same
 C Effing & Hainburg same
 C Oak & Coffman & Cooper same
 C same & same same
 C A. Erwin & M. Dunlop same
 C Rogers & Knowl. same
 C Maury & Perley dis. info. agreed.
 C Guerin & Hainburg for P. H. / & Denial dis. info. agreed
 C Burket of Sharp M.C. set aside N.A. please Contours &
 Hainburg Contours
 C Palmer for use of Hainburg / & Sharp Office Supd. set aside
 payment. Contours & Hainburg Contours

Piper is Braithwait Jury sworn to try the
 issues to wit Andrew McBlair John Warren
 James Moore Solomon Longwane John S. Pater
 Martin Karny Stclair Sprinkle Harten
 Matthew Meller Emanuel Stover McIlwain
 Allan Jacob Price & George W. Sanford
 we the Jury find that the Plfd is entitled to
 \$100 the amount of the Debt in the declara-
 tion mentioned with interest thereon from
 the 2nd of September 1835, subject to a
 credit endorsed on the obligation sued upon
 of fifty dollars paid the 4th of September 1835
 that the Debt is entitled to a set off for the
 amount of his account filed, to wit, the sum
 of \$123.73. with interest thereon from the
 1st of December 1834. against which the plaintiff
 is entitled to the following set offs to wit
 \$35.64 per ppts bond, with interest from
 the 2nd of February 1832 & sterling order for
 \$7.50 with interest thereon from the 3rd
 of December 1835 & dfts order for \$1.67 cts
 with interest thereon from the 3rd of July 1834
 & stines execution \$2.49 cts with interest
 thereon from the 3rd of August 1830
 we therefore find for the Defendant &
 Judgment accordingly

ordered that the Court be adjourned until
 to morrow morning at 10 o'clock

Nicolaus

154
Thursday the 20th of February 1840

Present.

Jacob Rush, Peasey Harrison Mabel H. Harrison
& Jacob Miller S. G. J. J. J.

On the Motion of Peasey H. Harrison and of Nathaniel Harrison
Copyd. it is ordered that Richard P. Fletcher be appointed a commissioner
to examine state and settle the estate accounts of said
Nathaniel Harrison and make report to the Court

C. Chandler P. & Robinson continue by consent

C. Joseph & Starns continue by consent

C. Deithel & Devers sworn jury sworn to try the issues to wit
C. Jacob Braithwaite, George Sogor, Thomas Sogor John Wright
Jacob Stale, Andrew L. L. O. Daniel Vanpelt, Daniel Fisher, William
Pletcher Henry Ott ~~Palmer~~, William Rowland & Jacob
Runkle, Verdict for the Plaintiff for \$24.36 cts, the debt on the
dated and mentioned with interest from the 9th August 1837 all
paid and upon the plea of fully administered we find for
the Defendant, & say accordingly to say for the Plt to be
served P. and say for the defendant both &

C. Runkle & P. new plea of St. G. with drawn, and the said Plt.
pleader St. G. & P. is thereupon joined, and the said Plt.
for further plea in the behalf pleader a ^{Special plea of} Tender, to which plea
B. the Plt replied generally & P. joined, and jury sworn to try
the issues to wit, Jacob Braithwaite, George S. Sogor, James
Moore, Thomas Sogor, John Wright, Jacob Stale, Andrew
L. O., Daniel Vanpelt, William Pletcher, Henry Ott &
Palmer Stale, & Daniel Fisher. Verdict for the ~~Plt~~ on the plea
of Tender, and for Plt on the plea of St. G. \$80 damages with interest
from the 25 Dec. 1838 till paid & say accordingly, Memo on the
Trial of this Cause two bills of exceptions was taken by the
Defendants attesting to the Opinion of the Court which was
signed and sealed as the Law directs and ordered to be made
part of the Record

On the Motion of James Powell and by Consent of the present
 and directors of the Valley Turnpike Company by their Counsel
 it is ordered that Jacob Reith, Joseph Maunzy, Jacob Harnsberger
 James Sisco & Anthony Stufferman, to and they hereby are
 appointed commissioners any 3 of or more of whom may
 act, being first sworn, for that purpose, do go upon the lands
 of the said James Powell so proposed by the said Company to
 be condemned, for the use of the said road, on such day,
 as the ~~present~~ said Commissioners shall appoint, and after
 viewing the same, and hearing such proper evidence, as
 either party may offer, ascertain according to the best
 of their Judgment, the damages which the said ~~land~~ ^{James}
 Powell will sustain by the condemnation thereof, for the
 use of the Company, and in performing this duty they
 shall consider the said Powell as being the Owner of the
 whole fee simple interest therein, they shall take into
 consideration the quantity and quality of the lands to be
 condemned, the additional fencing which will be required
 thereby, and all other incumbrances which will result to
 the said James Powell, from the condemnation thereof
 and shall combine therewith a just regard to the
 advantages which the said James Powell will derive
 from the construction of the said Turnpike road, for the
 use of which the said lands is condemned: provided that
 not less, than the actual value of the lands without
 reference to the location and construction of the road
 shall be given by the said Commissioners, and make
 report thereof to the Court

W. C. Carey (for H. B. Ferris) vs. Reithy. Office Judgment set aside
 pay no. Grant Replection Office and Contemna

The appraisement bill and sale bill of the estate of
 Andrew Chest deceased, was returned examined &
 ordered to be Recorded

C. Burner & Stoner Continued for Plaintiff

C. Pletcher & Coffman, Plea of payment withdrawn, and answer of Stonefactum pleads her replication & plea and returns for the Defendant

Ordered that the Court be adjourned until the Third Monday in March Next
Peachy Harrison

Virginia to suit

At a Court held for the County of Rockingham, on the 12th day of March 1840 for the Trial examination of Jacob Lockerman who stands charged with ^{feloniously} Voluntarily & Maliciously shooting with intention in so doing, to Mamm disfigure & disable & kill John Buswell, of this County.

Present

Peachy Harrison, Samuel Cook, Michael H. Harris

Abraham Smith & Charles C. Spear

Shadr. Justice

The prisoner, appeared in Court, in discharge of his recognizance and there of being arraigned pleaded Not Guilty, whereupon the attorney for the Commonwealth, and for reasons appearing in Court, it is ordered that the prosecution be adjourned until the Next County Court to be held for this County. which will be on Monday Next and the prisoner was ~~remanded~~ committed to Jail there to remain until discharge by Law,

ordered that the Court be adjourned

Peachy Harrison

Tingonia To wit 137

At a Court held for the County
of Rockingham on the 3rd Monday being the 16th
day of March 1840

Present

Land St. Lewis, Jacob Rusk, Robert Grafton
& John A. Herring & J. Foster

A List of Conveyances and other writings admitted
to Record in the Clerk's office of the County Court
of Rockingham from the 1st to the 29th of February
1840 both days (included), was returned into Court
by the clerk thereof, and being examined, is ordered
to be entered on the minutes, and also list ordered
to be posted up at the door of the Court-house
Town of said County and is as follows,

- found A Deed for Land Jacob Wheelwright & Wife to Joseph Byers
- ✓ A Deed for Land Thomas Lowrey & Wife to Wm & Lito
- found A Deed for Land William Robinson & Wife to John Brown
- found A Deed for Land John A. Stomach to Samuel Mount
- found A Deed for Land Lucy Meadows & Others to Frederick Bryant
- found A Deed for Land Abraham Black & Wife to Joel Barker
- ✓ A Deed for Land Samuel Marshbarger & Wife to Daniel Good
- ✓ A Deed for Land Saml. Hoffman & Wife to Christian Brannaman
- ✓ A Deed for Land John & Son to Jacob Jeff
- found A Deed for Land Susan Austin & Son to Amos Scott
- found A Deed for Land Henry Staines & Son to George Staines
- ✓ A Deed for Land Joseph Byers & Wife to William Litty
- ✓ A Deed for Land Guin Rex to Ananias Davison
- ✓ A Deed for Land William Cook to John Cook
- ✓ A Deed for Land Jacob Cook to John Cook
- found A Deed for Land Joseph Hoffman to Joseph Miller
- ✓ A Deed for Land Barney Hunter & Son to John Shawallen
- ✓ A Deed for Land Alexander Newman & Wife to John Rankin
- ✓ A Deed for Land John Statz to Jacob Haver
- ✓ A Deed for Land Andrew Zerke & Wife to Samuel Good
- found A Deed for Land Joseph blind & Others to Jacob Miller

- from
 ✓ A Dec for Land Isaac Glenn & Wife to Braxton Whitlock
 ✓ A Dec for Peter Reubens & Wife to Peter Weaver Jr
 ✓ A Dec for Land Sand: Ellinger to B Showalter in Trust for
 Rayner & Bohler
 ✓ A Dec for Land Sand: Hoffman & Wife to Isaac Reubens

Orders that the persons herein after named be appointed Commissions to superintend the Elections to be held at the several places appointed by Law for holding Elections in this County on the fourth Thursday in April Next, for the purpose of Electing two proper persons to represent this County in the Next General Assembly of Virginia, that is to say. At the Court house, John S. Campbell Robert G. Hutton Jr. Arch: W. Hutton, August W. Waterman & Sarah R. H. Hyle
 At the house of Sand Coots near Mouth of Noels Gap, Jacob Trumbo, William Keenum, Isaac Dadd, John H. P. Sand Miller (his)
 At the school house of John Hegler in Timberville, Sam: Mount, Geo. Bourne William G. Thompson, Abraham Knepp & John Bourne
 At the house of Richard Pickering in Sparta, Jacob Roads, Peter P. Kooze, George Roads, John Harris & Derr: M. Perry taken
 At Coursons Old Store, Jacob Carro, Henry Carro, M. Miniborough, Alfred S. Woolf, & Thomas Miller
 At Mt. Cay, Well, Joseph Maury, Jacob Park, William B. Maury, Henry Keupling & Peter Miller
 At Brightwell Store or Beaver Lakes, P. Brightwell, Marlow Speck, John Veger, William C. Smith & Francis M. Erwin
 And it is further Order that the said Commissioners so appointed and designated to act at the several places aforesaid or any two or more of whom may act, being first sworn hold the said Elections on the day aforesaid, and make and return thereof at the time and in the manner directed by Law.

✓ An appraisment bill of the estate of Henry Shanks dec'd was returned ex parte & Orders to be Returned

✓ An appraisment bill and sale bill of the estate of Daniel Moyer dec'd was returned ex parte & Orders to be Returned

State bill of the estate of Joseph Shewall's and was returned & examined & ordered to be Recorded

Settlement of the account of John Kirtley, as Guarantor for the heirs of Thomas Warren and was returned, examined & ordered to be Recorded

Report of the Viewers, appointed to View an alteration in the public Road from Kirtley's made on the petition of Abner Kirtley, was returned & examined, ^{examined by the Court} & their being no objections thereto, the same is ordered to be established agreeably to said Report

Boughton v. Shepley & Co on a Note on a Delivery bond John Brown & execution awarded

By. Hunt v. Gibson P. The same

By. Hunt v. Gibson P. The same

Settlement of the estate accounts of Philip Eagle died was returned examined & ordered to be Recorded

Attesting participating to the last will and Testament of Martin Marty and was presented in Court and was proved by the Oath of Philip Holmberg & James Allison two witnesses thereto & ordered to be Recorded, and on the Motion of Reuben Moore the executor named in the said will who made Oath thereto, and with security entered bond in the penalty of \$10,000. as the law directs, a certificate is granted him for obtaining approval thereof in due form, and it is ordered that Peabody Perry Baker, Jacob Cowan, Peter P. Rooney, Daniel Pickering, or any 3 of them being first sworn as appraisers the estate of the said Martin Marty and make report to the Court

C A Writing purporting to be the last will and Testament of Frederick Young and, was presented in Court, and was proved by the oaths of Jacob Malt and Joseph Rohr two witnesses thence & ordered to be Received and on the Motion of Abraham Young the executor named in the said will, who made oath thereto and with security entered into bond in the penalty of \$8,000. on the law debts, a certificate is granted him for ~~obtaining letters~~ obtaining approbation thereto in due form, and it is ordered that John Bourman, John Blofer, Gabriel Steelwood and Abraham Blofer, or any 3 of them being first sworn do appraise the estate of said Young and make report to the Court

On the Motion of James T. Ship, and he having taken the oaths prescribed by he is admitted to practice as an attorney in this Court

C A Writing purporting to be the last will and Testament of Andrew Orth deceased was presented in Court, and on the Motion of Jacob Menden the executor therein named, who entered into bond with security in the penalty of \$8,000 and made oath thereto on the law debts a certificate is granted him for obtaining approbation thereto in due form, (the said will having been proved and admitted to Record at the last Court) and

C On the Motion of Elias Horn and Jackson Horn who made oath thereto and entered into bond with security in the penalty of \$1,200. on the law debts, a certificate is granted him for obtaining letters of administration on the estate of Christian Horn deceased, in due form, and it is ordered that John Empsweller, Jr. Daniel Drarrman, Wm. T. Newham Phereumet Tifer or any three of them being first sworn do appraise the estate of sd. Christian Horn dec. and make report to the Court

C On the Motion of Isaac Whetzel administrator of Henry Whetzel dec. it is ordered to be Certified that satisfactory evidence has been exhibited to the Court that Henry Whetzel was a Revolutionary Pensioner of the United States at the said

of \$30 per annum, that he ~~and~~ died on the 16th day of April 1839 and that he left no widow or children

On the Motion of Isaac Whetzel, and he having made Oath thereon as the Law directs. and entered into bond with security in the penalty of \$100. a certificate is granted him for obtaining Letters of administration on the estate of Henry Whetzel deceased in due form. —

Abstract purporting to be the last will and Testament of Meek Samson deceased, was presented in Court, and was proved by the witnesses thereto, & ordered to be Recorded, and on the Motion of Daniel Sennels One of the executors named in the said will, who made Oath thereto, and entered into Copy bond with security in the penalty of \$5000. as the Law directs. a certificate is granted him for obtaining Letters probate thereof in due form, and it is ordered that Christy Sennels, Peter Moody, Jacob Cold and Richard Pickering or any 3 of them being first sworn do appraise the estate of said Meek Samson and make and make report to the Court.

Copy Declaration of Mary Gibbons dec. was returned into Court examined & ordered to be Certified.

Declaration of Samuel Gibbons, was presented in Court examined. and ordered to be Certified.

An appraisment bill of the lands of John Pyerly dec. was presented in Court, examined & ordered to be Recorded.

On the Motion Christian Argubright, it is ordered to be Certified that Satisfactory evidence has been exhibited to said Court that George Argubright was a person of the under state at the rate of \$32.33 per annum was President of the County of Rockingham, in the sale of

Virginia, ~~and~~ and in Rockingham County in the State of Virginia. on 22^d day of February 1840 that he left a widow whose name is Christina Arynbright.

✓ A Writing purporting to be the last will and Testament of George Arynbright decd. was presented in Court, and was proved by the Oaths of Peter Cohen and Peter Lepo two Witnesses thereto & Orators to be Received

✓ On the Motion of John Brown administrator of John Kiser decd. it is ordered that Richard P. Feltner be appointed a commissioner to examine state and settle the estate accounts of said John Kiser and make report to the Court

✓ On the Motion of George W. Christian and Charles C. Spear executor of George C. Kriny decd. it is ordered that John Shaw, Samuel Bourman & Samuel Young, being first sworn do appraise the estate of said George C. Kriny decd. and make report to the Court

Prerogative

Jacob Warshaw, Joseph Maury, Robert Spratton, John St. Campbell, Jonathan Peal, Stephen Warshaw, Michael St. Harris, P. Augustus Waterman, John W. Herring

✓ A Settlement of the estate accounts of John Lora decd. was returned examined & Orators to be Received

✓ The Court doth unanimously Refuse, the Motion to remove the present Clerk Officer. And it is further ordered to be Certified, that there was present at the time said Motion was made, Eleven of the acting Magistrates of this County, and that it also appears by the return of the Sheriff made on the summons directing the Magistrates to be summoned (for the peace purpose of considering the said state and the propriety of removing the said Clerk Officer) had been served upon 20 of the said Magistrates.

On the Motion of George Nicholas executor of Jacob Nicholas deceased, it is Ordered that Joseph Maugzy Copyist appointed a commissioner to examine state and settle the estate accounts of said Jacob Nicholas and make report to the Court

On the Motion of Samuel Moyers son of Daniel Moyers decd, it is Ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Daniel Moyers and make report to the Court

On the Motion of Christina Argabright the executrix named in the will of George Argabright decd, who made oath thereto, and with security entered into bond in the penalty of \$300 a certificate is granted her for obtaining a probate thereof in due form.

Bruffy vs Sharp upon an attachment

The Sheriff having returned on the attachment executed as on Towans & waiting of her, P. and the said Defendant not appearing to reply the same solemnly Calld and the Court being satisfied of the justice of the Plaintiffs demands, Judgment is awarded her for \$71.53 cents, with interest from the 16th March 1840 till paid, and Costs taxed

Rayner & Mohler vs S. Sharp upon an attachment

The Courtable having returned on the attachment executed as on Tow 1/4 and 3 days of Chopin P. and the said Deft being solemnly Calld and not appearing to reply the same and the Court being satisfied with the justice of the Plaintiffs demands, Judgment is awarded them for \$516.38 cents with interest thereon from the 16th day of March 1840 till paid. Hoots and ~~his father~~ ^{his father} appearing on the William Nichols who was summoned to attend as a garnisher in this attached not appearing, it is Ordered that a summons

2 Seem
P

be assessed agst the said William Nichols, and agst the
firm of Nichols & Rankin, ^{Page for 4. St. Mary's} to appear here on the 10th Monday
in April next to declare what effects, ^{let off} they, ~~having~~ had
in their possession belonging to the said Defendant Sharp, Bank

For Trout & Sharp upon an attached

The Constable ^{and} having returned on the attached execution, ⁱⁿ the
hands of Daniel Rankin and he not appearing, it is ordered
that the said Daniel Rankin be summoned to appear here at
the next Court to declare what estate he has in his hands
belonging to the said Defendant

Barney & Sharp, upon an attached

Books & contents, assets until the next term

On the Motion of Jacob Mohler and of John Mohler and
Caption is ordered that George W. Kemper be appointed a commissioner
to examine the estate and settle the estate accounts of said John
Mohler and make report to the Court

Geo. W. Sanford, ^{Fellow} upon an attached

The Constable having returned on the attached execution on
one wagon and sundry other property, and the Debt not appearing
after solemnly call, and the Court being satisfied with the
justice of the Plaintiff's demand, she is awarded here for
\$27. with interest from the 16th day of March 1840 till paid &
costs, and it is further ordered that the sheriff make sale
of the said property according to law, (except the four hundred
and thirty) and pay the money arising therefrom to the
Plaintiff on account of this debt

Magdalena Mohler & Sharp upon an attached

The Constable having returned on the attached execution on
the books of Ryd P. and summoned Elijah Mow as a
Garnishee, and the said Defendant not appearing after

solemnly call^d and the Court being satisfied with the Justice of the Plaintiff's Claim, Judgment is awarded her for \$178.93³/₄ cents. with interest thereon from the 22^d day of January 1840 till paid; ~~and costs~~ and it is ordered that the Sheriff make sale of the said attached property according to Law, and pay the money arising from the sale thereof to the Pl^t on account of this Judgment, and for reasons appearing to the Court this attached is returned as to the Garnisher Brown, and Jacob Repling being sworn declared he stood indebted to the Pl^t in the sum of \$30. and it is ordered that the said Repling pay the said sum of \$30 to the Pl^t on account of this Judgment. ^{or}

Scoto - Thanks upon an attachment

The Constable having Return on the attachment executed on a large falling leaf Table ^{or} and the said Defendant not appearing to reply the same, altho solemnly call^d and the Court being satisfied with the Pl^t's demand, ~~it is~~ ordered that the Sheriff Judgment is awarded her for the sum of \$447.00 with interest on \$22.76 cents past thereof from the 27th Nov^r 1839 till paid, and interest on \$79.26 the balance from the 1st Dec^r 1840 till paid and Costs, and it is ordered that the Sheriff make sale of the said ~~(except the Cattle of said)~~ attached property, according to Law, and ^{pay} the money arising from said sale to the Pl^t in discharge of this Judgment.

It also that the owner of the poor boy James Wright Copy by was sold the 8th day of May 1840 to John Rosty to learn the business of a farmer as the Law directs, who is to Return for freedom due \$20.

Copy It also that the owner of the poor boy James Wright about 16 years of age to Samuel ^{Baughly} to learn the

Trade of a black ~~smith~~^{smith}, who appears in Court and agrees to give the said ~~smith~~^{9 months schooling and} ~~smith~~^{when he shall attain the age of 17 years} the sum of \$10 in Cash and five dollars worth of Tools.

On the Motion of Ormon Soffland and by Consent of the present and directors of the Valley Turnpike Company, (by their Counsel) it is Orained that Jas. C. Rusk, Joseph Maunzy, Jas. C. Harstargis, James Laid, and Anthony Hufferman, be and they hereby are appointed Commissioners any three of or more of whom may act, being first sworn, for that purpose do go upon the lands of the said O. Soffland, proposed by the said Company to be condemned for the use of the said Road, on such day or days as the said Commissioners shall appoint, and after having viewed the same, and hearing such proper evidence as either party may offer, ascertain, according to the best of their Discretion, the damages which the said Ormon Soffland will sustain by the condemnation thereof for the use of the Company, and in performing this duty they shall consider the said Soffland as being the Owner of the whole fee simple interest therein, they shall take into consideration the quantity and quality of the land to be condemned the additional fencing which will be required thereby, and all other inconveniences which will result to the said Ormon Soffland from the condemnation thereof, and shall compensate therewith a just regard to the advantages which the said Ormon Soffland will derive from the construction of the said Turnpike Road, for the use of which the said land is condemned, provided that not less than the actual value of the land without reference to the location and construction of the road shall be given by the said Commissioners, and make report thereof to the Court.

On the Motion of William M. Pollock, it is Orained that License be granted him to keep an Railway in this County for the unexpired term of the License granted to Sylvester W. Fuller, it appearing to the Court that such License had been transferred to said Pollock, and the Court being satisfied that the said W. M. Pollock is a man of good character, not ex-acted

to drunkenness or gambling, ~~and~~ and that he will
keep an orderly and usefull house of entertainment.

Jacob Boehmman, late of the County of Rockingham, as he
stands charged, with feloniously & Voluntarily and Maliciously
shooting with an intention in so doing to Maim, disfigure
& disable, and Kill John Emprivalle, was brought into Court in
Custody of the Jailor, whereupon for Reasons appearing to
the Court the prisoner was remanded to Jail, and the prisoner
adjourned until to Morrow Morning at 10 o'clock

Ordered that the Court be adjourned until to
Morrow Morning at 10 o'clock

Stephen Harnsberger

Tuesday the 17th of March 1840

Present

Stephen Harnsberger, Samuel H. Lewis Merchant
H. Harris, Robert Galloway & John A. Warrington Esq. Justices

28th Apr. Jacob Boehmman, late of the County of Rockingham, who stands
charged, with feloniously & Voluntarily and Maliciously, shooting
with the intent in so doing to Maim, disfigure, disable and
Kill John Emprivalle, was again brought into Court in Custody
of the Jailor; and thereupon several witnesses were examined
to wit Thomas Moate, Matilda Emprivalle, Joseph Shoup
Richard Wingfield, Philip Emprivalle, Henry Barrieks
and the said Prisoner being fully heard in his defence
the Court upon Consideration whereof, are of the opinion
that the prisoner is guilty of the felony whereof he stands
charged, and for the same is Payable in the Circuit Superior
Court of Law and Chancery for this County, and that the
Prisoner be remanded to the Jail of said Superior Court
there to remain untill as charged by Law, whereupon
the Prisoner moves the Court, to be set out upon giving
good bail, the Court upon Consideration, are of the opinion

that he be let out on giving good bail & that he enter into a recognizance with security to appear at the next Superior Court of Law to be held for this County, himself in the sum of \$5,000 with one good security in the sum of \$5,000, or two securities in the sum of \$2,500 each and that he stand committed ^{to prison} ~~to prison~~ until he give such security.

Mem^o. Be it remembered that on the 17th day of March 1840. Thomas O'Rourke, Malinda Emprweller, Joseph Shoup, Richard Mangfield, Philip Emprweller & Henry Barre^t 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 secured of their respective goods and Chattle lands and Tenements and for the use of the Com^m to be Returned, Upon Condition that the said Thomas O'Rourke Malinda Emprweller, Joseph Shoup, Richard Mangfield, Philip Emprweller & Henry Barre^t shall make their appearance at the first day of the next Circuit Superior Court of Law and Chancery ~~to be~~ to be held for this County which will be on the 8th day of May next then and then to give evidence on behalf of the Com^m against Jacob Cochran charged with felony, and will not depart the Court until discharged by Law then the above recogn^o to be Void &c.

Ordn^o that the Court be adjourned until the 4th Monday in April next.

Stephen Harnsberger

Virginia to wit,

At a Court held for the County of Rockingham on
the Thirio Monday being the 20th day of April 1840

Present

George M. Keimyer, Reuben Moore, Robert G. Tarrant
and Charles C. Spear S. G. Justice

Adits of Deeds and other writings admitted to Records in the
Clerks Office of the County Court of Rockingham from the 1st to
the 31st of March 1840 (inclosed) 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 order to be
posted up at the door of the Court house of said County, and is
as follows (to wit)

- found Adue for said Henry Meadows to Francis M. Myant
Adue for said Samuel Coffman to Jacob Strayd,
Adue for said same to M. G. Thompson in Trust for Thomas Fox
found Adue for said Samuel Sheets to Archibald Brock,
Adue for said Jacob A. Mitchell to Jacob Ready,
found Adue for said Jacob Ready to Jacob A. Mitchell
Adue for said Fountain Layton to Robert M. Palmer,
Adue for said Daniel Harshbarger to Thomas Blosser,
Adue for said Abraham Storer to Courso Sargen
Adue for said same P. . . . to Turner Jackson
found Adue for said Richard Wingfield to Christian Simmer
Adue for Personal property for H. Roberts to M. Bradley in Trust for Gabriel Jordan P.
Adue for said Alexander Newman to Daniel Whistler
Adue for said John Robinson to William Fair P.
Adue for said Jonathan Shepard & Co. Shop to James Clarke
Adue for said Jacob Quintel to John H. Stufferman
Adue for said Archibald M. Hutton P. to Peter Royer,
Adue for said Anthony Roads to Daniel Showalter
Adue for said Jonas Storer to Courso Sargen
Adue for said John Stalled to Christopher Mohr,
found Adue for said same to Lewis Garrison
found Adue for said Henry Ranney to George Drey
Adue for said Daniel Armstrong P. to John Branner

- ✓ Deed for Land William Peckering to Jacob Marty
 found Deed for Land Michael Getman to Frederick Hatfield
 ✓ Deed for Land P. Stephen Shepley to John Cuthren in Trust for Tyre Maupier
 X Deed or Personal property M. W. Saper to Reuben Moore in Trust for Reuben Allen
 ✓ Deed for Land David Eversole to John Eversole
 ✓ Deed for Land Abraham Trout to William G. Thompson
 ✓ Deed for Land Samuel Early to Nathaniel Britton
 found Deed for Land Simon Gordon to Jacob Quirkle
 ✓ Deed for Land David Merry to John Arested
 ✓ Deed for Land Martin P. Marty to Porelas Marty
 found Deed for Land Jacob P. Quirkle P. to Joseph Byerly
 X An agreement Between Saml. Koffman and Jacob Strayer (about Land)
 ✓ Deed for Land J. Gibson to Allen C. Bryan in Trust for John F. Effinger & P.
 ✓ Deed for Land P. same to same in Trust for Land Shacklet P.
 found Deed for Land William Middleton to John Byerly
 found Deed for Land Robert Heggans to L. K. Burkholder in Trust for John Burkholder
 X Deed or P. property James T. Graves to E. W. Smith in Trust for Tobias R. McGhee
 X Deed for Land William Bryan to Peter Aucker
 found Deed for Land Arch. W. Mustow to William Harper Jr.
 found Deed of Release for Land St. J. Gambell to William Bryan
 X Deed or P. property John Swartz to M. K. Galy in Trust for Peter Sepe
 ✓ Deed for Land Simon Bowman to John St. Campbell
 ✓ Deed for Land Solomon Huffman to Jonas Houser
 ✓ Deed for Land John Christman to Motony Brightwell
 ✓ Deed for Land same to Isaac Miller
 ✓ Deed for Land same to Malinda Jacobs
 found Deed for Land Francis Dever to Jacob Hamburg.

cop On the Motion of Samuel Bowman exec of John Byerly dec
 m. 7. it is ordered that Richard P. Fletcher be appointed a commissioner
 to examine state and settle the estate accounts of said Byerly
 and make report thereon to the court.

C On the Motion of Samuel Gibson, it is ordered that Richard
 op. P. Fletcher be appointed a commissioner to examine state and settle
 m. 7. the accounts of said Gibson the Present Guardian of said
 Carpenter with the said said Gibson exec of Isaac Lillian

des. who was the former Guardian of the said Samuel Carpenter and make report to the Court

Settlements of the estate accounts of Michael Allbought and Margaret Dewar was returned examined and ordered to be Record

A report of the Election of Trustees for the town of Harrison + bury, held on St. Marks last, was returned & ordered to be filed in the Clerks office as the Law directs

Attesting & reporting to be the last will and Testament of Richard Thomas deceased, was presented in Court and was proved by the Oaths of Samuel Newman & Samuel Moffet & William Thibod ordered to be Record, and on the Motion of Isaac Thomas the surviving executor named in the said Will, who entered into bond with security in the sum of \$4000 and made Oath thereof a certificate was granted him for obtaining probate thereof in due form, and it is ordered that Samuel Moffet, George Lord Abraham Bowman & Daniel Davis, or any 2 of them being first sworn do appraise the estate of said Thomas and make report to the Court

An appraisal bill of the estate of Martin Markby deceased & ordered to be Record

Batham Hout, & Susan Hout, over 14 years of age came into Court and made Oath of John May Hout as their Guardian, ^{Mary Hout, be appointed Guardian for} and it is ordered that the said May Hout and Saml Hout, ~~children~~ under 14 years of age ^{all children of whom are children their} of said Hout deceased, who entered into bond with security in the sum of \$500 as the Law directs

On the Motion of Charles Lewis and he having taken the Oath prescribed by Law he is admitted to practice as an attorney in the Court

On the Petition of Edwin M. Pennington ^{with of M. Thompson} for the establishment of a road from the bridge below Mount Lebanon and to Coulman from thence on the West side of the River

~~and~~ to where it will intersect the Stage Road near Robert
Grattans. It is ordered that, James L. Sheplew, Emmanuel Hambayer
Helen Road and Jacob Pefer or any 3 of them being first
sworn, do view the said way, and make report to the Court of
the conveniences and inconveniences attending the same as well to
individuals as to the public of the road should be opened.

On the Motion of John Evers Jr. who entered into bond with
security in the penalty of \$2000, and made oath thereto, a certificate
is granted him for obtaining Letters of administration on the estate
of John Evers Jr. in due form, and it is ordered that David May
Samuel Lunk, John Miller and Samuel Wier, or any 3 of them
being first sworn do appraise the estate of said Evers and
make report to the Court (the widow having relinquished her right &c).

On the Motion of John T. Moyers, and he having entered into
bond with security in the penalty of \$2000, and made oath
thereto, as the Law directs, a certificate is granted him for
obtaining Letters of administration on the estate of Jacob Stufferman
as is granted him in due form, (it appearing to the satisfac-
tion of the Court, that the widow of s^d Stufferman, relinquished
her right of administration) and it is ordered that John
Ruth, John Nichols, Joseph Miller and Christian Argubright
or any 3 of them being first sworn do appraise the estate
of said J. Stufferman and make report to the Court.

Whitman & Sharp, upon an attachment
of August County
The Constable having returns on the attachment, are cited on
a return of J. J. Mello, and the said Defendant not appearing
to reply the same, at the solemn call, and the Court being
satisfied with the ~~proofs~~ Justice of the Debt claimed
Judgment is awarded him for \$35.42 cts and Costs; and
it is ordered that the sheriff ^{of August County} make sale of the aforesaid
attached property according to Law, and out of the money
arising from the sale thereof to the Debt in satisfaction
of the Judgment &c.

On the Motion of Archibald Hopkins executor of David
 Frymeyer decd. it is ordered that Richard P. Fletcher be
 appointed a commissioner to examine state and settle the
 estate account of said Frymeyer and make report to the
 Court

Winton a Cherry bottom on attached for rent.

The Court after having returned on the attached execution
 on a black mare &c and the Defendant not appearing
 after solemnly call. and the Court being satisfied with the
 Plaintiff Claim. I award a writ of execution for \$15 with
 interest from 10th day of April 1840 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 Plt. the amount of the debt

On the Motion of Robert M. Kyle executor of
 George M. Kyle decd. it is ordered that Richard P. Fletcher
 be appointed a commissioner to examine state and
 settle the estate account of said Kyle and make report
 to the Court

On the Petition of Abraham Smith (North River far
 away far across, Beginning on his own lands, at the line
 dividing the County of Rockingham and Augusta, in the
 road that is Travellers, through the lands of your Petitioner
 passing his saw mill, and Chopping Mill, and from
 thence with the road last mentioned, to the lower end
 ford, in the North River, on the plantation of your
 Petitioner, and thence down the South bank of the said
 river, through a small part of the lands of Jacob
 Hamburg, to the Brooks Gap Road - it is ordered that
 John Brown, John G. Brown, Jacob C. Ewen and John
 Bleck, or any 2 of them being first sworn, according
 to law, do view the ground along where said road is
 proposed, to be conducted, and report to the next Court,
 Truly and impartially, the conveniences and inconveniences
 that will result, as well, to individuals as to the public

if the said road shall be opened, as proposed.

On the Motion of Richard P. Fletcher Sheriff of this County. John Cowan. Daniel St. Johnston. Reuben St. Rogers & Michael Storrman. & they having taken the Oaths prescribed by Law. they are admitted his deputies, the Court being satisfied that they are all men of honesty, probity and good demeanor, which is ordered to be

Certified

Count & In Party, on a Recy. for arrears of the peace in the Complaint of Richard Challinor. The defendant appeared in Court in discharge of his Recy. and the Court having heard the evidence, are of the Opinion that the said prosecution be dismissed and that the Defendant recover of the said Challinor the costs by him expended in defending the prosecution.

A Register of John ^{Pennings} ~~Charles~~, a free boy of Colour, was presented in Court and being compared, with the said ^{Pennings} ~~Charles~~, and found duly made, it is ordered that a copy of the said Register be delivered to the said John in the manner directed by Law.

On the Motion of Sarah Feshbach ^{and} ~~and~~ of Benjamin Feshbach decedent. It is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said Feshbach ~~and~~ and make report to the Court.

Count & E. Denney, upon a Recy. for arrears of the peace in the Complaint of Robert Mooney. The Defendant appeared in Court by his Counsel, and the Court having heard the evidence and arguments of Counsel, are of the Opinion that the Defendant be bound to his good behavior, and that he give security in the sum of \$50. to keep the peace and be of good behavior towards all the good Citizens of this County for the term of one year and particularly towards the Mrs. Mooney, a child of the said Robert Mooney, and that he stand committed until he give such security, whereupon by Consent of the

prosecutor, and with the assent of the Defendant, by his Counsel, it is ordered that the prosecution be discontinued, and that the said Defendant pay the Costs of this prosecution for which Costs, the Defendant consents a judgment

Trout is Sharp. upon an attachment

The Court do having Return on the attachment created on 2 large Tables & and summoned James Rankin as a garnisher, and the said Defendant not appearing at the solemnly call, and the Court being satisfied with the justice of the Plaintiff's claim, Judgment is awarded the Plaintiff for the sum of, \$78.50 cents. with interest from the 30th day of October 1839 till paid & Costs, - and thereupon James Rankin appeared in Court, and being sworn, declared that he was indebted to the said Defendant in the sum of \$60. now due, whereupon it is ordered that the said Rankin pay over to the Plaintiff, on account of this Judgment, and it is further ordered that the sheriff make sale of the Costs of said (part of the property attached) according to Law and pay the money arising from the sale thereof to the Plaintiff on account of this Judgment, and return

Shaw & Burks Continued

Nally Turnpike Company & Burks Continued

On the Motion of Abraham Getreid, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the ^{said Abraham Getreid as guardian of} accounts of, Nancy, Lydia, Elizabeth Catharine & John Getreid, Children of John Getreid and make report to the Court

On the Motion of Jacob Getreid, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the ~~state~~ accounts of, said Jacob Getreid as guardian for Jacob, David, Christiana, Benjamin, Mary Susanna and Sarah Getreid, Children of John Getreid and make report thereof to the Court

175-

Bruffey a Sharp upon an attachment

This day came the parties by their attorneys, and
by consent, it is ordered that the Sheriff ^{of Green County} make sale of
the property attached ~~as to as Green County~~ ^{as returns} on the attached
according to law, and pay the money arising therefrom
to the Plaintiff on account of his Judgment rendered at
March Court last and return an account of to the
Court

Pursuit

Anaura Stoffel

Orders that the Court be adjourned until the 30th
Monday in May next.

[Signature]

Sharp 176

Rayner & Allohlin ^{Sharp} upon an attachment

The Defendant not appearing to reply the property attached
it is ordered that the sheriff ^{of Green County} make sale of the 1/2 ton of
and 3 bags of Chopin & 1 of corn, according to Law, and pay the
money arising therefrom to the Plffs on account of their unpaid
rents at the last term, and further by H. Rayner, a Garnisher appears
in Court and acknowledges he was indebted to the Plffs in the sum
of \$127. 31 cents, now due, it is ordered that he forthwith pay over
to the Plffs the said sum of \$127. 31. on account of the debt
aforesaid, and Nicholas & Rucker who was also summoned as Garnishers
acknowledges they stood indebted to the Plffs in the sum of
\$261. Due 1st Sept 1840. it is therefore ordered that they pay
the said sum to the Plffs, at the term which the ^{same} ~~debt~~ shall
become due, on account of the said Judgment.

Wagener & Sharp upon an attachment

The sheriff having returned on the attachment on
Buckney, &c. and the Defendant ~~not~~ not appearing altho
specially called, and the Court being satisfied with the
justice of the Plaintiff's Claim, Judgment is awarded the
Plaintiff for \$4082. 19 1/4 cents. with interest from the 25th day of
December 1839. till paid and costs, and it is ordered that the
sheriff make sale of the said attached property according to Law.
and pay the money arising therefrom to the Plffs on account
of this Judgment, and return an account &c.

Q. By an & Sharp, on an attachment, the Constable having
returned on the attachment, executed on the undersigned term of
a Negro boy Henry, the property of said Plffs, and he not appearing
to reply the same, altho specially called, and the Court being
satisfied with the justice of the Plaintiff's Claim, Judgment is
awarded him for the sum of \$41.50 with and costs; and it
is ordered that the sheriff make sale of the said undersigned
term of the said Negro boy Henry according to Law.
and pay the money arising from the sale thereof to the
Plaintiff on account of this Judgment &c.

Virginia to wit

At a Court held for the County of Rockingham on the ^{18th} Monday being the 18th day of May 1840.

Present:

Messrs. S. Harris, Isaac Thomas Jacob Hamblin

Mr. B. Harris S. G. Justice

A list of conveyances and other writings, admitted to Record in the Clerk's office of the County Court of Rockingham from the 1st to the 30th day of April 1840. (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, to be posted up at the door of the Court house of said County, which is as follows.

- ✓ Deed for Land Henry Burchholden and wife to Peter Weara Jr.
- ✓ Deed for Land Peachy Harrison and wife to Absolon Wright.
- ✓ Deed for Land Samuel Beckwith wife to Absolon Coffman.
- found Deed for Land P. Absolon Coffman to Thomas Clark in Trust for Jonathan Shaver.
- ✓ Deed for Land John Byrly's exor to Serimon Bowinaw.
- ✓ Deed for Land . . . same . . . to Daniel Armentrout
- found Deed for Land Mary Wyant to Eli Burns
- ✓ Deed for Land Samuel Deacons to Peter Moyers
- ✓ Deed for Land Saml Coffman to Jacob A. Mitchell
- ✓ Deed for P. property John W. Fleck to J. M. Courso in Trust for Joseph Courso.
- ✓ Deed for P. property R. Blatterough to A. S. Gray in Trust for ^{Levy} ~~Samuel~~ ~~Abraham~~ ~~Samuel~~
- found Deed for Land P. Mark Calawell to S. C. Williams in Trust for Geo. Moore P.
- ✓ Deed for Land W. Beckett to Mary Beckett
- found Deed for Land Mary Beckett to William Beckett.
- ✓ Deed for Land George Moyrath to Elizabeth Armentrout.
- found Deed for Land John Brown to John Rhodes.
- found Deed for Land Emanuel Groves to Peter Barraman
- ✓ Deed for Land . . . same . . . to Reuben Amick
- found Deed for Land Nancy Stobbs P to Christian Stobbs.
- found Deed for Land John Paul to Martin Good.
- ✓ Deed for Land John T. Moyers to Jacob Stufferman
- found An agreement between Mary Wyant and Absolon Shepley.
- found Deed for Land Ezekiel Byar to Dewitt Coffman
- ✓ Deed for Land George Lord to Stetson Hyde

177

Present

Jno St Campbell, Augustus Wattles an Jacob
 Stambarger & William G. Thompson and. E. G. Foster.
 Jacob D. Williamson

Joseph Ballhenn Carrup. gave the Court information that there
+ was ~~not~~ ^{for} no breach of the law respecting the sale of Herbert
Lyman known to him, which is ordered to be Certified.

1 Tyro Maupin - - - - - same

On the petition of James Dew for a road beginning at the Road near Spring Lake Meeting house, and passing thence through the lands of James Dew, Hugh Dew &c as set forth in the said Petition, till it intersects the Road called Cuffs Mountain Road. It is ordered that John Brown, Martin Miller & Alexander Newman be sworn as Viewers to view the say way and make report thereof to the Court of the next sessions and in the mean time attending the same to the Court as the Law directs.

Crowner is Station Central for Defendants.

C
CP
Writing purporting to be the last will and Testament of
Eugene Lupo, deceased, was presented in Court and proved
by the witnesses thereto and ordered to be Read,
and on the Motion of John Parson the executor named
in the said Will who made Oath thereto, and entered into
bond with security in the penalty of \$10,000 a Certificate
is granted him for obtaining a Certificate for probate thereof
in due form, and it is ordered that Cyrus Turley Phares
A. Clarke, Peter Plecker and Peter Denslow, or any three
of them being first sworn do appraise the estate of the
said Lupo and make report to the Court.

On the Motion of Paul Perkins, Jr.
Resolved that 50 rods of the Road commonly call the
Kenzel Town Road, as lies on the North side of Valley
Turnpike Company's Road on the lands of Daniel

Adm for Personal Property Henry Martin to Geo. Miller in Trust for John Rober.

Adm for P. property. Adam Stouch to D. H. Gambell in Trust for Isaac Harding &c

Adm for Lams William B. Abbott to Philip Leggett.

Adm for Lams Peter Fittley to Abraham Bey (son of Nicholas)

Adm for Lams Michael M. Clarke to William Byaw &c

Adm for Lams James Clarke to same.

Adm for Lams Adam Mader to Thomas Ford

Adm for Lams James Clarke to Pollock & Hurston

On the Motion of Henry J. Gambell Clerk of this County
 Nathan W. Gambell is admitted his Deputy, who thereupon
 took the several Oaths of office as the Law directs, which
 is ordered to be entered of Record.

An appraisment bill and sale bill of the estate of Brother
 Thomas and was returned ex parte &c. to be Recorded

A Bill of the estate of John Tubwell was examined by
 the Court & ordered to be Recorded

Miller is Returned &c. in a duly sworn Notepromiss &c

By execution awarded

By Kemper is Perley &c same

By Graham for Lams is Perley &c same

By Graham for same is Murry &c same

By Bartholomew Reinson is Miter &c same

On the Motion of Richard P. Fletcher Sheriff of this County
 Nathaniel Erwin is admitted his Deputy, who thereupon took
 the several Oaths of office as the Law directs, the Court being
 satisfied that the said Erwin, is a man of steady property
 and a good Character, which is ordered to be entered of
 Record

A Bill of the estate of Jacob Nicholas and
 was returned &c. ex parte &c. to be Recorded

A will duly purporting to be the last will and Testament of
 C. Rebecca Audis and was presented in Court and was proved by
 the witness thereto sworn to be Decedent, and on the Motion of
 Adam Audis, the executor therein named, who entered into
 bond with security in the penalty of \$2000 and made oath
 thereto as the Law directs, a Certificate is granted them for obtaining
 approval thereof in due form, and it is ordered that Jacob Bourne
 P. Cyrus Rogers, Peter Hoarty and Nathan Hoarty, or any three of
 them being first sworn, do appraise the estate of the said Rebecca
 Audis and make report to the Court

Thomas Harrison (foreman) Jacob Blois, John Landis, Thomas
 Dever, Michael Whitman, Henry Tarflinger, Robert M. Palmer,
 Peter Steff, Philip Cole, ~~Erasmus Buffum~~ ^{Arthur Bader}, Henry Booz, William
 Ackers, John Sheets, George Martz, Daniel ^{Staples} ~~Staples~~ and Abraham
 Gatracht, were sworn a Grand Jury ~~was sworn~~ for this County
~~and returned from the bar to the Court of their presentments and~~
~~after some time returned into Court, and made the following~~
 whereupon, it is ordered that the Grand Jury be adjourned
 until 11 Morrow Morning at 10 o'clock

On the Motion of Jackson O'Bannon, and he having
 taken the several Oaths prescribed by Law, he is admitted
 to practice as an attorney in this Court

Orders that the Court be adjourned until 11 Morrow
 morning at 10 o'clock. M. H. Halling

Peckering, Jacob Harris at Marty. be dis continued as a public high way, it to the court, that, that portion of said Road having been to be a public Conveyance

On the Motion of Abraham & Peter Brannaman execs of ~~the~~ Brannaman decd, it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the estate accounts of said Brannaman and make report to the Court

On the Motion of Reuben Moore, it is ordered that so much of the Road leading from Harris entry to Newmarket as passes through the land of ^{5th} Reuben Moore, Henry Maly, Lewis Gertels & William West be discontinued as a public high way ~~and~~ it appearing to the court, that, said part of said Road has been to be a public Conveyance

On the Petition of Abraham Gledhill who owns the lands on one side of the dry River in this County, the lands on the opposite belonging to William ~~butcher~~ Dry on the top of the River belonging to himself, or to the common wealth, and is desirous of building a Water Grist Mill or other Machine, on his said land, ^{and to erect a Dam across the said, for the purpose of working said Mill} it is ordered that a writ of Ad quod Damnum be awarded him to be return to the sheriff of this County & to be ~~return~~ ^{executed} on the first ^{Tuesday} of June 1840 returnable here at the next Court,

~~Abraham Sholly or~~

Ordered that Hannah Sholly be appointed Guardian of her Children of Abraham Sholly. & Child of Jacob Sholly under 24 of age who entered into bond with surety in the sum of \$400 as the law directs

Costs & Beams Cost for defendants

On the Motion of Sally Burscholden it is ordered that Richard P. Fletcher be appointed a commissioner to examine state and settle the accounts of said Sally as Guardian for Henry, Samuel & Mary Burscholden and make report to the Court

On the Motion of Christian Knutson against Geo. C. Chen and, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine said Geo. Chen and make report to the Court.

On the Motion of Jonathan Shaw against William Cherryholme and, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine said Cherryholme and make report to the Court.

On the Motion of Geo. Effert, Jury sworn to try the case to wit: Abraham Byers, John Rolter, James Moore, John Perrod, James Berry, Peter Dinkels, William Plecker, David Berry, Peter Dowdall, Saml Stevenson, Thomas Reed Westly, Landman. We the Jury find defendant guilty, and awarded \$10 and freight accordingly - and for reasons appearing to the Court the said verdict is set aside and New Trial is awarded the Defendant whereupon he appears in Court and consents to a writ of Habeas Corpus.

On the Petition of Jacob D. Williamson to Change or alter part of the Public Road leading to Byers Mill, the part to wit: to be known as to begin at the Turnpike road of poles & rods again on the east side of said Turnpike, and running an easterly course until it intersects another of Byers Mill Road, it is ordered that George Rosenbarger, Charles Zerkle, and Henry Phelps, being first sworn, to view the say proposed alteration, as also the old road, and make report to the Court of the convenience and inconvenience attending the same this day to the Court.

On the several Motions of Zebulon Gilman, William H. Gaily, John Nicholas, Solomon Perley, Benjamin Hamphre, William M. Pollock, Richard Peckering and Samuel Coote, Anthony Stufferman, William J. Ford, William West and they having paid to the Sheriff the tax imposed by Law, it is ordered that Secum be granted the office of person to keep records in this County until May Court 1841. or their entering into bond with security in the Clerk's Office in the Law debt, the Court being of the

Opinion. that the said several persons are all men of good Character
not addicted to drinking, or gambling, and that they will keep
~~themselves~~ or at least, one useful hours of entertainment, &c.

On the Motion of Samuel Peckham, John Ziegler, Jeremiah Harris
 D^{to} - barger, Jacob Kaphring, William Fitzwater, Jacob Kephling, John
 all - Allibough, Jacob Burtch, George Kugel, Christian Krotyso, David
 Harrisson, Saml Miller, John Steph. Davis Lincoln, and Stephen
 Bruffey, & Tyre Maupew.

and they having paid to the Sheriff the tax imposed by Law, it is ordered that he cause to be granted them to keep private entertainments in this County until May Court 1841.

Countess Peter Royer, Information by correct information
N. guilty plea by repetition of the and contents

C. Bourne & Abbott N. Y. please send duplicate as before & continue

c. Mutton or Bunk on a Notio. Continued

C Nelly Turnpike Company - Mr. Stoweston Contains by Current

Orders that the Sheriff summon all the acting Magistrates for the County to appear here on the second day of the next term for the purpose of appointing the County Levy for the year 1840. and to do and perform such other business relating to the County, as they are by Law required to do and perform

C. G. Hansbarger & Co. Petitioners vs. Winkels & Co. Carriers

Centals 10. 4. E. Hamburgs 10. on with agreement.

Here he is saw

The Grand Jury sworn for this County on yesterday appears in Court agreeably to their ~~oath~~ and upon their Oaths the following Presentments to wit, an Indictment agt Richard Robinson, a true bill, an indictment agt William Kyle. a true bill, an indictment agt Trumbull, Philip Wells a true bill, an indictment agt Fear a true bill an Indict. agt Sullivan a true bill, an Indict agt Seabright. a true bill an indictment agt ~~John Dwyer~~ ~~John Thompson~~ a true bill, an Indict. agt J. Braithwaite a true bill, an Indict agt John Seabright a true bill and the Grand Jury having no further business before them they were discharged, and it is ordered that writs be issued agt said defendants returnable heretofore at competent Court next.

Countess. For Moore. Jury sworn to try the case to wit
 Isaac Wright, William Blakemore, Adair on Royce
 John Trobough, Robert Knowles, Eliza Walker, John Cooper
 James Taylor, William Giesler, James Williams, Joseph
 Lebourne & David Pickering. Verdict that the Deft. is
 not guilty & acquit accordingly

~~Thyler~~ Turpin company. continues

Albany is same. continues

Lady is same. continues

Hall Adams is same. continues

Tutwiler is same. continues

~~Tutwiler is same. continues~~

Dwell is same. continues

Lofgren is same. continues

Young & Pochey - Pifer. continues

Murphy for D. - Woods. dis. up & agreed

Gary - Funks. continues

Baker for D. - Bateman. continues

State - W. Gray. continues & agreed

State for D. - O'Rourke. continues

Shaver is Long. continues for award

Thurp - Rogers. continues for award

Effinger - Evans adms. continues

Fisher adms. is Try & the Statute of Limitations, respecting Warham
 accounts pleads & is replied to & open & continued

Pickering - Stuart, refers to the award and final

determination of said Coffman, Isaac Thomas John B. Gible

ap. whose award or the award of any two of them is to be made
 the Judge of the Court

Joseph is Sturges. continues by Court

Foran for D. - Palmer. continues by Court

On the Motion of A. M. Sturges it is ordered that he have
 leave to stop that part of the public Road leading from Harrison
 to New Market. from the said Sturges. And the
 said of his house to where the Turpin Road crosses
 said Road.

C. Counts & Mr. Kyle upon an Indictment, the defendant with the agent of the Court assigned a fund for the costs of this prosecution

(B.) Burner & Henry J. sworn to by the jury to wit: Robert Knowls, Eli Wallens, James Taylor, ^{James Williams} James Taylor, Joseph Corrows, Peter B. Dowdell, Abraham C. Hoffman, Abraham Colebrook, David Beery, Saml. Stevenson, Peter Rollev & Abraham Knapp. Verdict for the for \$23.91 $\frac{1}{2}$ to plaintiffs. Found accordingly

C. On the petition of John Depoy and by consent of the present president and directors of the Valley Turnpike Company by their counsel, it is ordered that Jacob Reub, Joseph Maunzy, Jacob Harsbarger, James Laird, and Anthony Hafferman, or any three or more of them, may act being first duly sworn for that purpose, do go upon the the lands of the said John Depoy, proposed by said Company to be condemned for the use of the said Road, on such day or days, as the said Commissioners shall appoint, and after having viewed the same and hearing all such proper evidence as either party may offer, ascertain according to the best of the Judgment, the damages which the said John Depoy, will sustain by the condemnation thereof, for the use of the Company, and in performing this duty, they shall consider the said John Depoy, as being the whole firm's interest therein, they shall take into consideration the quantity and quality of the lands to be condemned, the additional fencing, which will result to the said John Depoy, for the condemnation thereof, and shall combine therewith, a just regard to the advantages which the said John Depoy will derive from the construction of the said Turnpike Road, for the use of which the said lands is to be condemned. provided, that not less than the actual value of the lands without reference to the location and construction of the ^{road} said shall be given by the said Commissioners, and make report thereof to the Court.

Reckard & Kelly disimp^d ag^o

Mellow & Ford disimp^d ag^o

Reis (for J. Warren) & Tarflinger disimp^d ag^o

Mape & Wife & Nanpelt & Wife Continued

Woods & Stenton M.C. et al^o St. A. replication off^o
and answers

Chandler & Shaver M.C. et al^o St. A. replication off^o
and answers

Simsford & Meir Continued

Delude & Mathey disimp^d ag^o

Seay & Kelly Continued for award

Meller & Reckard C.C. et al^o Covenants not broken &
Covenants performed replication off^o & answer

An appraisal bill of the estate of John F. Effinger
and return of said to be recorded

On the Motion of Harry E. Wentman, who entered into
bond with security in the penalty of \$500. and made
Oath that as the law directs, a certificate is granted
him for obtaining letters of administration on the estate
of Laura M. Wentman dec^d in and from the Widow having
relinquished her right of dower) and it is ordered that
Burket Stonten, Mathew Meller, Jacob Stale & Peabry
Reis or any 3 of them being first sworn do appraise
the estate of said Wentman and make report to the Court
Ordered that Geo. W. Williams be appointed Guardian
for his Children Sarah Elizabeth, & Milderding, his
Children, by his late wife, — formerly — Mathews,
who entered into bond with security in the sum of \$1000 as
the law directs.

Adopta Mathews. Orphan of Reheoban Mathews dec^d
over 14 years of age came into Court and was chosen
of Thomas Harrison as his Guardian who entered into
bond with security in the sum of \$500 as the law directs

C. Graham for D^r. D. G. Lincolnton Jury sworn to by the free to wit,
 B. William Ewing, Philip Cole, John Leaven, Jacob Burman,
 Michael Whetmore, John Trobough, James Moore, David Stallen
 John to Coately, Jonas Hotten, Alexander McElroy & David Perry
 Verdict for the Plaintiff for Thirty Dollars Damages
& Judgment

C. Plesher & Coffman By consent of the parties all matters
 and difference in this suit is referred to the award and
 final determination of Edward H. Smith and Samuel
 Coates ~~with leave to choose an umpire whose award is to~~
~~be made the Judgment of the Court whose award or the~~
award of their umpire in case of disagreement is to be made
the Judgment of the Court

C. On the Motion of Samuel Sharklett it is ordered to
 be certified that he is a man of good Character
 and that his store in the Town of Harrisburg is a
suitable place to sell Liquor

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

Aug. Waterman
 B

Wednesday the 20th of May 1840

Present

h^{on}ble. Campbell, Abraham Smith, August Waterman

& M^{rs} 18 Harris

The Court doth hereby fix and establish the rates for Ordinary
 Keepers in this County for the year 1840 (to wit) the same as
 established for the year 1839, which is ordered to be certified of
 Record.

Mednes

C The Order to Mr. Bry an Officer Iudgint set aside pay must
pleads. General replication to Officer and Counter

C Brog to Peterson The same

C Inck to Mr. Payner The same

C M. Selley to County for The same

C Bartels Holm to Harris P same

C Salvage for new barrels to M. Stenton same

C Warren to Mount same

C Warren & Reed to A. Byrd same

C Reed cross for J. Warren to J. Small P same

C B. Reed to M. Joseph same

C Anderson to Robertson P same

C All aspects of wife to Nanfelt wife order of Counter set aside
and the Defs pleads Not guilty. Genl replication to Officer & Counter

~~The Newer appointed to view a way for a road, made on the
Petition of A. Smith, was referred, and the said Petition is
ordered to be dismissed~~

C On the Petition of Abraham Smith (of Northtown) for
a New way for a road from the County line of Augusta
beginning of the old road ^{and running with the same to}
and Northtown, passing by said Smiths saw Mill and
Chopping Mill, through the lands of your Petitioner to
the lower fording on the North River, and crossing the ^{same} side
on the lands of your petitioner, thence with the old road until
it reaches the corner of the lands of ~~your~~ ^{your} petitioner
and Jacob Stambarger, and ^{passing said Stambarger house} thence with the old road to
where it intersects the Old Brooks Gap road, immediately
opposite the road leading into the Turnpike road at
Saul Drutels, it is ordered that John G. Moore, Jacob
C. Ewins, John Brown P. John Black, or any 3 of them
being first sworn, do view the said road, and make report
of the same and incursions attending the same
thereof to the Court in the manner directed by law

C The Newer appointed to view a way for a road on the
Petition of Abraham Smith at the last, made a report which

On Motion of Blouay B. Sterling Jailor of this County and for reasons appearing to the Court it is ordered that he furnish Elizabeth Brooks a Lunatic confined in the Jail of this County with ^{clothing not exceeding} Twelve Dollars worth of ~~clothing~~ which allowance is ordered to be certified to the Auditor of Public accounts

Chandler & Co is Robson continued

Stevens & Coynier continued for award

Burkhart & Sharp On the Motion of the Plaintiff and for reasons appearing to the Court it is ordered that the said Defendant who is out of the Commonwealth be ruled to give special bail in this case at or before the next term and it is ordered that the Plaintiff who is out of this County be ruled to give security costs for all officers fees at or before the next Term

Williams & Rice continued for Defendants

Effinger Mayers Exors plea of fully administered pleaded General replication & Speer & continued

Rogers & Norolis Jury sworn to try the issue to wit Joseph Rohr Isaac Minick Peachy Rice Daniel S Jones Washington Sites Samuel Shacklett Charles Williams Joseph Williams John Dougherty Paulsen Hall Franklin Pence & Liana Chandler Verdict for the Plaintiff for the sum of Fifty Dollars and Fifty Eight Cents the Debt in the declaration mentioned with interest thereon from the 12th day of September 1839 till paid & Judgment, whereupon on the Motion of the Defendant the said Verdict & Judgment is set aside and a new trial is awarded him to be had at the next term on his paying the Costs of this trial

McMahon & Hite Jury sworn to try the issue to wit Jackson Vanpelt Perry Byrd Samuel Henry Emanuel Storer Simon W Burkholder Wm C Smith William Robson Jeremiah Hooks James Kyle James Williams Augustus Rice & Edwara S Smith Verdict for the Defendant & Judgment accordingly and the Plaintiff moves the Court for a New trial on the Ground that the Verdict is contrary to evidence which motion was overruled by the Court and a new trial refused

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

Ordered that the Court be adjourned until the third Monday in June next

Jr: H. Barnhill

Virginiana to wit

At a Court held for the County of Rockingham on the
 this Monday being the 15th day of June 1840

Present

Jacob Rush, William B. Ganey, Jacob Stambarger
 and John A. Sterring Esq. Justices

A Vest 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 May 1840 (enclosed) was present to the Court
 by the Clerk thereof, and was duly examined and examined by the
 Court, and orders to be entered on the Minutes, and a
 list of said orders to be posted up at the door of the Court
 house of said County, and is as follows (to wit)

found A Due for said land to John F. Lewis & Lewis Jr.

A Due for said Thomas Lewis Jr. to Thomas Lewis Jr.

A Due for Personal property M. J. Ford to A. C. Bryan in Trust for Robert M. Weir

A Due for said Benjamin Mount to George Setts,

found A Due for said same to John Klein Jr.

A Due for said Peter M. Whitman to George M. Spence

found A Due for said P. D. Howdeshell to James Dinkels in Trust for G. L. Smith Jr.

A Due for said John Setts to George Corro

A Due for said John Parkey to D. Stute in Trust for John Trotter

A Due of said for P. property John Cherryholmes to M. Cherryholmes

A Due for said James M. St. Beal to William Oxbough

A Due for said Samuel Mount to Anderson Rumsion

found A Due for said same to George W. Chrisman

found A Due for said C. T. Hays Beckels to John Chrisman

A Due for said Peter Krupp Jr. to Lewis Rutledge

A Due for said Gabriel Smith to Jacob Bare,

A Due for said Rebecca Stottle to James Flemings

found A Due for said Jacob C. Smith to Barnett Huffman

A Due for said Mary J. Gamble others to land get on - (Call. Shue lots)

A Due for said Adam Fancher to Daniel Samson

A Due for said Emanuel Stover to Jacob Argulight

A Due for said same to Emanuel Sellars.

found Admors for Lewis Williams Bears ear to David Wattens

Admors for Lewis James Foley to William H Gaily

Admors for Lewis James Clarke to Daniel Peckering

Admors for Lewis John Rantow to Jacob Wells

Admors for Lewis Samuel Moyer Wife to Christian Grabel

Admors for Lewis John Bowman to Benja Bowman

X Admors for Personal Property John Barthred to D. Hute in Trust for Chan Barthred

X Admors for Lewis Peter Quirkle to Adam Adams

found Admors for Lewis P. Benja. F. Frye to St. C. Kinney in Trust for Thomas Holt. P.

X Admors for Personal Property M. J. Ford to Tho. Clark in Trust for Isaac Hordich

Thompson Hoof Warring & Radw. P. on Delivery bond John Jones
K. Reft call to execution awarded

By Lybit & Steffy on the same

C Settlement of the estate accounts of Malina Harrison.
Mary Swow P. Nathl Harrison was returned executor & bond to
be Record

C On the Motion of Peter Cook and he having paid to Lewis
Gibbons \$250. it is ordered that a Decree be granted him
P. to keep private entertainment in this County until May Court
1847

C On the Motion of Daniel Flook, and he having paid to
Jacob A. Mitchell \$18.00. ~~and he having paid to it~~ it is ordered
that a Decree be granted him to keep an Ordinary at in
this County until May Court 1848. on his entering into
bond with security in the presence of Clerk's officers in the
law court. the Court being of the Opinion that the
P. said Flook is a Man of Good Character not addicted
to Quinquip or Gambling and that he will keep an
orderly and useful house of entertainment

Malinda Adams, Maria Adams Sally Adams & Polly

X ands ~~and~~ orphans of Henry Adams are over 14 years
of age came into Court and made choice of Adam

Adams as their Guardians, and it is ordered that the

said Adam Andis be appointed Guardian for Peggy Andis and Henry Andis. Children under 14 years and orphans of said Henry Andis decd. who entered into bond with security in the penalty of \$3000 as the law directs

On the Motion of Mary Cherry holm and she having paid to Jacob A. Mahabell ~~\$50~~²⁵⁰ cents. it is ordered that a license be granted her to keep a house of private entertainment in this County until May Court 1844

On the Motion of Henry Gelman administrator of Lewis Rye decd. it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the estate accounts of said Rye and make report to the Court

Briefly a Warrington upon an attachment

The Constable having returned on the attached writs on a Negro Man Abraham P. and the said Defendants not appearing altho solemnly called ~~before~~ and the Court being satisfied with the Justice of the plaintiff's claim Judgment is awarded him for \$37.67 cents. as per account 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 from the sale thereof pay and satisfy the Judgment. &c. and make report thereof to the Court

Orders that Jacob ~~Fisher~~ ^{Lawson} be appointed surveyor of precinct No. 1. on Hazel Town Road in the town of Linn W. West

Orders that John Booth be appointed surveyor of precinct No. 2. on the Mapanuth Gap Road in the town of Joseph Morgan

On the Motion of Michael Daniels and he having entered into bond with security in the penalty of \$3,000 and made oath thereto. a Certificate is granted him for obtaining Letters of administration on the estate of Andrew Boswell decd. in amferus, and it is ordered that Christian Linnien, Abraham Linnien, Christian,

Krotyer and John Kline, or any 2 of them being first sworn do appraise the estate of said Susan Brown and make report to the Court.

Barrow to Dunlap on a Note on a Duty Bond Note K. Jones. Defs call execution awarded accordingly.

On the Petition of Jacob Stansbarger for a Way for a road, leading from the ^{beginning} the rocks gap road, as set forth in the Petition, beginning on the land of Abraham Smith, and from thence continuing in the present road crossing the North River, to the fording Stk above Jacob

Stansbarger, thence crossing along the North ~~side~~ ^{side} of ^{said} river, to the fording ~~at~~ ^{at or near} below said Stansbarger, where the same will intersect the said rocks gap road, it is ordered that Jacob L. Erwin, John Brown, John Black and John A. Starring or any 2 of them being first sworn do View the said way & make report to the Court of the conveniences and inconveniences attending the same, as well to individuals as to the public as the law directs.

A Settlement of the estate of Joseph Byerly dec. was returned ex. amos and orders to be Record.

Joseph Blofer orphan of Jacob Blofer dec. over 14 years of age came into Court and made choice of Jacob Blofer for his Guardian who enters into bond with security in the ~~sum~~ ^{sum} of \$3,000 as the law directs.

On the Motion of Abraham Blofer, it is ordered that

Reuben P. Fletcher be appointed a commissioner to examine the estate and settle the accounts of said Blofer as Guardian of Joseph Blofer, orphan of Jacob Blofer dec. and make report to the Court.

Report made by the Viewers, for a road from Spring Creek

Making known to intersect the road call Cupps Mountain made on the Petition of Susan Brown & No. 10 was returned into Court; and it appearing by said report

that J. Hugh Brown, Abraham Smith & the heirs of Luke

Brown dec. are interested in the opening of the said

road, it is therefore ordered that sum mon be awarded

against the said George Dever Abraham Smith and him of Luke Dever alias. to show cause if any they can why said Road should not be opened agreeably to the said Report, returnable here at July Court Next.

A Report of the ^{of array for road} Newns, made in pursuance of the petition of Abraham Smith was returned into Court, by which it appears that Jacob Harsbarger is the only person interested in the opening of said Road, it is therefore ordered that a Summons be awarded against the said Harsbarger to show cause why the said Road shall not be opened and ~~established~~ agreeably to said Report, returnable here at July Court Next.

Ordered that James Hagg be appointed Surveyor of Precinct No. 1 on Green Malt Road in the room of Emmanuel Gray bell, removed
Removal

Ordered that John Stanner be appointed Surveyor of Precinct No. 5 on the ^{Grattons old Mountain road to where it intersects the} ~~road bearing from Brownson's to the~~ Rocks Gap in room of Rudolph Alloys removed

Ordered that Isaac Riddle be appointed Surveyor of Precinct No. 4 on Brock's Gap Road in the room of George Riddle resigned

Deerwood & Cairns & Roach, upon an attached by Court docket & returned

DeJoy & Turnpike Company. The Commissioner appointed to ascertain the damages to the plaintiff made a report which, report was by Court ordered to be affirmed, and

Indgment for the Plaintiff Costs

Studdell Wife & same same

B. Powell & same same

B. Hall adm & same same

Marty B & Turnpike Company. Report of Commissioner returned & returned

Sedy & same same

Kyle & same Contend for Report

Tulwile & same same

Loftano & Turnpike Company. Commp Report. Returned & returned

On the Motion of Elizabeth Moyers and Jacob Mow 1000s David
Bourman Samuel Moyers. It is ordered that Benjamin Bourman, Nathan
Burscholar and Elias Mow be appointed Commissioners to go on
the land of Daniel Moyers deceased & lay off the ^{land} ~~land~~ by Meets
& boundaries, devised by the said Daniel Moyers deceased to his
wife, Elizabeth Moyers, and make report to the Court.

+ Orders that Robert Black be appointed surveyor of present
p. 2 on the Pryor March Gap road in the name of James
Fuller resigned

+ Orders that Daniel Flock be appointed surveyor of present
p. 5 on the Hazel Town road in the name of Volentine
Bottom resigned

On the Motion of Jacob Merckle administrator of Adam Herbst dec.
It is ordered that Richard P. Fletcher be appointed a commissioner
to examine state and settle the estate accounts of said Adam
Herbst and make report to the Court

Orders that Adam Sayreman be appointed surveyor of present p.
p. 3 on the Mountain Holly road in the name of Daniel Glenn
resigned

On the Motion of Peter Lefe administrator of Samuel Showalter
dec. It is ordered that Pleasant A. Clark be appointed a
Commissioner to examine state and settle the estate accounts
of said Samuel Showalter deceased and make report to the
Court

The Overseers of the poor of Rockingham

Upon a recogy charge with
Philip Whisman being the father of above born
Child of Ruth Miller,

The Defendant, was brought into Court, in Custody of
the jailer, and the Court having heard the evidence, and arguments
of Counsel, are of the Opinion, that the said Philip Whisman is
the father of the said Bastard Child, and that the said Bastard
Child is likely to become chargeable to the Parish of Rockingham
Therefore it is ordered that the said Philip Whisman be charged
with the payment of \$140 to be paid to the Overseers of the
poor of this County or their agents (to wit) \$10 within

Due Month from this day and then \$10 ^{every six months} ~~and so on~~ from the last mentioned, date until the whole sum of \$140. be paid, or other wise made by the parent from the support of the said Bastard Child; and that he stand bound until he give such security, and that he pay the costs of the prosecution, and by consent of the agent for the overseer of the poor the said Defendant appeared in Court and entered into his own recognizance to pay to the overseer of the poor or agent the said \$140. at the terms above in the manner ordered by the foregoing Order.

It is ordered that the overseer of the poor be Abraham Nason, about 18 years old on 20 day of February last to Henry Towles to learn the trade of a shoe maker ^{who is to give him clothes &c} and by agreement the said Towles ~~is to give the said Nason 3 months schooling, 2 weeks in harvest and \$40 for freedom dues, when~~ the said boy arrives to the age of 21 years, and it is further ordered that the indenture ~~now~~ bearing the said Abraham Nason to Lewis May be and the same is hereby affirmed, which Order is made with the assent of said May. — On his Motion

George or Clerk is Bryan a writ Aged. Any such return & return

On the Motion of John Baker, Merchant it is ordered that he have leave to retail ~~specimens~~ specimens of liquors at his store in this County, the Court being of the opinion that the said store place where his store is kept is a proper place to sell Liquors. and the Court also being of the opinion that the said John Baker is a man of good Character. It is ordered that the Court do adjourn until to-morrow morning at 11 o'clock

Jacob Pursh
11

Tuesday the 16th of June 1846

Present

Jacob Williamson John Hamphill

Samuel H Lewis Reuben Moore Isaac Thomas

William B Gausey Peter P Koontz Abraham Smittle

Said Rusk Jonathan Peal Robert Galtow J^r Michael

H Harro Augustus Waterman John Herring

Charles C Spears, Peachy Harrison, & ~~Benjamin Black~~

} Justice

+ Ordina that Jacob Price be appointed surveyor of penumb
p. N^o from the swift run Gap and Harrisonburg road to
the page line in the room of John Pehrifut resigned

+ Ordina that John Lamon be appointed Overseer of
p. the road from the stage road to the Yellow Springs in
the room of Daniel Puking resigned

On the Motion of Reuben Moore and for reasons appear
ing to the Court it is ordered that he with his own hands
do keep in good repair the road leading from the
stage road to his mill through his own land and
from thence to the Mountains back road he having agreed
to keep the said road in good repair at his own expense,
which road is to be call^d Moors Mill road, and is hereby established as such

+ Ordina that Benjamin F. Ralston be appointed perumb N^o 3
p. on the road leading from Harrisonburg past Bournans mill
to the North Mountain in the room of Martin Burkholder
resigned

On the Motion of Dorman Loffland, it is ordered that he
have leave to stop that part of the public road leading
from Harrisonburg to Nee Market so far as it runs through
the lands of the said Loffland, ~~land~~

+ Ordina that the Overseers of the Poor send Asbury Bundy
p. a poor child of colour who will be four years old on the 1st
day of January 1844 to Solomon Hunter until he arrives
at the age of Twenty One years to learn the business of a house
servant the said Hunter agreeing to pay to the Overseers of the
poor for the use of the Mother of sa Asbury Bundy the sum

of \$70 in annual payments of \$7.00 from the time the sa^d Ashury Bundy shall attain the age of twenty years unless he has completed his twentieth year and on his coming of age then to pay to the said Ashury Bundy the sum of Thirty Dollars with a suit of new clothes if the Mother of sa^d Ashury should depart this life before the sa^d \$70. are paid up the annual payments of \$7. are to be paid to the sa^d Overseers to indemnify them for the expense of her maintenance she being blind and now supported by the sa^d Overseers at the poor establishment for the County of Rockingham

On the Motion of James Taylor and he having paid to Samuel Gibbons Deputy Sheriff for Richard P. Fletcher Sheriff of this County \$16.50 Cents it is ordered that a license be granted him to keep an ordinary at his house in this County until May Court 1841 on his entering into bond in the Clerk's office as the Law directs the Court being of Opinion that the said James Taylor is a man of good Character not addicted to Drunkenness or Gaming and that he will keep an orderly and useful house of entertainment

Ordered that the Overseers of the Poor bind William Holman alias Bryan a free Boy of colour who will be nineteen years of age on the 3^d of July 1840 to Abraham Smitts until he arrives at the age of Twenty one years to learn the business of a Farmer the said Smitts agreeing to pay to Philip Bryan a free man of colour the Father of said boy the sum of \$100 for his services at the expiration of the term of his apprenticeship

On the Motion of Robert Motters and by consent of the President and directors of the Valley Turnpike Company (by their Council) it is ordered that Jacob Rush Joseph Mawzy & Joseph Hansbarger James Laid & Anthony Huffman be and they are hereby appointed commissioners any three or more of whom may act being first sworn for that purpose do go upon the land of the said Robert Motters &

proposed by the said Company to be condemned for the use of the said road on such day or days as the said Commissioners shall appoint, and after having viewed the same and hearing such proper evidence as either party may offer ascertain according to the best of their Judgment the damages which the said Robert Grallow will sustain by the condemnation thereof for the use of the Company and in performing this duty they shall consider the said Grallow as being the owner of the whole fee simple interest therein they shall take into consideration the quantity and quality of the land to be condemned the additional fencing which will be required thereby and all other incumbrances which will result to the said Robert Grallow from the condemnation thereof, and shall combine therewith a Just regard to the advantages, which the said Robert Grallow will derive from the construction of the said Turnpike road for the use of which the said land is condemned provided that not less than the actual Value of the Land without reference to the Location and construction of the road shall be given by the said Commissioners & make report thereof to the Court.

On the Motion of John Huffman the same order as above.

Jacob A. McIntire & Samuel Gibbons Deputy Sheriffs for Richard P. Fletcher Sheriff of Rockingham County returned list of Delinquents in the County Levy for the year 1839 which List was examined and allowed by the Court and ordered to be certified.

For reasons appearing to the Court it is ordered that Henry Holt & John B. Nichols James Shepard Joshua Catting Williams Alexander Williams Rancee James Palmer Harriet McCall Joseph Hoarty Thomas Bree Abram Selforse and John Spiller be and they are hereby exempted from the payment of County and Parish Levies.

Henry J. Gambel agent for the County returned into Court an account of his transaction in that office from June Court 1838 to June Court 1840 the said account also exhibited the amount received by him and paid out by him in said period and showing also a balance in his hands of or in the hands of the Sheriff of \$85.37 applicable to ~~credit~~ the future order of the Court, ^{at the} shall debit which amount was allowed and ordered to be paid in the office -

^{copy of}
^{also to}
^{attest} A Majority of the acting Magistrates being present the Court proceeded to assess the County Levy for 1840 which year commences at December Court 1839. a Statement whereof is as follows to wit

To Robert Gray attorney for the Commonwealth
for the ensuing year

\$100.00

To Henry J. Gambel Clerk Same

100.00

" Otway Sterling Saylor for one year from the date of 50.00

" Same for keeping Court House for same term

55.00

The Sheriff for the year ending June Court 1841

75.00

For Expenses for Road Masters Working on the roads

Charges for hauling on the public roads same

482.72

For Expenses for County Jail for same term
June Court 1839. for repairing bridge, Gun Powder
blasting rocks & for Palisades as per claim allowed...

To Allen & Bryan & Co. Commissioners for Building
Clerks office for this County

1065.20

To pay for insolvent support 422 @ 50 cts

211.00

To pay Sheriff Commissioners for collecting the duty extended

129.26

\$2266.16

County Depositors Support

98.84

\$2365.00

On

By 4730 Tithables (to wit) \$2512 by S. Billhous

and by T. Maupers

2218

making 4730 @ 50 cts is \$2365.00.

Ordered that the Sheriff collect from each tithable person in this County Not exempted by law Fifty Cents, and out of the money arising therefrom, pay to the several persons entitled thereto the Claims aforesaid at the time prescribed by Law, and the balance to Henry I. Gambell the agent for the County at the time directed and limited by Law.

Ordered that Henry I. Gambell agent for the County pay unto Allen & Bryan & others the Commissioners appointed to build a Clerk's office for this County the sum of \$497.10 Cents the balance which appears to be due from David Hinton Late Sheriff and Richard P. Fletcher the present Sheriff, and which will be in the hands of said Gambell as agent aforesaid, when Call^d for as per account rendered.

This being the Court directed by Law for the Court to make the appointment of School Commissioners, the Court doth therefore appoint the following persons to that office for one year from the date hereof to wit John Vigers Edward St. Smith Archibald Hopkins J^r Isaac Ralston William Harrison Samuel Coates William G. Thompson Reuter Moore Thomas K. Miller George W. Kemper Rodham Kemper Robert Kyle & Allen & Bryan which appointment is ordered to be entered of Record and the persons so appointed be notified thereof.

Ordered that John R. Plecher be appointed to keep the weights and measures of this County in the room of John F. Effinger ^{Dece}

Ordered that Allen & Bryan and others Commissioners appointed to superintend the building of the Clerk's office be and they hereby are authorized to borrow on the Credit of the County the sum of \$1097.72 Cents for the term of Two Years to be laid out by them in the erection of the said office as heretofore directed by the Court) and it is further ordered that the faith of the County is hereby pledged for the payment of the said sum with any interest that may be due thereon, all of which is ordered to be certified to the said Commissioners &c.

Ordered that the Court be adjourned until the
Third Monday in July Next

Jacob D. Williamson

Virginia To wit At a Court held for the County
of Rockingham on the 18 day of June 1840 for the
trial and examination of James Foley who was committed
to the Jail of this County for an assault with intent
forcibly and feloniously to commit a rape on the body
of Phoebe Foley Present

Pearcy Harrison Abraham Smith Jacob Rush
Augustus Waterman & Michael H. Harrell ^{E. G. Justice}
The Prisoner was brought into Court by the Jailor & thereupon
the Court (after hearing the evidence) are of the
opinion that the said Prisoner is not guilty of the offense
~~with which he is charged, and that he be discharged from~~
~~the offense~~ there is no law to punish the said James
Foley, the accused is a criminal point of view for the offense
set forth in the warrant concerning this Court, therefore it
is ordered that he be discharged,

and the Court arose. Percy Harrison

A Court held for the County of Rockingham on the 17th day of July 1840. for the trial and Examination of Thomas Woolford Jr. and William Woolford. who was committed to the Jail of this County on suspicion of Felony and stands charged with, unlawfully slaying, that is to say the said Thomas Woolford of unlawfully and maliciously slaying of William Blain, and the said William Woolford, with unlawfully slaying of Westly Sandsman,
 Present.

Peasey Harrison, Michael H. Harris, Augustus Waterman, Charles C. Spear & James C. Shipman Esq. Justices

The prisoner William Woolford was led to the bar in Custody of the Jailor and being thereof arraigned, pleaded Not Guilty, and thereupon the witnesses to wit, Westly Sandsman Elizabeth Knapp, Thomas Woolford Jr. Nathaniel Blain, William Blain, John W. Sandsman, & William Sandsman were sworn & examined in relation to the offence with which the said Prisoner stands charged, and the arguments of Counsel heard, The Court upon consideration whereof are of the opinion that the said prisoner is not guilty of the offence whereunto he stands charged and that he be discharged.

Whereupon Thomas Woolford, the other Prisoner was brought into Court, in Custody of the Jailor and being thereof arraigned pleaded Not Guilty, and on the Motion of the prisoner by his Counsel, and for Reasons appearing to the Court this prosecution is ordered to be continued until being the first day of July Court next. to be held at this County at 10 o'clock A.M. and the prisoner was remanded to Jail

Ordered that the Court be adjourned

Peasey Harrison

Virginia to wit

At a Court held for the County of Rockingham
on the Third Tuesday being the 20th day of July 1840

Present

Stephen Hainbarger, Jac^{ob} Reubⁿ Jac^{ob} Hainbarger
and Reuben Moore

S. J. Justice

A list of Deeds and other writings admitted to Record in
the Clerk's Office of the County Court of Rockingham from
the 1st to the 30th day of June 1840. inclusive, was returned
into Court by the Clerk thereof, and being examined by the
Court, is ordered to be entered on the Minutes, and also
best. orders to be posted up at the door of the Court house of
said County and is as follows. (to wit)

✓ Deed for Land Jacob Miller to Daniel Miller Jr.

✓ Deed for Land Cordelia Tate to Francis A. Effinger

✓ Deed for Land Peter Wetzel to William Hainbarger

X Deed for Personal Property Noah Harkness to P. A. Clarke in Trust for P. M. Hyle

✓ Deed for Land William Mesler to A. C. Bayaw in Trust for Land Shackles

✓ Deed for Land Land Stettering to William Neckers

✓ Deed for Land . . . same to Matthew Miller,

✓ Deed for Land Jacob P. Dunkel to John Thurner.

former Deed for Land Augustus Armentrout to Charles Armentrout

✓ Deed for Land . . . same . . . to Emanuel Armentrout,

✓ Deed for Land Isaac Miller to Henry Shall

✓ Deed for Land Addison Harper to Henry Ritchey

former Deed for Land Thomas Moore to Reuben Moore,

✓ Deed for Land Michael Marty to Cordelia Marty P.

✓ Deed for Land Benjamin Marty to same

✓ Deed for Land Phoebe Brightwell to William Dunslop &c.

✓ Deed for Land Emanuel Rolles to Daniel Sharp.

former Deed for Land Selas Whitow to Andrew McCallan

X Deed for Personal Property Geo. Snyder to J. Hensley in Trust for Stout.

X Deed for P. Property W. Eaton to David Steele in Trust for James Howell.

former Deed for Land John Rolles to George Sherman and

✓ Deed for Land P. Jacob Senicow to John Senicow in Trust for Mrs. Senicow.

✓ Deed for Land Jacob Wells to John Rankin

Qua for Laws James Hall was to Lewis Sawyer

Qua for Laws Samuel Coffman to Joseph Shaw

On the Motion of John S. Bartlett it is ordered to be Certified
 up that he is upwards of 21 years of age a Man of Good Character
 and has resided in this County for the last Twelve months

On the Motion of Henry J. Gambell Clerk of this Court,
 Jacob W. Senew is admitted his Deputy who thereupon
 appears in Court and took the several Oaths of Office as the
 Law directs.

Murray & Harrington upon an attached

The Defendant was called and not appearing and the
 Sheriff having returned on the attachment executed on a Negro
 Boy & some other property, and the the Court being
 satisfied of the justice of the Plaintiffs Claim, it is ordered
 that Judgment be entered on the Pledt for \$100 with interest
 thereon from the 2^d day of July 1840 all paid and Costs and
 it is ordered that the Sheriff make sale of the said attached
 property according to Law, and out of the moneys arising
 from the sale thereof, pay to the Pledt the amount of said
 Judgment and Return an account thereof to the Court

On the Motion of John Seto, and he having paid to the
 David G. Gibbs Deputy Sheriff \$15 the tax imposed by Law
 it is ordered that a License be granted him to keep an
 Oratory at his house in this County until May Court
 1840, on his entering into bond with security in the Clerk's
 Office as the Law directs, and the Court being satisfied that the
 said John Seto is a man of Good Character not addicted
 to drunkenness or gambling, and that he will keep an
 orderly and usefull house of entertainment, all which is
 ordered to be Certified

And that ~~John~~ ^{John} Warren and Peachy New
 be appointed Commissioners to enquire into the state
 of and ~~current~~ ^{condition} condition of French State ~~and~~ ^{Juneteer}
 now confined in the Jail of this County, and make
 report thereof forthwith to the Court.

On the Motion of the President and Directors of the Valley
 Turnpike Company it is ordered that Jacob Ruth, Jacob
 Mausbarger, and Anthony Stufferman or any two of them
 being first duly sworn, be appointed Commissioners to view
 and ~~make~~ ^{make} ~~report~~ ^{report} of the condition, of that
 part of the said Valley Turnpike Road, commencing at the
 southern end of Atkins Sto. Contract, thence Northwardly
 along said Road, to the line between Rockingham and
 Shannandoah (except the 5 Miles contracted to be made by
 Miller, ^{as a matter of fact, there is} ~~no~~ ^{no} ~~report~~ ^{report} to the Court at its
 next Session.

On the Motion of ~~Isaac A. Smith~~ ^{Jacob Sumner} ~~and~~ ^{and} ~~Isaac A. Smith~~ ^{Isaac Smith} who
 owns the Land on one side of the Shannandoah River and
 is desirous of building a Water grist Mill on his said
 and to erect a dam ~~and~~ ^{and} ~~across~~ ^{across} ~~the~~ ^{the} ~~Shannandoah River~~ ^{Shannandoah River} for the
 purpose of watering his said Mill and the Land on the
 opposite of side of the said River being in Isaac Smith
 (who confessed Notice of this Motion) it is ordered that a
 writ of Habeas Corpus be awarded the said ~~Smith~~ ^{Sumner}
 to be directed to the Sheriff of this County and to be returnable
 on the 20 day of August Next Returnable here at August
 Court Next.

Attestation made by Elizabeth W. Daniel of this Court
 made before Jacob Miller Esq. a Justice of the Peace for this
 County, was returned into Court examined and found to
 be correct to the best of our knowledge.

On the Motion of Isaac Lupton, and he having paid to
 Jacob A. Mitchell Deputy Sheriff \$15. the tax imposed by
 Law, it is ordered that a Decree be granted him to
 keep an ordinary at his house in this County until

May Court 1840. on his entering into bond with security in the ~~personally~~ of Clerk offering as the Law agent. The Court being of opinion that the said Isaac Suplew is a man of good Character not addicted to drunkenness or gambling and that he will keep an orderly and useful house of entertainment which is ordered to be Carl's

On the Motion of John Sanders & Samuel Oliver, and for reasons appearing to the Court, it is ordered that they have leave to shape up the old stage Road so far as the same runs ~~of~~ the lands of the said Sanders & Oliver, provided they open a road on the line between the said Sanders & Oliver, so as ^{to be} a continuation, of the ~~Fredericksburg~~ Road, to the Valley Turnpike ~~completing~~ Road.

Ordered that the owner of the poor bond ^{Maryetta} ~~John~~ Clatterbough & a Daughter of John Clatterbough, 14 years old in September next ~~cp. to Samuel Coffer~~ as the Law agent who is to have for freedom and \$20.

Ordered that the owner of the poor bond William Clatterbough & daughter son of John Clatterbough about 10 years old in ~~cp. to John Kent to Daniel Ryerly~~ to learn the trade of a Miller, ^{the farmer's business} as the Law agent who is to receive a freedom and \$20.

On the Motion of Henry Roacaps, who enters into bond with security in the personally of \$400. and made oath thereto. a Certificate is granted him for obtaining letters of administration on the estate of Gustavus Shaffer and in due form, and it is ordered that Abraham Mohler ~~cp. Joseph Suplew~~, and John Carpenter being first sworn do appraise the estate of said Shaffer and make report to the Court.

Quinn & Edmon & Roach upon an attachment the Constable having returned as the attached. ~~ordered~~

207
Hood of Augusta County
in a quantity of wood, in the hands of J^r. A. Patterson,
and the said Defendant not appearing, altho solemnly called
and the Court being satisfied with the justice of the
Plaintiff's Debt. Judgment is awarded him for \$19.00 cents
with interest from the 1st day of March 1836. and Costs, and
it is ordered that Sheriff of Augusta County make sale
of the property so attached according to Law, and
out of the money arising from said sale pay the Debt
the amount of the Judgment

Settlement of the estate accounts of John Hall, John
Byrly, Margaret Bowyer & Charles Sever dec'ds was related
examined & ordered to be Recorded

Settlement of the accounts of ^{Abraham} Joseph Blofer as Guardian
of Joseph Blofer ~~and~~ was related examined and ordered
to be Recorded

Settlement of the estate accounts of Michael Lere
and was related examined & ordered to be Recorded

A Sale bill of the land of John Byrly and was
related & ordered to be Recorded

An appraisment bill of the estate of Richard
Thomson and was related & ordered to be Recorded

Wally Turpin's Company v J^r. Adams upon a Note for

Notes for and Judgment awarded the Plaintiff for \$150.00 being
for the instalments and amount ordered on 8th 9th 10th
11th as set forth in the Petition, and Costs

On the Motion of Peter D. White, and he having paid
to Nathl Evers Deputy Sheriff \$15. it is ordered that
a Decree be granted him to keep an Order on
his house in this County until May Court 1841. on
his entering into bond with security in the penalty
of \$150 as the Law directs, the Court being satisfied that

the said Peter Dunkle is a Man of Good Character not addicted to drinking or gambling, and that he will keep an orderly and useful house of entertainment, which is ordered to be certified.

Gleeson vs Pygan on appeal of Adjudication. Damages determined by order of the Peft attorney.

Deary vs Nally Turnpike Company.

The commissioners appointed to ascertain the damages to which the Peft would sustain by the opening of the Turnpike road made a report, which is ordered to be affirmed and kept for books.

Dofland vs Nally Turnpike Company or the same.

The commissioners appointed to examine the situation of exp. Friedrich Stahl a Surrogate confirmed in the fact of this county upon a report ^{made} ^{upon examination}, whereof it is ordered that the fact be allowed 25 cents per day for his attendance on said Surrogate which is ordered to be certified to the Auditor of public accounts.

Marty vs Nally Turnpike Company. Continued.

Kyle vs same. Continued.

Tubwell vs same. Continued.

Harlow vs Banks on Notes. Continued.

Combs vs Senclos upon a recogn. dismissed agreed.

Turnpike Company vs Harlow. Continued.

On the Motion of Nicholas M. Harlow leave is given him to erect a gate in that part of the Public Road which runs down from the Turnpike Road to the gate leading to the farm of said Henry J. Gambell, and it is further ordered that said Gambell do and he is hereby appointed surveyor of the said road commencing at the gate lately erected by said Harlow and ending at the gate of said Gambell, and it is further ordered on the Motion of said Harlow that he have leave

It shut up that part of the public Road Beginning at the
Gate of said Hamlets and ending where the road as it runs
towards the house of Edward St Smith intersects with the
Turnpike road.

On the Motion of Samuel Dasher, and he having entered
into bond with security in the sum of \$13000, and made
Oath thereto, as the Law directs a Certificate is granted
him for Obtaining Letters of administration on the estate
of said Abraham Dasher in due form, (Barbara
Dasher the Widow of said Abraham having sworn under
her hand relinquished her right of administration)
and it is ordered that Lewis Carrihoop, George Carrihoop
John Sheets & David Flook or any 3 of them being first
sworn do appraise the estate of said Abraham Dasher
and make report to the Court

Present

Jacob B. Williamson

On the Motion of the exec of John F. Effinger and it
is ordered that Richard P. Fletcher do appraise and
compose to inventory state ~~and~~ settle the accounts of said
John F. Effinger and who was the Guardian of the Children
of Isaac Hout demand and make report to the Court

Orders that the Court be adjourned until to Morrow
morning at 10^o North

Jacob B. Williamson

Tuesday the 21st day of July 1840

Present

Abraham Smith, Jacob Heimbarger, Augustus
Waterman & James C. Shepleman & said Doct. S. J. Fisher

+ Joseph Bellman Comissioner of the North West dist. Court.
procure process in Court an account for his services and
the Court having considered that 75 days were required for the
said Comissioner to perform the said services the same is

Orders to be Certified to the Auditor of Public Accounts

- x Orders that Richard P. Fletcher be appointed Guardian for Anna Lewis Infant Child of Thomas Lewis for deceased under 14 years of age, who enters into bond with security in the penalty of \$15,000. as the law directs.

On the Motion of Deleat M. Lewis Widow of Thomas Lewis for deceased And by Consent of Richard P. Fletcher the Guardian of Anna Lewis the infant Child of said Thomas Lewis for deceased, it is ordered that Joseph Maunzy, Stephen H. Harnsberger and Jacob Stroyer be appointed Commissioners to go upon the land where said Lewis died survey and proper a off and lay of and apportion to the said Deleat M. her Dower in the said land agreeably to quantity and quality and make report thereof to the Court in the manner directed by law. —

Present, Peabody Harrison

C Smith's Petition — ~~Harnsberger~~ ^{Harnsberger} a Petition for a road Center

Devin P. Devin P. a Petition for a way for a road at the Hugh Devin P. Abraham ^{Smith} ~~Smith~~ ^(who are hereby admitted Depts) Motion of the Defendants by ~~their~~ ^{their} attorney, Strafer Neas as appearing to the Court, it is ordered that the Report of the Viewers be ^{to the petition be accepted} ~~accepted~~ and the said is returned for the said Defendants costs.

On the Petition of James Devin P. this for View of a way for a road, Commencing at the old Brock Gap Road Near Spring Crutch Meeting house and from thence the way set forth in the petition untill it intersects the road Cold Springs Mountain Road, it is ordered that John Brown, Martin Miller and Abraham Newnam being first sworn do View the said way and make report to the Court of the convenience and inconvenience attending that well result as well to individuals as to the people of the said Road should be opened as proposed by the said Petition,

For Meason appearing to the satisfaction of the Court,
 it is ordered that the Order directing a Decree, to
 be granted ^{to Isaac Sumpton} to keep an Ordeal in this
 County until May Court 1841. be and the same is hereby
 rescinded and it is further ordered that the Sheriff
 refund to the said Isaac ~~Sumpton~~ Sumpton the fees paid
 to him by said ~~Sumpton~~ Sumpton

C For Meason appearing to the satisfaction of the Court,
 it is ordered, that the Order, directing Decree to be
 granted, Isaac Sumpton and Peter Dinklo (on yesterday
 to keep Ordeal in this County until
 May Court 1841. be set aside, and it is further ordered
 that the Sheriff refund to the said Sumpton and
 Dinklo the amount of money paid to them on account
 of the fees on said Ordeal —

Thomas Woolford Jr. who stands charged with manslaughter
 and feloniously slaying of William Blain, was led to
 the bar in custody of the Jailor, and on his motion
 and for reasons appearing to the Court the prisoner
 is continued until the next County Court to be held
 for this County, and the prisoner was committed to
 Jail. Also William Blain, Westly Sanderson
 Zebulon Stearns, Robert Turrey, John N. Larramere
 William Sanderson Henry Thomas. appeared in Court
 and severally acknowledged themselves to owe and be
 indebted to his excellency Thomas M. Gilman Governor
 of Virginia and his successors in office in the
 sum of \$100 each to be given of their respective goods
 and chattels lands and Tenements and for the use
 of the Commonwealth to be rendered, yet upon
 this Court's order that the said William Blain &c. shall
 appear on the first day of the next Court to be held
 for this County, there and there to give execution on
 behalf of the Commonwealth against Thomas

Moogor Jr charges with felony, and will not depart the Court until discharged by due course of law. This may be now also to remain in full force and Virtue.

It was that the Court adjourns until the 2nd Monday in August next. Peckey Harrison

Verge to suit.

At a court held for the County of Rockingham
on the Thirde Monday being the 17th day of August 1840
Present

Jacob D. Williams, Jacob Ruck, Samuel M. Lewis
Charles W. Spear & William B. Garry E. G. Foster

A list of Deeds and other writings admitted to Record in the
Clerks Office of the County Court of Rockingham from the 1st
to the 31st day of August 1840. included, was returned into
Court by the Clerk thereof, and being examined by the Court
it ordered to be entered on the Minutes and also list be
published at the door of the Court house of said County &
as follows. to wit,

Deed for Land Philip Leggett to William B. Abbott.

Deed for Land James Rodahefer to John W. Miller

Deed for Land William M. Steward to Nicholas W. Truitt.

Deed for Personal Property M. Payson to J. D. Smith in Trust for Coffman Hooper

Deed for Land Joseph Bellhimer to James Manning

Deed for Land Peter Effinger to Algernon Gray.

Deed for Land Thomas Givers Jr. to Thomas Evans

Deed for Land William M. Pollock to Hannah Dougherty.

Deed for Land James D. Palmer to Charles Bates.

Deed for Land Henry M. Wyley to same

Deed for Land John Bowers Others to Devett Coffman

Deed for Land Abraham French P. to Abraham P. as Trustees

Deed for Land John Brainerd to John Archambault

Deed for Land James Foley to Frederick B. Whitescarver

Deed for Land Jacob Strayed to Jacob Saper

Between

William Rice & George Barton Wife

and Brown Green Wife Plaintiffs

agst

the Chancery

Re: Rice & Others heirs & Distributors of Deeds Rice. Defts

This cause came on by consent to be finally heard
on this 17th day of August 1840. on the bill and answers and

inhibits, replication and forgeries. Orders made in this Cause, and upon the report of Lewis D. Smith the Commissioner appointed by this Court, to sell the slaves in the bill mentioned, and no exceptions being taken to the said report, the same is confirmed, and the Court, now proceeding to a final decree in this Cause, doth in addition to the expenses decreed by the said Commissioner, deduct \$5.65 cents, the Clerk & Sheriff's fees in this suit, which will leave \$932.85 cents the net proceeds of the said slaves Adam & Anthony to be divided among the parties in this suit, in proportion to their interest therein, and the Court being of opinion that the award made by Grattan & Spear as to the division of the proceeds of the slave Lewis is fair & equitable doth confirm it, no exceptions being taken thereto, and will adopt the same rule for the division of the proceeds of the slaves Adam and Anthony. The net proceeds is \$932.85.

To William and Rebecca 241.85

Balance to be divided among the other distributees \$691.00

To Rebecca Rice who has $\frac{3}{8}$ of $\frac{2}{11}$ of $\frac{1}{8}$ \$287.68

To J. Barton Wife an daughter eight $\frac{1}{11}$ of $\frac{1}{8}$ 94.22

To J. M. Wife same as Barton Wife 94.22

To Calvin who has $\frac{1}{8}$ of the $\frac{2}{11}$ of $\frac{1}{8}$ 102.08

To Marada who has $\frac{1}{8}$ of the $\frac{2}{11}$ of $\frac{1}{8}$ 102.08

To Eusebia who has the $\frac{1}{11}$ of $\frac{1}{8}$ 7.85

To Veron who same as to Eusebia 7.85

\$691.00

and it appearing to the satisfaction of the Court from the receipts herewith filed Nos 1, 2 & 3 that the aforesaid \$932.85 cents have been received in the aforesaid proportions and amounts by the said parties, their agents, and acting Guardians for said infants. The Court, doth hereby approve of and confirm the same and the Court doth hereby direct the said Commr. S. D. Smith to pay to the executor of William Rice the aforesaid \$5.65 cents which is still in his hands, and the said executor are hereby directed with the said \$5.65 cents, to discharge the remaining costs of this suit, and that the said purchasers of said Slaves be permitted to take up their said Notes or Bonds for the full value thereof, leave is reserved to the infants doth respectively to this Cause.

if any they can, against this decree, at any time within twelve months after they respectively attain the age of Seventy One years.

On the Motion of John S. Bartels Esq and his having taken the Oath prescribed by Law is admitted to practice as an attorney in the Court.

Settlement of the estate accounts of John Mohler and
was returned, various orders to be Recorded

Q. On the Motion of William Miller and he having
P. paid to said Gibbons all the taxes imposed by law he it
is ordered that a license be granted him to keep public
entertainments in this County until May Court 1840

A View and Report of the ^{alterations in the road called Wynds Well Road made on the 10th inst} ~~Museum~~ ^{of Jacob D. Williams &} ~~was returned into Court by the Deputies~~ ^{and the Court having}
examined the said report the same is hereby established
agreeably to the said report which is ordered to be filed.

Ordered that John O'Brien be appointed Guardian of
Susannah O'Brien a daughter of said John by his late
wife Susanna Young because he having entered into bond
with security in the sum of \$2,000 as the law

Der. Tr.

C On the Motion of Samuel M. Lewis, who enters into bond with Security in the sum of \$20,000: and made oath thereto as the law directs, a certificate is granted him for obtaining letters of administration the estate of Thomas Lewis deceased as aforesaid, (Deceased M. Lewis the widow of the said Thomas having from under her hand and seals renounced her right of administration), and it is ordered that Stephen H. Hargrave, Jacob Strayer, Hugh Bruffy & Geo. Miller or any 3 of them being first sworn

many of them do appraise the estate of the said Thomas as seems
deceased and make report to the Court.

- X On the Motion of Adam Allen and Meraw Marty
and for Reasons appearing to the Court it is ordered that
they have leave to stop so much of the re. old stage road
as runs through their lands which is ordered to be certified.

Ordered that the Tithables on the the following plantations
to wit Abram Spitzer, Peter Perry, John Krumm and William Perry Mary and
to add to and make apart of the Tithables allotted to
X work on that part of Peter Green Mill road (to int. from
of the old stage road to the upper end of John Gels. land
of which Wanda Hagg is the surveyor, which is ordered to
be certified.

- On the Motion of Benjamin P. on a Motion as a Deputy Sheriff
By. pro. it is ordered that he do as follows.

Peter B. Dowdall (foreman) John Shoemate, George Perre
Henry Tarflinger, Daniel Murry, John Falls, Sherr Steelwood
Amos Albright, Anthony Burkholder, John Potyal, Joseph
Burkholder, Jacob Keff, John Warner, John Perce, Lewis
Middle, Adam Weso, Henry Wambarger & Fountain Saylor
were sworn a grand jury for this County and were sworn
and for Reasons appearing to the Court, were adjourned
until to Monday morning at 10 o'clock.

- On the Motion of John Quinn Guardian of John Quinn
and infant of said deceased, it is ordered that
William G. Thompson be appointed a Commissioner to
examine said and settle the accounts of said Quinn as
Guardian aforesaid, and make report to the Court.

- A Writing purporting to be the last will and Testament of
Benjamin Perry and was presented in Court and was

mons by the Oaths of Jonathan Shipman & Peter May on
two Willing Oaths & Orders to be Recorded, and on the
Motion of Benjamin Curry the executor named in the
said Will who entered into bond with security in the
penalty of \$4,000 and made oath thereto, a Certificate
is granted him for obtaining apostate thereof in due
form, and it is ordered that Jacob Myant, Christian
Mellor Jacob to Erwin & Adams Welf Jr. or any 3 of
them being first sworn do appraise the estate of said
Curry and make report to the Court.

On the Motion of John Brannin who entered into bond
with security of in the penalty of \$4,000 and made
Oath thereto as the Law directs, a Certificate is granted
him for obtaining Letters of administration in the estate
of Elizabeth Brannin deceased in due form, and it is ordered
that John Zepher, Abraham Ferris, Michael Norman
and Christian Brunk, or any three of them being
first sworn do appraise the estate of said Elizabeth
and make report to the Court.

Returning pertaining to the last will and Testament of
John Lewis deceased was presented in Court and was sworn
by the Oaths of John Lewis & William M. Fishburne two
willing Oaths, which with the Codicil all went to the
said Will, which was also sworn by the said John Lewis
and William M. Fishburne ordered to be Recorded, and
on the Motion of Stephen Stambarger one of the executors
named in the said Will who entered into bond with security
in the penalty of \$1,000 and made Oath thereto a Certificate
is granted him for obtaining apostate in due form.

Settlements of the estate accounts of George Child &
Susan Child deceased, was returned into Court and
and ordered to be Recorded.

A Writing purporting to be the last will and Testament of George Thayer and was presented in Court and was proved by the Oaths of Joseph Manzy and Augustus Thurnate. two Witnesses thereto & Orans to be Read, and on the Motion of Joseph Good the executor named in the said Will who entered into his own bond. The Will requiring no security to be given, a certificate is granted him for obtaining probate aprs thereof in due form,

The President directs to pay by J. S. Carson

Facot Bartholomew } on a Note of
 D. Luedig award the Pfts for \$50. the sum in the Note mentioned and costs.

A Writing purporting to be the last will and Testament of Eva Roller and was presented in Court, and was proved by the Witnesses thereto and Orans to be Read, and on the Motion of John Roller and Peter Roller the executor named in the said Will who entered into bond with security and the penalty of \$2000. and read with thereto as the law directs. a certificate is granted him for obtaining probate thereof in due form,

James Foley who was recognized to appear on this day to answer an indictment of the Grand Jury for a Misdemeanor, appears in Court in discharge of his recognizance, and the Grand Jury being adjourned until to Morrow Morning at 10 O'clock and by Consent of the said Foley his Counsel, it is agreed that the said Foley shall appear here on to Morrow and ~~as to answer~~ said indictment, and that the said recognizance is to have the same effect, as if the same had been returned on this day. and on the Motion of the Attorney for the Commonwealth it is Orans that a Wpa. Be issued forthwith for Phelix Foley and Martha Ann McMary to appear here on to Morrow. to give evidence before the Grand Jury now in session

Thomas

~~the~~ Grady & Co. & Miller, the Defendant was brought into Court upon a writ that issued from the Clerk's office of Albemarle County, and thereupon gave up a schedule of his property, and took the Oath of an insolvent debtor. where is ordered to be discharged.

Orders that the Court be adjourned until tomorrow morning at 10 o'clock

Aug. Waterman

Tuesday the 18th of August 1840

Present

Saml. St. Lewis, Jas. W. Starnberger, Johnnie B. May, Henry & Mr. John A. Starnberger & Jas. C. Shepley.

On the Motion of Jacob Rush and John Rush sons of Mary Perce deceased, it is ordered that Joseph Maugy be appointed a commissioner to examine and settle the estate accounts of said Perce and make report to the Court

An appraisement bill and sale bill of the estate of Peter Sellers dec. was returned and ordered to be discharged.

On the Petition of David Harrison Jr. for advice of law for a road from a point on David Harrison's land to intersect the Hazel Run Road near Adam Long's Shop as set forth in the Petition, it is ordered that Reuben Harrison, Adam Madsen and James W. Hoffman being first sworn do show the way points out for said road and make report of the conveniences and inconveniences attending the same to the Court, as well result to individuals as to the Public should the road be established.

A Register of John Holman after Negros was returned into Court, and taken by the Clerk, and the Court having compared the said Reg. with the said John, and found the same duly made, a copy thereof is ordered to be delivered the said Holman in the Morning according to law.

The Grand Jury impaneled and sworn for this County on yesterday appeared in Court agreeably to their adjournment, who received their Charge, and retired from the bar to consider of their presentments, and after some time returned into Court and made the following finds and verdicts against, St. Martin, agt. Crawford, agt. M. Rogers, agt. Rounding, agt. J. Woodford, agt. M. Woodford, agt. J. Parky, agt. R. Woodford, agt. M. Woodford, and an heir agt. So. Crown, and the said Grand Jury having no further business before them they were discharged, and it is ordered that summon. be awarded agt. the said several defts to answer the said findements returnable here at the next Court next

For a Mount upon a scifa as special bail for Michael O'Rourke the Defendant having surrendered the body of the said O'Rourke in Court, the scifa is ordered to be dissolved, and the agt. is given the Plt. for his Costs. R

Ely a Ann Barry is Aspn of Anne Barry is on My can of ap came into Court and made choice of William Barry is as her Guardian, who entered into bond with security in the sum of \$50 as the Law directs

The report of the Newin of a way for a road down the North side of the North River, made agreeably to the Petition of Jacob Wansbarger, was returned into Court, and it appearing to the Court that the said Road will run through the lands of Abraham Smith and Hugh Devin, It is therefore, ordered that summon. be awarded against the said Smith and Devin, to appear here at the next Court to show cause why the said Road shall not be established agreeably to the said Report.

on the Motion of Joseph Byrly it is 221

It was that Christian Garbner appoints a commission to lay off and apportion to such and so many Tithables who shall deem it proper to work on the road call Byrly's Road which leads from Bridgewater to the Stage Road taking said lands from the North Carver's presents of the adjoining Roads and designating particularly from what Roads the said lands are taken and make report to the Court.

On the Motion of Mellen Taggart, and the having entered into bond with security in the penalty of \$500. and made oath thereto in the Law Court, a certificate is granted him for obtaining letters of administration on the estate of Hugh Taggart deceased in and for the County of New Brunswick, and it is ordered that Saml A. Delworth, Jacob Rohr Jr. Mather Mellen, & Robert Moory, or any 3 of them being first sworn do appraise the estate of said of said Hugh Taggart dead and make report to the Court —

Henry J. Gambell Clerk of the Oversee of the poor made report of the State & Situation of the poor in the Parish of this County, which was examined by the Court and approved thereof, and it is ordered to be filed amongst the papers of the Court.

Henry J. Gambell agent of the Overseer of the poor, made report of the expenses of the poor for the last year, which account was examined by the Court, and being satisfied therewith it is ordered to be filed amongst the papers of the Court and it is ordered that the said agent be allowed the sum of \$95 for his services for the last year.

Thomas Moorcroft Jr. who stands charged with feloniously shooting of William Blain was again brought to the Bar, and for reasons appearing to the Court, the prosecution is ordered to be continued until 10th November and the prisoner was counselled to find bail, and it

Orders that Robert Turner, attorney in this case and who was recognized to appear here at this Court was solemnly called but came not, it is therefore ordered that he shall come on tomorrow why an attachment should not be awarded against him for such his non-attendance, and that order also be awarded to the said Robert Turner, to appear here on tomorrow to give evidence in the prosecution —

John, Peter Ann & Successor Oathier of Abraham Oathier, deceased over 14 years of age came into Court and made choice of Serron Oathier as their Guardian, and it is ordered that said Serron Oathier be appointed Guardian for George Oathier, an infant of said Abraham under 14 years, the said Serron Oathier having entered into bond with security in the penalty of \$500. as the law directs

On the Motion of Serron Oathier and others heirs of Abraham Oathier deceased, it is ordered that Jacob Roads, Daniel Flook, & John Sheets be appointed commissioners to go upon the lands of the said Abraham Oathier died and lay off and apportion to the said Barbara Oathier Widow of the said Abraham, by certain Meas and Bounds, according to quantity and quality her Power in the said lands and make report to this Court

Committed — Mello for at least of the peace to persons appearing & further to prosecute the defendant the prosecution is ordered to be dismissed

On the Motion of Meriam Marty and Jacob Marty and for Meriam appearing to this Court, it is ordered that leave be given to ~~the~~ shut up the Old Stage Road so far as the same runs through their land —

Offering adms & Small on offer for apt set and pay w pleas
 and replicates to Turner & Carter
 Roads for a Motion adms
 M. G. Ahay for Roads & Snyder same

- ✓ Tellmarger & Mayers exam. Offense In a 2d. etc. are dispensed
 ✓ Duplication of Sp. and continue
 ✓ Rice & Robertson The same
 ✓ Rice & Joseph The same
 ✓ Rankin & Howalter The same
 ✓ Burkholder & Overlap The same
 ✓ Drace & Mount same
 ✓ Nicholas & Robinson same
 ✓ M. Robertson & Rich & Robinson P. same
 ✓ Sheets & Mount same
 ✓ Summers & Mount same
 ✓ Severy & Mount same
 ✓ Wentworth & Lewis P. & Howalt same

On the Motion of Abraham Byrd it is ordered that
 Reuben Moore be appointed a commissioner to apportion and
 allot the Tithables, that he may deem necessary to work
 on the public Road, (Call'd Byrd Road), taking the same
 of Tithables from ~~the most convenient~~ ^{the most} ~~convenient~~ ^{convenient} ~~points~~ ^{points}, those most
 convenient to said Road, and who formerly worked on
 the old stage ^{road}, provided that ~~he~~ he shall not ^{take} ~~take~~ any
 of the said Tithables, that have ^{heretofore} been apportioned to work
 on any other Road and make report to the Court

On the Motion of the president and directors of the Valley
 Turnpike Road, it is ordered that the Commissioners heretofore
 appointed to examine a part of the said Valley Turnpike
 Road, between ^{the lower end of Allen the Culvert & the Shyan and Camp line} ~~the lower end of Allen the Culvert & the Shyan and Camp line~~
~~the lower end of Allen the Culvert & the Shyan and Camp line~~ ^{as is a duty that} ~~the lower end of Allen the Culvert & the Shyan and Camp line~~
 examine the said 5 miles ^{embracing the culvert} ~~embracing the culvert~~ ^{of a road} ~~of a road~~
 at Hunt, and make report thereof to the Court as the
 law directs -

On the Motion of William Byrd, Jacob Bourneant
 John Davis Jr. Commissioners for the Turnpike Road leading
 from Steamboat Falls of the dry River in the County of

Rockingham across the Shannandoah Mountains to the waters of the South Fork in the County of Pendleton - It is ordered that Colo John Kerry, A. S. Gray Esq. Robert Gray & David State be and they hereby are appointed Commissioners any two of whom may act, to examine the state and condition of said Road. (they being first sworn) before a Justice of the Peace in and for the County of Rockingham, and that they make a written report thereof to this Court. *RO*

On the Motion of Ptoley Brightwell, it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle of the accounts of said Brightwell as Guardian of Abraham Whitman Orphan of Abraham Whitman dec and make report to the Court.

On the Petition of John Shepp. for a view of a way for a road beginning at the mouth of the lane (about half a mile from Keefels town) upon the Public Road leading from Keefels town to the old furnace, call^d the furnace road, and running thence with the old lane upon the lands of John Carpenter and near the line of Peter Kouty Jr. and Charles Nichols to the line of Shepp's land intersected by the old road, now there used; it is ordered that Rutledge Stufferman, James Davis, William Cyler, and William McCauley, or any three of them being first sworn do, show the said way, and make report to the Court of the Commissioners and in witnesses attending the same, as well to individuals as to the public of the said Road should be established as proposed.

On the Motion of James Foley, and he having appeared in Court agreeably to his Recognizance, and the Grand Jury having not found an indictment against him, it is ordered that he be discharged from his Recognizance.

Commissioners & Reviewers Contented by Consent

same & Royer called

same & Abbott called

C. Cornish & Robinson. My pleadings & I have continued
 C. same. v. Metts. Atty. & I have and continued
 P. C. same. v. Fear. New South awarded
 C. same. v. Brathwaite. Atty. & I have and continued
 P. same. v. Seabright. Who are imposed by order of the
 attorney for the Cornish with the agreement of the Court,
 C. Cornish & Sullivan. Copies awarded returnable to
 the Master of the Court at next
 C. Weston & Buck. upon a Motion, continued
 C. Stansbury v. P. P. P. & P. on a petition for a
 road, ~~where the Petitioners~~

226
Wednesday the 19th August 1840

Present

Augustus Waterman, Charles Spear, William Murray & Son
James Smith & Co. A. Herring. S. G. Lister.

Alexander R. Gwyn Plaintiff }
vs } In Chancery.
Saml. P. & Son & others Defendants

dec 40
of 70.

C.

This cause came on to be heard this 19th day of August 1840, on the bill the answer of the infant defendants by Henry J. Gambell, their Guardian ad litem, and the answer of Robert M. Palmer Trustee in a Dec of Trust from William Maupin for the benefit of James M. Stout, and the exhibits filed in the Cause, and it appearing to the Court that Francis Price, the Widow, William Murray & William A. Maupin have failed to answer the bill of the Plaintiff though four months have elapsed since the service of the subpoena, the bill is taken for confessed as to them, and was argued by Counsel, whereupon the Court being of opinion that the interests of the said infants manifestly require the sale of the land mentioned and the rights of others will not be violated, it is therefore ordered and decreed that George W. Kemper, who is hereby appointed a Commissioner for that purpose, do after having given six weeks notice of the time and place of sale, in the Standard, Spectator and Rockingham Register proceed to sell the said land (subject to the Widow above who has been laid off ~~separate~~ ~~common~~ ~~interest~~ by Commissioner appointed by a former order of this Court) at public sale on the premises to the highest bidder on the following terms - the purchaser shall on the day of sale pay to the said Commissioner one third of the purchase money and execute his bond for the balance in 3 equal annual payments, the said Commissioner retaining the Title of the land as security for the after payments, and the said Commissioner is hereby directed to report his proceedings in the premises to the Court, together with the money received as the cash payment and the bonds for the after payments to be disposed of by the Court future

Order of this Court -

Summons to Burke upon writ of Agueda-Dammon

The Sheriff having returned the writ executed and it appearing by the said return that Isaac Burke is interested in the erection of ^{the} said Mill and Dam prayer for, it is ordered that a summons be awarded against the said Burke to show cause why the said Mill shall not be stopped agreeably to ~~the~~ the Verdict of the jury.

Smith v. Hainbarger, it appearing from the report of the Verdict in this case, that, S. Hainbarger is entitled in the road, as prayed for, by the Plaintiff, the said Hainbarger appears, ^{by his Counsel} and prayed writ of Agueda-Dammon, which is to be directed to the Sheriff ^{of this County} and to be executed on the 31 day of August 1840 Returnable here at September Court Next.

The Verdict appointed to Hainbarger appeared to Verdict ^{way for} Hainbarger & Smith down the North River through the lands of Abraham Smith, and Hugh Dew, return their report; whereupon the said Smith and Dew by their ^{Counsel} ~~Counsel~~ appeared in Court, and each prayed writ of Agueda-Dammon, which are to be directed to the Sheriff of this County and to be executed on the 31 day of this month (August) Returnable here at September Court Next. and by like consent the order directing summons against said Smith & Dew in this case on yesterday is set aside -

Trout v. Rankin & Co on a Note on a Delayed Note from Execution awarded

Execution was to Coffman Officer August set aside prayer of J. P. and Contins

Campbell (Clerk) & Chandler & Co same

Effinger & Reader Jr. same

Paul & Smith same

Dammon & Smith same

James Dew & Hugh Dew & Co Petition for road cut off

- Siggitt vs. C. Hamburger / vs. W. Gahy vs. W. E. et al. and C. M. et al. perforce
 G. replication & Affirm and Contumacious
- S. S. et al. vs. C. Coffman W. E. et al. and A. a. pleads G. replication
 and Affirm and Contumacious
- S. S. et al. for vs. P. Robinson W. E. et al. and C. M. et al. perforce
 G. replication & Affirm and Contumacious
- S. S. et al. vs. P. Robinson W. E. et al. and A. G. Affirm and
 Contumacious
- C. Coffman vs. W. S. S. et al. W. E. et al. and A. a. pleads G. replication
 & Affirm and Contumacious
- A. Davidson vs. C. M. et al. appointed to lay of the Dowry of
 Frances Pried Widow of Thomas Pried dec. in the name of her
 late Husband make report, which was examined and ordered to
 be Recorded
- J. R. et al. for vs. M. Bryan pleads vs. Judgment Confess for the aff
 and the Declaration mentioned as per specially with intent to Hosts
 (Savvy, equity)
- | | | |
|--------------|------------------|------|
| Bry | vs. M. Patterson | same |
| S. S. et al. | vs. M. Payne | same |
| S. S. et al. | vs. M. Hooty Jr. | same |
| C. M. et al. | vs. G. M. et al. | same |
| S. S. et al. | vs. P. Robinson | same |
| S. S. et al. | vs. M. Newton | same |
| S. S. et al. | vs. M. G. et al. | same |
| S. S. et al. | vs. M. G. et al. | same |
| S. S. et al. | vs. M. G. et al. | same |
| S. S. et al. | vs. M. G. et al. | same |
| S. S. et al. | vs. M. G. et al. | same |

~~Thomas Moore & Co. who stands charged with falsifying
 Statute of M. L. et al. was ordered to the bar in custody
 of the Jailor, and the caption~~

By Consent of the parties by their attorneys, it is ordered that
 all the suits, for trial on the issue docket at this Term, and
 which have not been tried or continued, be continued until
 the next Term.

Thomas Woolford Jr. who stands charged with feloniously ~~stabbing~~ stabbing of William Blain, was again led to the bar in custody of the Jailor, and thereafter survey witnessed to with Westly Sanderson, William Blain John H. Sanderson Zebulon Stearns William Sanderson & Robert Turner.

were sworn and examined touching the offence whereof the said Prisoner stands charged upon consideration whereof the Court is of the opinion that the Prisoner is guilty of the stabbing as charged against him, and for the same ~~trials~~ trials in the Circuit Superior Court of Law and Chancery to be held for this County, and it is therefore ordered that he be remanded to Jail of the said Circuit Superior Court of Law there to remain until discharged by due course of law. Memo on the 19 day of August 1840. Westly Sanderson John H. Sanderson, William Blain, William Sanderson Zebulon Stearns, appears in Court and several acknowledgments themselves to owe and be indebted to his excellency

Thomas W. Gilman Governor of Virginia and his superior in office in the sum of \$100 each to the value of their respective goods and Chattels lands and Tenements and for the use of the Courts to be rendered yet upon the condition that the said W. Sanderson W. Blain W. Sanderson J. H. Sanderson & Zebulon Stearns shall appear at on the first day of the next Superior Court of Law and Chancery to be held for this County which will be on the 8th day of October next then and there to give evidence against Thomas Woolford Jr and shall not depart the Court until discharged by law, then the above Recd to be void for

Ordered that the Court be adjourned until the 3rd Monday in September next

Abn Smith

Virginia to wit

At a Court held for the County of Rockingham on the Third Monday being the 24th day of September 1840

Present

Peasey Harrison, Jacob D. Williamson, Jacob Runk, Jacob Miller, William B. Garry, Isaac Thomas, Peter P. Kearsy, Thomas L. Shepherd & G. Hunter. A Book of Deeds and other writings carried to Record in the Clerk's Office of the County Court of Rockingham from the 1st day of ^{August} ~~September~~ to the 24th of the same Month both days included, was selected into Court by the Clerk thereof, and was examined by the Court and Orders to be entered in the Minutes, and a like set, orders to be posted up at the front door of the Court house of said County, and is as follows.

- found A Deed for Land Anderson Ringer P. to Harrey Toosing
- found A Deed for Land Saml R. Mount to Prosper Wrenthorn
- found A Deed for Land David Armentrout to Simon Bowman
- found A Deed of Release for Land S. M. Gambell to Jonathan Christman
- found A Deed for Land Isaac Olsen to Henry Sheaf Howdeshell
- found A Deed for Land David Ingham to John Shoemaker
- found A Deed for Land David Merry to Fountain Layton
- found A Deed for Land Michael McLaughlin to Abraham Beery (Fuller)
- found A Deed for Land John Lytle to David Freely
- found A Deed for Land David Bazzell to James Tapp
- found A Deed for Land Edmund Briggs to Matthew Briggs
- found A Deed for Land same to James Gains
- found A Deed for Land John Stewart to John Brainer
- found A Deed for Land David Tesler to York Armentrout
- found A Deed for Land Jonathan Christman to Frederick G. Miller
- found A Deed for Land Frederick G. Miller to M. Burkholder in Trust for J. Christman
- found A Deed for Land David Roalston to Abraham Beery (Fuller)
- found A Deed for Land George Michael to ^{Philip} ~~Rater~~ Michael
- found A Deed of Lease from Abraham Smith to Joseph Smith
- found A Deed for Reuben Coffman to Philip Whisman
- found A Deed for Land Philip Whisman to A. C. Bryan in Trust for Joseph Coffman
- found A Deed for P. Property R. Blattenbough to A. C. Gray in Trust for Lewis Lane
- found A Deed for Land Geo. E. Dillale to A. C. Gray in Trust for Archib. Prose

Adm for Sams Parried barns to John Eyler

Adm for Sams John Eyler to Jacob Rush

Adm for Sams . . . same to Geo. Schreiner and

Adm for Sams . . . same to David Eyler,

Adm for Sams Sams Miller to Abraham Miller

Adm for P. Property James Terrell to John Peters in Trust for Sams Septrop

Adm for Sams George M. Kemper to John Snyder

On the Motion of John Bowman exor of Henry Bowman dec
 it is ordered that Richard P. Fletcher be appointed a Commissioner
 to examine state and settle the state accounts of said Bowman
 dec and make report to the Court

An appraisment bill and sale bill of the estate of Haight Taggart
 dec. was returned into Court and orders to be Recorded

A settlement of the estate accounts of Peter Sellers dec was
 returned and orders to be Recorded

On the Motion of Anthony Rader and his having paid
 to the county sheriff ~~\$200~~ \$2 the tax imposed by law
 it is ordered that a decree be made him to keep peace
 and quiet in this County until May Court 1861.

An appraisment bill of the estate of Elizabeth Brannen
 dec. was returned and orders to be Recorded

Margaret E. Moyheiser over 14 years of age and orphan
 of Michael Moyheiser dec came into Court and was
 chosen of George Schreiner as her Guardian, and it
 is ordered that the said George Schreiner be appointed
 Guardian for William Moyheiser, John S. Moyheiser &
 Lucy F. Moyheiser Children of said Michael Moyheiser
 dec. under 14 years of age, who enters into bond with
 security, in the sum of \$8,000
 as the law directs

Michael F. Moyheiser over 14 years of age and orphan
 of Michael Moyheiser dec. came into Court

and made choice of Joshua F. Nunk as his Guardian as his Guardian, and it is ordered that said Joshua F. Nunk be appointed Guardian for Anna F. Moyer. Also an orphan of said M. Moyer, an infant under 14 years of age, who entered into bond with security in the penalty of \$400. as the Law directs.

On the Motion of Lucy Moyer, Widow of Michael Moyer, deceased, it is ordered that Abraham Kemper, Joseph of Adams, Anthony Hufferman, George George Reber, be appointed Commissioners to examine the ~~rights and title~~ and lay of to the said Lucy according to quantity and quality her right of Dower in the Lands of her said Husband and make report to the Court.

On the Motion of Christian Funt, ^{Joseph Shewalter} ~~son of~~ Mary Shanks it is ordered that Richard P. Fletcher be appointed a Commissioner to examine the estate account of said Shanks and make report to the Court.

Report made by William L. Thompson a Commissioner appointed to assign horses to work on road made report, which was examined and approved by the Court and ordered to be entered of the Record, and it is further ordered that said road be called the New Road from Stones Mill to and that the Survey is heretofore approved with the lines heretofore allotted open work thereon at the hazard.

Jacob Rusk & Co. Commissioners appointed to examine the Valley Turnpike road from J. Beckers Contract to the County Line of Tharravale, made report which was examined & confirmed by the Court; and it is ordered that the present and directors have leave to affix Gate Posts on that part of the said Road as directed by Law.

Report of the Dower Rights assigned to Mr. Nelson M. Lewis was returned examined & ordered to be Record.

Ordered that Leonard H. Kite be and he is hereby unanimously appointed a Commissioner of the Revenue for this County for the year 1846. in and for the South East District, and that he

qualify to that officers, as the law directs, which is
 or may be to be Certified

The Court proceeded to the appointment of a commissioner
 of the ^{North West} ~~South West~~ District for this County, and the names
 of the Justices present and Notary being called severally
 voted, for Perry Byers that is to say 15 for Perry Byers and
 5 for Joseph Bellhimer as per best bid, whereupon it is
 ordered that said Perry Byers be appointed a Commissioner
 for said district, for the year 1841 which is ordered to be
 Certified, upon his qualifying, in the manner directed by
 Law.

On the Motion of Mary Harrison, it is ordered that to
 be Certified to the Pension Agency at Richmond that Richard
 Harrison was a Revolutionary pensioner of the United States
 that he died on the 14. of August 1840 leaving the said

Mary Harrison his Widow

On the Motion of Sam. Colson and for reasons appeared to the Court it is
 ordered that ~~between~~ the ^{year of age} ~~of the~~ ^{of the} poor man's Children

J. Fuller, a son of Sylvester W. Fuller, 15 ^{year of age} ~~to~~ Jonathan Peck
 to learn the art trade and mystery of a ~~carriage~~
 of ~~carriage~~ and Tinner, as the law directs, and who is to
 give him for said service \$20. when free

On the Petition of Edward W. Smith to change or
 alter a part of the public road leading from his house
 to Keigel Town, as set forth in the petition it is ordered
 that George Keigel, Philip Cole Jacob Miller &
 Barnd Long or any three of them being first sworn
 as well the old road as ^{as well the old road as} the said alteration, and make report of the
 convenience and inconvenience attending the said alteration
 as well to undersigned to the people in case the said
 alteration shall be made

The President & Directors of the Valley Turnpike Road,
 upon a Notice &
 Jacob Cole & others moved and by Court
 continued until next Court

The President and directors of the Valley Turnpike Company 2000

C William C. Harrison } upon a Motion of
 } Motion granted and by Court
 continued until the next Court

C On the Motion of Robert M. Kyle, and for Reasons appearing
 to the Court it is ordered that, Simeon Kyle and Abraham Smith
 have leave to shut up so much of the old stage road, ~~as~~
 that runs through their lands.

C Peter Meyer is The President & directors, upon a Motion of
 Motion acknowledged, and by Court continued until the
 next Term

C An appraisment bill and sale bill of the estate of Abraham
 Bashler dec. was returned ex parte & ordered to be Recorded

C An appraisment bill and sale bill of the estate of George W
 Kyle dec. was returned ex parte & ordered to be Recorded

C A Declaration made in Open Court by Magdalen Town
 D. Widow of John Town, deced who was a Revolutionary pensioner,
 was examined and ordered to be certified to the war department
 as the law directs with a certificate of the proper authorities.

C A child of Sufferman Ophra of Jacob Sufferman dec. over 14
 years of age came into Court and made choice of Reuben
 Sufferman as his guardian who entered into bond with
 security in the sum of \$1000 as the law directs
 Affidavit purporting to be the last will and Testament of
 C. Reuben Harrison dec. was presented in Court and was proved
 by the Oaths of Daniel Sisco & Franklen Sisco two witnesses
 thereto & ordered to be Recorded, and on the Motion of William
 C. Harrison the executor therein named who entered into
 bond with security in the sum of \$5,000 and made oath
 thereto as the law directs, a certificate is granted him
 for obtaining approval thereof in due form, and it is

Or and that (D) and herself, Archibald Brock, Peter M. K. only
are a Jacob Cole, or any 3 of them being first sworn do appear

P. the estate of said Reuben Harrison and make report to
the Court

C. On the petition of Susan Albright others for away for
road from some point off John Tarflinger land to intersect
the road leading from Turley Town to Mellen Grove water.

cp and to Bowman's Mill, as set forth in the Petition: It is
36 Or and that Samuel Miers, Charles L. Spears, John Palmer
36 and Jacob Miller, or any three of them being first sworn
do view the said way and make report ^{to the Court} of the conveniences
and inconveniences attending the same, as well to individuals
as to the Public should the said road be established

Overrun of the poor - J. transports upon a ferry. Unless
until the next term

By consent all the Motions, set for Trial at this Court are
Or and to be continued until the next Court

Or and that Martin Miller (of Beaver Creek) be appointed
cp surveyor of Precinct No 1 on the road from ^{Whitman} ~~Shapans~~
old mill to the house of Lewis Byrd deceased

X Or and that John Cowan, and Joseph Bellhimer be
appointed commissioners to survey to, and allot, to the officers
surveyors of the ~~officers~~ against precincts (off the road) as they
may deem reasonable and proper, such hands as have
cp been released from watching on any road, in consequence
of the establishment of the Valley Turnpike ~~company~~ road, that
is to say John Cowan from the house of Edward M. Smith
to the Shenandoah County line, and Joseph Bellhimer
from said Edward M. Smith to the County line of Augusta
and make report thereof to the Court, of the manner in
which they have ^{proposed} ~~proposed~~ ^{to change or alter any allotments of} ^{hands} ~~made~~
which they have allotted the said hands, and the Court
doth therefore, further order that the said Cowan &

Bellman to allow each one Dollar per day during the term they may be employed in making such allotments or payments of the taxes, and making out said reports.

Ordnrs that William Eyles be appointed Guardian for Feagel, and infant ~~female~~ female Child of Hyam Feagel deceased of the state of Indiana, he having entered into bond with security in the penalty of \$100 as the law directs.

An appraisment bill and sale bill of the estate of Rebecca Adams deceased, was presented in Court, and ordered to be Recorded.

Ordnrs that George Nicholas be appointed Surveyor of Precinct No 2 on the Swift Run Gap Road in the town of Williams Eyles.

Jerry J. Gambell Clerk of this Court, with Allen L. Ryan his security, entered into bond in the penalty of \$3,000 conditions as the law directs for the collection of the taxes on law process. Such bond as directed by law which bond was acknowledged by the parties thereto & ordered to be Recorded.

Ordered that the Court be adjourned until the 3rd Monday in October Next.

Jacob D. Williamson

Virginia to wit.

At a court held for the County of Rockingham on the Monday the 18th day of October 1840

Present

Jacob Rush, Augustus Waterman, Robert Graham & William B. Mangy S. C. Justice

A List of Deeds & other writings admitted to Record in the Clerk's office of the County Court of Rockingham from the 1st to the 30th of September 1840 (inclusive) to wit, 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;

- found A Deed for Land sold Barber &c to Samuel Blinn
 A Deed for Land Samuel Blinn &c to Amos Deal &c
 A Deed for Land Adam Fausler to Jonathan Fausler
 A Deed for Land Joseph Haws to Jacob A. Hartsfield
 A Deed for Land Thomas McGuire to David Shank
 A Deed for Land Samuel Hoffman to John Allebaugh
 found A Deed for Land same to David Hoffman
 A Deed for Land same to the same
 A Deed for Land J. Remond &c to Elijah Dudley
 found A Deed for Land Mary Stumcker to John Armontrout
 A Deed for Land Michael Allebaugh exors to John S. Carlile
 A Deed for Land Egast Armontrout to Henry Penchance
 A Deed for Land David Showalter to Joseph Brown
 A Deed for Land Andrew Spitzer to Henry Spitzer &c
 A Deed for Land Tobias Beaud to John Norman
 A Deed for Land Isaac Mearns to Isaac Ritchey
 A Deed for Land Andrew Showalter to Wm. Showalter
 A Deed for Land John Chresman Comps to Jacob Niff
 found A Deed for Land Jacob Niff to S. S. Gambell in Trust for J. Chresman
 found A Deed for Land John Pence &c to Jacob Strayer
 found A Power of Attorney from David Kyger &c to John Pence

Q. And for Land John Pincer to Jacob Pincer.

Q. And for Land Henry Kuge to Anthony Kuffman

found And for Land George Kuge to David Stute in Trust for Edmund

Harry Gambell Clerk of this Court produces in Court an account
of for attorney Call Bush sworn October Court 1839. which account
was examined and allowed. Orders to be Certified.

Oliver C. Hastings father of this Court produces in Court an
of account for Dealing Secretary probate prison & confers in this
+ jail sworn October Court 1839. which account was examined
and allowed. Orders to be Certified.

Orders that Jacob Good be appointed Guardian for Barbara
Ann Smith orphan Child of Adam Smith & as he
having entered into Court bond with security in the penalty
of \$1000. as the Law directs.

The Court doth authorize Moses Joseph Jan. to collect from
+ each Tithable person on the dry River Gap Road the sum
of ~~the~~ 48 Cents per acre Tithable that being the proportion
to each for keeping the said Road in good repair agree-
able to his Contract entered into with the Court of this
County.

On the Motion of William Carpenter a free Negro
and for reasons appearing to the Court, it is ordered that
the Clerk of this Court, be authorized to Renew his
Certificate of Registry in the manner directed by
Law.

On the Motion of Alexander Harpelt an application to
C Samuel Paul. it is ordered that the said ^{Land Paul} Alexander Harpelt
be summoned to appear here at the next Court to show
cause if any he can why the said Harpelt shall not be
taken from him and be bound out to some other person.
it being suggested to the Court that said boy is ill treated
x Orders that the Clerk of the poor house Peter Moslogue
of about 13 years of age to Peasey New to learn the trade
of a bobbin Making business as the Law directs.

who is to have for freedom dues \$20.

~~Whereas~~ On the Motion of Nicholas Hopkins
 and of John W. Mayo as decedent, it is ordered that Richard
 P. Fletcher be appointed a commissioner to examine
 state and settle the estate accounts of said Mayo
 and make report to the Court.

Whereas that John Seay, be appointed Guardian for his
 Children for Elizabeth, Catharine, John & Abraham and
 Margaret, Grand Children of Elizabeth Nye as decedent
 who entered into bond with security in the sum of
 \$500. as the law directs.

Settlements of the estate accounts of James Brookhart,
 Henry Pesset, Barnab Mayo, & Joseph Shaw as decedents.
 Return and examine & order to be received.

Settlement of the accounts of Dr. F. Effinger and as late
 Guardian for the Children Isaac Mount as decedent, was
 returned examine & order to be received.

George Moore & Wilson Fowler upon an attachment.

The Constable having returned on the attached ~~return~~
 on folio of Page 8. and the Defendant not
 appearing to reply the same, after solemn call, Inq.
 & granted the Pft for \$88.99 cents as per Note with
 interest and Costs, and it is ordered that the Sheriff
 make sale of the said attached property according to law
 and pay the Money arising therefrom to the Plaintiff
 as discharge of this Inq. and return an account
 thereof to the Court.

The Oversee of the poor - Zachariah Crawford, upon a
 Recognizance as the father of Ely & Sarah Child, The said
 Defendant appeared in Court and in discharge of his
 Recognizance, and the Court having heard the evidence
 and arguments of Counsel, the Court upon consideration
 are of the opinion that the said Zachariah Crawford is
 the father of the said Pasture Child, and that the same
 is likely to be same chargeable to the ^{Parish of} County of Rockingham
 Therefore it is ordered that the said Zachariah Crawford

be charged with the payment of \$140. to be paid to the Overseers of the poor of Rockingham County or their agent, as follows \$20 within 1 month from the date hereof and then \$20 annually from the last mentioned date until said sum of \$140. be fully paid, if the said Chela shall live so long, and ~~then~~ the said defendant put in into a recogny with security to pay to the Overseers of the poor the said sum of \$140. at the time and in the manner directed in the above Or. and that he stand ~~committed~~ ^{committed} until he give such security, ~~and~~ ^{and} ~~pay~~ ^{pay} for costs,

1st Master Comptroller of the Revenue for this County for
 the South East District proffers in Court an account for his services &
 (of) the Court ordered that 75 days were required to perform the services
 which is ordered to be certified to

Smith 10-10 amblyopia upon a petition for a road. Controversy

An appointment to the care and sale of the estate of Robert
Gunn deceased, was returned ex parte and ordered to be removed.

An Motion of Mathew Bridges a sum of Robert Gains
accords. it is ordered that Pheltery Brightwell and John

6p Begins to apprehend Consequences to exchequer state and
settles the estate accounts of said Robert Gains and makes
report to the Court

Q In: Staffman & Nally Turfpike Company. The Report of the Comptroller returned, & is now to be continued

(Robert G. Attaw & The same)

On the Motion of Benjamin Varpelt. who enters into
bond with security in the sum of \$50 and makes oath
thereto, a certificate is granted him for obtaining letters
of administration to the estate of the Agent Varpelt deceased.
forw. —

C Counts & Thornton Devers, who was compelled to the fact of this County for breach of the peace on the Complaint of Mary Ann Devers, The said Defendant was brought into Court and the Court having heard the evidence, it is ordered that the said Defendant be bound to his good behavior himself in the sum of \$100. and good security in the sum

of \$100. for for the term of twelve Months, from the date hereof, and that he stands, Cornwall ^{unless} ~~that~~ he shall give such security. OK

Hambarger & Smith & Davis on Petition. OK (Feb'y 1841)

Ordered that the oversees of the poor for the district in which the said Thornton Davis reside, endeavor to select proper and fit persons for the purpose of viewing out the Chetaten of the said Davis and make report to the Court, and it is further ordered ~~that~~ to be Certified that the said Thornton Davis was in Court, when the above ^{and} Order was made & did not Object thereto -

Hambarger & Smith on writ of adip Curlew (Feb'y 1841)

Davis & Hambarger. OK Curlew OK

Solomon M. Hunted process in Court. an account for sundry Medicines and attendance on Allen Tuttle a poor person confined in the jail of this County for arrears of the poor, which account was examined & allowed by the Court and ordered to be Certified to the auditor of Public accounts.

Geo. Longway & Annan Howells, upon an Affidavit. The Constable returns on the attached except in the hands of William Howells, ^{summons him as a witness} who appears in Court and being sworn declares he was indebted to the said Deft in the sum of \$150 due the 1st Sept'r 1842. and the deft not appearing to reply the said the attached altho solemn call, Inapt is awarded the Plt for \$26.32 with interest from the 11th day of May 1840 till paid, and Costs and it is ordered that the said William Howells pay to the plaintiff the amount of this Inapt. out of the money which will become due to the said Deft. at the time aforesaid, when the same shall so become due.

Ordered that the Court be adjourned until the 7th Monday in November next. Jn: G. Campbell

Virginia to suit

At about held for the County of Rockingham
on the 16th day of the month of November 1840

Present

Jacob Rush Newben Moore Joseph Maury

William B. Haring

E. P. Hester

A list of Deeds and other writings admitted to Record in the
Clerk's office of the County Court of Rockingham from the 16th
day of November, to the 31st day of the same Month inclusive, was
returned into Court by the Clerk thereof, and being examined
by the Court is ordered to be entered in the Minutes, and a
like list or series to be exhibited posted up at the door of the
Court house of said County and is as follows.

found a Deed of Release for land Henry J. Gambell to William Ewen

a Deed for land William Davis to Jacob Eakin

found a Deed for land George Bates to Christian Bates

a Deed for land Emanuel Miller to Henry Brock

a Deed for land Henry Johns to John Mason

a Deed for land William Fairburn to Jacob Brock

a Deed for land Michael Brock to Jacob Brock

a Deed for land James A. Delworth to Robert Moony

a Deed for land to Peachy Reed

a Deed for land Amasa Garrison to Lewis Garrison

found a Deed for land Frederick Youngman to John Cooper

a Deed for land to Gabriel Stealwood

a Deed for land to Carlos Sanger

a Deed for land Peter Knappe to John Wampler Jr

found a Deed for land Christian Knappe to John Stultz

a Deed for land George Gould to William Bredin

found a Deed for land Adam Gould to John Fitch

a Deed for land Daniel Harrison to Peter Walker

x a Deed for R. Property Abel M. Muller to D. H. Gambell in Trust for J. Cooper

a Deed for land Tobias N. McGary to Peter Haring

An Appraisment Bill of the Estate of William
Fisher deceased was returned into Court and
Examined & ordered to be Recorded

An Appraisment Bill of the Estate of Emanuel Lyles
deceased was returned into Court & Examined and
ordered to be Recorded

^{2d But}
^{perad to}
^{renewed}
^{22 Nov 1846} The Court doth unanimously Recommend to the Govern-
or Jacob O. Williams, John H. Campbell and Stephen Harstoge
as proper and fit persons to be Commissioners as Sheriff of this
County for the ensuing year, which is ordered to be Certified
Whereas the Court at its October Term last appointed the
following persons as School Commissioners for this County for
the year from the date thereof, to wit John Vega, Edward
St. Smith, Archibald, Stephen Jr. Jasper Roalston, William
C. Harrison, ~~James Brown~~ ^{Jacob Thompson} William G. Thompson, Robert W.
Moore, Thomas W. Mells, George M. Kemper, Roach and
Kemper, Robert Hyatt & ~~before~~ ^{St. James} ~~James~~ and whereas
by said accident the said meeting said appointment
was not entered in the minutes. The Court doth Therefore
direct, the same to be read on this day, which is to
have the same effect and Validity as if the same had
been read at the said October Court, which is ordered to
be Certified of Record

Joseph Bell in foreman, Jacob Florat, Stephen Hyatt
~~Abraham Wright~~ ^{Abraham Wright} Adam Bear, Joseph Snell, John Peter
Arthur Baden, Allen Owen, Michael Wood, Eli Kerkow
Christian Staw, Jacob Hill, John Moore, Daniel Frank
Jonathan Parks & Daniel Harrison were sworn a Grand
Jury for this County, who received their Charge and retired
from the bar to Consider of their presentments, and after
some time. Returned into Court and ~~read the following to~~
~~it~~ and not having time to finish their business were
adjourned until to Morrow Morning at 10 o'clock

On the Motion of Jacob Menick Administrator
 of Andrew Crest Deceased it is ordered that Richard
 P. Helsted be appointed a Commissioner to examine state
 and settle the administration accounts of the said Andrew
 Crest Deceased with the said Administrator and make
 report to the Court

John Wilson Jr. Daniel Miller, & Samuel Wamples Jr. pro se
 Creditors of the said Andrew Crest, and also of them being in regular
 Communion with the German Baptist Church, took the oath of
 allegiance to the Commonwealth and with Security entered
 into and acknowledged bonds in the penalty of \$1500 each as provided
 as the Law directs, whereupon on their Motion Testimonials is
 granted them in due form

Orders that the Overseer of the poor send Alexander Hanfield
 to William Ledyard (who is to stay 4 years from the date hereof)
 to learn the trade of a black Smith in the Law courts and
 to receive for freedom due \$70. and it is further ordered that
 the order heretofore made directing the said boy to be bound to
 Samuel Paul be rescinded

On the Motion of Joseph Mearns administrator of John F. Macker and
 Joseph is ordered that Jacob Ruth be appointed a commissioner to
 examine state and settle the estate accounts of said Macker
 and make report to the Court

On the Motion of Joseph Mearns administrator of Jacob Kephling
 Deceased, it is ordered that Jacob Ruth be appointed a commissioner
 to examine state and settle the estate accounts of said Jacob
 Kephling and make report to the Court

Orders that Henry J. Gambell Clerk of this Court be allowed
 the sum of \$75 for examining and Certifying the Commissioner
 books for this County for the year 1841 which is ordered to
 be Certified

On the Motion of Michael B. Oliver, who entered into
 bond with Security in the penalty of \$2000. and made
 oath thereto, a Certificate is granted him for obtaining
 Letters of administration in the estate of Samuel Coffman

deceases in due form, and it is ordered that Frederick
Cepo Blinn, Abraham Bloper, John Alldough, & Isaac Burner
or any 3 of them being first sworn as appraisers the estate
of said T. Coffman and make report to the Court

John Wren over 14 years of age and orphan of Samuel
Wren dec'd came into Court and made choice of John
Chew Jr as his Guardian, who entered into bond with security
in the penalty of \$5000 as the Law directs

Isaac Riddle & George Riddle the Chancy

For reasons appearing to the Court John Rader Jr is
herely appointed a commissioner for said George Riddle &
person of resources ^{ready to} ~~defend the suit for him; on the 1st of March 1800~~

Christian Garber who was appointed a commissioner to allot
the homas on Joseph Ryely Road from Mayewater & made a
report, where report is affirmed by the Court and the Tithables
attolled by said report, orders to work on the several roads
so apportioned

George Bazel ~~acknowledges~~ ^{acknowledges} and repays a note of

Stolen acknowledge, and pays for the same in the

Stolen ^{acknowledges} with credit and costs, to be served of the
goods and Chatter of the said ~~note~~ to be administered

Barriwell (as Trustee) & Chomales & disburse agreed

Susan M. Black, Lamm W. Black & Ad deson C. Black Orphan

of John Black dec'd over 14 years of age each came into Court

and made choice of Jacob Stansberger as their Guardian

who entered into bond with security in the penalty of \$1000

as the Law directs

Commonwealth vs Joseph Cromer the Defendant
appeared in Court and confessed Judgment for 60s

Present James C. Shepleman & Anderson Moffett J. Justices

Commonwealth vs Thompson on a recognizance

continued for Defendant and it appearing to the

Court that the Defendant is in Jail it is ordered that

he may discharge himself on his entering into a recognizance

in the sum of \$50 before any Justice of the peace for his

appearance here at the next Court that is to say

The said Thompson in the sum of \$50 and one security
 in the sum of \$50 or two securities in the sum of \$25. each
 to wit: in Beam Jury sworn to try the case to wit
 C William C Harrison Philip Miller Harry Kyle Robert
 Cogley Dana Smith Peter Paul Abraham Speyer
 Christian Burkholder Jacob Sedwick Albert Nicholas
 Herald R Elburn & Fielden Ralston were sworn
 Verdict Defendant Guilty & Judgment for \$16.66 cents
 that being at the rate of \$1.66 cents for Ten times Twenty
 B four hours the fence was continued across the said Road
 and Judgment accordingly and on motion of the defen-
 dant and for reasons appearing to the Court a new
 trial is awarded

C Comto & Purby the Defendants appeared in Court
 and confessed a Judgment for the costs of the prosecution
 Comto & Beam on an Indentment the Defendants
 C appeared in court and confessed a Judgment
 for costs a notice was entered

Ordering that the Court be adjourned until to
 Morrow Morning at 10 O'Clock

Finis

Amos

Tuesday the 17th day of November 1840

Presents

Anders on Moffett Michael H Harris
 Reuben Moore & Joseph Mauger

By Justices

Copy On the Motion of John Allibough, exor of Michael
 C Allibough dec'd it is ordered that Robt. De Mars P. Fletcher be
 appointed a commissioner to examine state and settle the estate
 account of said M. Allibough and make report to the court
 C On the motion of John McLean Jr. it is ordered that William G
 Copy Thompson be appointed a commissioner to examine state &
 settle the account of said McLean as guardian for the
 Children of Susan McLean dec'd & make report to the court

On the Motion of Jacob Roads, it is ordered, that Richard P. Fletcher be appointed a commissioner to examine and settle the accounts of said Roads as Guardian for ^{Jacob} Roads & make report to the Court.

On the Motion of John Roads, it is ordered that Richard P. Fletcher be appointed a commissioner to examine and settle the accounts of said Roads as Guardian for Elizabeth Roads and make report to the Court.

~~Thompson's~~ ~~free~~

Jacob A. Mitchell Deputy Sheriff for Richard P. Fletcher Sheriff returned a list of Revenue Tax for this County for the year 1840 which is examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts. Combs v. Abbott continued by consent. ~~Shaw v. Susan Shaw~~ ~~Widow Toth~~

ag't upon a Notice
The Valley Turnpike Company To have commissioners appointed to value Land &c.

Notice proved and it is ordered that John Astorring Jacob Kibling Jacob Hansbarger John Carpenter S. & Robert Linn &c. any three or more of whom being first sworn for that purpose to go upon the lands of the said Plaintiff and value the same in all respects as directed by law on such day as shall be agreed upon by the parties and make report to the Court.

Shares in Valley Turnpike Company ^{upon a Notice} Notice proved & continued

Combs v. Devers prisoner confined in the Jail of this County. On the Motion of Oliver C. Hastings Jailor of this County, and for reasons appearing to the Court, it is ordered that the said ~~for~~ Jailor do and he is hereby directed to furnish the said Devers such clothing as he shall think necessary for his comfort, provided the expense thereof shall not exceed the sum of \$10.

County in Royer Jury sworn to try the issue to wit: Noel
 Rogers Andrew Hager Joseph Croner Michael H Effinger
 Harry Kyle Peter B Dondale John Warren George S Neuma
 Philip Miller Dana Chandler Mansfield Marshall H
 Hugh Galterson Verdict Defendant Not Guilty

The Grand Jury appointed for this County on Yesterday appeared
 in Court and ^{agreeable to their appointment} found the following Indictments to wit: agt
 John Crawford Richard Rinkle Samuel Lewis S^r George
 Rains Fountain Rogers William Brown Elijah Hooks William
 Brown Cain Rogers Henry Rains George Rechie Absolun Rechie
 Fountain Rogers Amos Scott William Brown & Henry Crawford
 and the said Grand Jury having no further business before
 them were discharged and it is ordered that summons
 be awarded against the aforesaid several Defendants to answer
 the said Indictments returnable here at the next term

- County in Hean N & V issue & continued
 County in Sullivan abates by return
 County in Huston N & V issue & continued
 County in Anderson Wolford N & V issue & continued
 County in William Wolford N & V issue & continued
 Same in Same Same
 County in William Rogers N & V issue & continued
 Same in Thomas Wolford N & V issue & continued
 Same in Randolph Capias awarded
 Same in G. Crawford N & V issue & continued
 County in Braithwaite Jury sworn to try the issue to wit
 Isaac Minnick John Shoemaker James Williams Joseph
 Williams Madison Effinger Henry Muel Benjamin Laferty
 Daniel Brown Peter Royer Archibald W Huston Robert Jones
 & John Plicher Verdict Defendant Not Guilty
 Chandler & in Robeson continued for Plaintiff

- Combs v. Wells Jury sworn to try the issue to wit
 Isaac Minick John Shoemaker James Williams Joseph
 Williams Madison Effinger Henry Snell Benjamin
 Laferty Daniel Brown Peter Royer Archibald W. Houston
 Robert Jones & John Pecher Verdict Defendant Not Guilty
- Combs v. Robeson Continued
- Houston v. Burke upon a Notice Continued
- Vally Turnpike v. Houston Continued
- Kyle v. Vally Turnpike Company Continued
- Tuliver v. Same Same
- Marty v. Vally Turnpike Company by consent report of
 Commissioners affirmed & Judgment for Plaintiff Costs
- Gratton v. Same Same
- Heffman v. Same Same
- Armstrong v. Burke Defendant called not appearing
- Mills & Damm Establisment agreeable to the Verdict of the Jury
 upon his paying the Damages found by the Jury
- Vally Turnpike Company v. Cole Continued
- Same v. Harrison Continued
- Moyers v. Turnpike Company Continued
- Vanpelt v. Paid Dismissed
- Young & Porters v. Pifer Continued
- Gauley v. Funks Continued
- Bates for & v. Bateman Continued
- Steele for & v. Roark Same
- Shaver v. Long Continued for award
- King v. Royer Continued for award
- Effinger v. Seans Admin Continued
- Blakemore v. Coyner Continued
- Blocker v. Coffman Judgment pro award
- Pekering v. Stewart orders of reference set aside & Continued
- Leedy v. Kelly Continued for award
- Fishers admin v. Fay Continued
- Effingers admin v. Lofflana Desmupia agreed

Cromer v. Huston Jury Sworn to try the issues to wit
 C Israel Menick John Shoemaker James Williams Joseph
 Williams Madison Effinger Henry Snell Benjamin Safety
 Daniel Brown Peter Rayer John R. Plesher John Plesher
 B. William Richard Verdict in the Jury find for the Defendants
 on the plea of payment that the Defendants had paid off the
 bond in the declaration mentioned except the sum of \$256.78
 Cents the sum mentioned in the plea of tender and on the
 plea of Tender we find for the Defendants & Judgment for
Defendants Costs

C Joseph v. Harris Continued by Court
 C Ferris for D. Palmer Continued for Defendant
 C Barker v. Sharp Continued by Court
 Williams v. Rice Jury Sworn to try the issue to wit Israel
 C Menick John Shoemaker Madison Effinger Henry Snell
 B. Benjamin Safety Daniel Brown Peter Rayer John R. Plesher
 John Plesher William Richard Andrew McCallan & John
 Leady Verdict for the Plaintiff for \$44.32 Cents Damages
 & Judgment accordingly

C Frymeyer v. Campbell & On a Notice on Delivery Bond Notes
 pro & Exemption awarded
 By Gilmore v. Bateman & Same
 C Miller v. Richard Continued for Plaintiff Continued
 C Effinger v. Mayes & Co. Continued
 C Rogers v. Noles Continued
 C Meserick & Wife v. Vanpelto & Wife Continued
 C Woods v. Huston Continued
 C Sanford v. Weir W. E. set aside now a permanent Issue Continued
 C Chandler v. Shaw Continued Defendant
 C D. Sencott v. Coffman Continued by Court
 C Coffman v. Harper W. E. set aside N. a. plea and Issue & continued
 C Sencott v. Coffman (Case) continued

Storrs & Sanger M & E et al vs St. a. Office and Clerk

1/ Snyder & Bateman Office Supt et al vs paym & Office & Clerk

1/ Minter ex vs for 100 & Storrs same same

1/ Sams & Coffman same same

1/ Effinger ad vs for 100 & Daniel same same

1/ Kyger for 100 & Trobough same same

1/ Smith & Davis same same

1/ Newborough & Yeager same same

1/ The Silet & Smith same same

Leggett for & - W. Gabry & Jury Sworn to try the issue
to wit Michael H. Effinger, Peter P. Dondell, Schus Warren,
George S. Newman, Philip Miller, Richard Robison, James
Williams, Mansfield Marshall, William Kester, Charles
Williams, Henry Snee & John Leedy Verdict for the
Plaintiff for \$39.38 cents due to be discharged by the payment
of \$12 due with interest from the 15 day of January 1840 less paid
& Judgment accordingly

Andrew B. Smith Deputy Sheriff for Richard P. Fletcher Sheriff
return a List of Delinquents for the Land Tax for 1840 which was
examined & allowed by the Court and ordered to be certified
to the Auditor of Public accounts

Andrew B. Smith Deputy Sheriff for Richard P. Fletcher
Sheriff returned a List of Delinquents in the Revenue Tax for
1840 which was examined & allowed by the Court and
ordered to be certified to the Auditor of Public Accounts

Effinger & Moyers Esors plea waived & Judgment confessed
for the Debt in the Declaration mentioned with interest & Costs
to be levied of the Goods & Chattels of the said Moyers in the
hands of the said Esors to be administered

Henshaw & Same Same

Rader & Horns Admrs Same

Effingers Admrs - Snee plea waived & Judgment confessed
for the Debt in the Declaration mentioned with interest
& Costs Saving equity

W. Gabry for & - Snyder Same

Reed & Roberson Plea waived & Judgment confessed for the debt in the declaration mentioned with interest & costs

Saving equity

Reed & Joseph	Same
Rankin & Shoualter	Same
Burkholder & Denlap	Same
Davis & Mount	Same
Effinger & Rader	Same
Nicholas & Robeson	Same
Robeson for Robeson	Same
Paul & Smitto	Same
Davis admrs & Same	Same
Sheets & Mount	Same
Summers & Mount	Same
Horton for & Hourk	Same
Swatz & Mount	same
Lincolns Executors & Coffman	Continued
Woodford & Wife & Sandeman	Same
Mungold & Dove	Same
Hoover for & Robeson	Continued
Sandeman & Robeson	Continued
Sandeman & Robeson	Continued
Garley for & Coffman WE set aside Pledants performed & Iper & Continued	
Plecher for & Byrds admrs	Same
Coffman & Lincolns Executors	Continued
Edson & Riddle & Denkle WE set aside H & Iper & Continued	
Denkle & Dickerson WE set aside H & Iper & Continued	
Akers & W. Laughlin office Judgment set aside payment & Iper & Continued	
Millers admrs & Long P	Same

Present Augustus Waterman

Ordered that the Court be adjourned until the third Monday in December Next

Aug. Waterman

Virginia to wit.

At a Court held for the County of Rockingham on the Third Monday being the 21st day of December in the year 1840

Present

Isaac Bush Augustus Waterman Joseph Mauney & Jacob Meller Michael ~~H. H. H.~~ & Justices of the County and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham, from the 1st of November to the 30th of the same month 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 list of the same to be posted up at the door of the Court house of said County, and is as follows.

Adms for said Jacob Everole to John Everole

Adms for said Jacob Early to Henry Early.

found Adms for said same to Frederick Youngs executor

found Adms for said John A. Patterson to John Huff.

found Adms for said M. McMahon to Peter Hellbarger & (Trustees)

found Adms for said same to D. H. Gambell in Trust for Isaac Hardisty

Adms for said M. Dunlap & Co. to same in Trust for John Blair

Adms for said Robert W. Palmer to William Leakey.

found Adms for said Joel Smith & Co. to Frederick Myant

Adms for said Daniel Good to Jacob Good.

Adms for said Michael Meller to Samuel Ector

Adms for said George Moffett & Co. to Tobias Beard

Adms for said Peter Whitely to George Whitely & Co. (Trustees)

found Adms for said Lewis Garrison to Annan Davidson

Adms for said Peter Whitman to Benj. D. Bowditch

Adms for said Daniel Ector to Daniel & John Ector

found Adms for said John Nicholas to Joseph Meller

Adms for said George Fulk & Co. to Jacob Fawley.

Adms for said Saml. Hideo to William Shaffer

Adms for said Jacob Good to Tobias Beard

Adms for said W. Meller to Joseph Meller

- o Order for said Henry Booze to Jacob Hale
- o Order for said Joseph Turner to Samuel Cook
- o Order for said Jacob C. Smith to Charles Friel
- found Order for said Jacob C. Smith to John Chrisman
- o Order for said John Haugh to Samuel Miller
- X Order for P Estate B. Gount to D. H. Gault in Trust for Joseph Gount
- X Order for same same to same in Trust for Abraham Kazy

On the Motion of James M. Stout it is ordered that Richard P. Fletcher be appointed a Commissioner to examine state and settle the accounts of said Stout Virginia & Elyse Ann & others orphans of William Lewis Linsane and make report to the Court

The appraisement Bills of the Estate of Edward Stevens Heretofore was returned into Court and ordered to be Recorded

A Report of the Commissioners appointed to divide the lands to divide the lands of John Black amongst his heirs was returned as annexed and ordered to be Recorded

On the Motion of Abraham Byrd Executor of Andrew Byrd Linsane it is ordered that Edward S. Smith be appointed a Commissioner to examine state & settle the Estate accounts of the said Andrew Byrd Linsane with the said Executor and make report to the Court

On the Motion of Michael S. Harris and he having entered into bond with security in the penalty of Eighty Dollars Administration of all and singular the Goods & Chattels of Jacob Mepark ^{Deceased} is granted him in due form he having made oath thereto as the law directs it is ordered that Samuel Shacklet Samuel Henry Alexander M. Gilney & George S. Logan or any three of them being first sworn do appraise the estate of the said Jacob Mepark ^{Deceased} and make report to the Court

On the Motion of Mary Harrison it is ordered to be certified that satisfactory evidence has been exhibited to the Court that Reuben Harrison was a revolutionary Prisoner of the United States at the rate of \$22.22 cents per annum was a resident of the County of Rockingham in the State of Virginia and died in the County of Rockingham and State of Virginia in the year 1840 on the 15th day of August that he left a widow whose name is Mary

Elyabette Leedy & Catharine Leedy Over 14 years of age came into Court and made choice of John Leedy as their Guardian who entered into bond with security in the penalty of \$200 as the law directs the said Elyabette & Catharine being Children of said John Leedy by his former wife Eve formerly Eve Kypor

On Motion of Benjamin Vanpelt Administrator of Agnes Vanpelt deceased it is ordered to be certified that satisfactory evidence has been exhibited to the Court that said Agnes Vanpelt was a revolutionary Prisoner of the United States at the rate of \$50 per annum was a resident of the County of Rockingham in the State of Virginia and died in the County of Rockingham & State of Virginia on the 25th day of August 1840

On the Motion of William Crickenbarger Executor of John Crickenbarger deceased it is ordered that Jonathan Paul be appointed a Commissioner to examine State and settle the estate Accounts of the said John Crickenbarger with the said Executor and make report to the Court

On the Motion of Jacob Mellis and Conrad & Peter Administrators of William Kete deceased it is ordered that Joseph Maury be appointed a Commissioner

to examine state and settle the Estate accounts of the said
of the said William Kete Deceased with the said Adminis-
trators and make report to the Court

Settlements of the Estate Accounts of John F. Risher Deceased
& Jacob Kesting Deceased was returned and examined by the
Court and ordered to be Recorded

William P. Byrd & Conrad H. Kete who was appointed
Comptrollers of the Revenue Tax for this County for the
year 1841 came into Court and entered into bonds with
security in the penalty of \$1000 each conditioned as the
law directs which bonds was acknowledged by the parties
thereto and ordered to be Recorded

On the Motion of Jeremiah Lamb and for reasons appearing
to the Court it is ordered that he have leave to stop the
old stage road so far as it runs through his land

Court in Charles Thompson upon a recognizance for
a breach of the peace on the Complaint of Patrick Kelly
The Defendant appeared in Court in discharge of his
recognizance and the Court having heard the Evidence
and argument of Counsel it is ordered that he be bound
to his good behaviour for Twelve Months himself in the sum
of \$50 and one security in the sum of \$100 or two securities
in the sum of Fifty Dollars each and that he stands con-
mitted unless he gives such security and that he pays the
costs of the prosecution

Ordered that Daniel Steffman be appointed Guardian
for Lydia, Lewis, Eliza, Susanna, Eliza & Daniel Steffman
Orphans of Jacob Steffman Deceased under 14 years of age
who entered into Bond with security in the penalty of
\$4000 conditioned as the law directs

Carson Treasurer & Jacob Braithwaite upon a notice
K on a Delinquent Bond Notice & a Petition awarded

On the Motion of John Rader Jr and he having entered
into Bond with security in the penalty of \$500 conditioned
as the law directs Administration of all and singular
cp the Goods & Chattels rights and credits of George Brunk
Deceased is granted him in due form and it is ordered
that Joseph Trippe Jacob Neff John Empshurried
& Jeremiah Hifer or any three of them being first sworn
do appraise the Estate of the said George Brunk Deceased
and make report to the Court

On the Petition of William G Thompson & Co for a View for
C away of a road from the Mill of Samuel Stoner Deceased
to intercept the Mountain road near William Anderson
it is ordered that William Anderson Samuel Bowers
cp Robert Cooley & Levy Nave or any three of them being
first sworn do view the said way as set forth in the
petition and report to the Court of the conveniences
& inconveniences attending the same as well to the public
as to individuals and it is further ordered that the
order made at August Court appointing viewers in
this case be set aside

Michael Effinger & Levis McLaughlin upon an attachment
The Constable returned on the Attachment executed on
one Carvill and Harriett & whereupon Martha McLaughlin
by her plea of interpleader, saith that the property attached
as aforesaid is her property and thereupon a Jury were
sworn to try the right of property to wit Levi Hurdle
John Rice Jacob Lemenager James Payne Peter Whitman
Zebulon Shaver Peter Humberger Preston Linnard George
Leonard Peter Roller Joseph Burkholder & Maria Neff
men who being elected tryed & sworn to try the right of said
property, upon their Oath & say that and having heard

the evidence and arguments of counsel, retired from the bar to consider of their verdict and after some time returned into Court and declared that they could not agree, whereupon, John Rice one of the Jurors was withdrawn, & the rest of the Jurors from rendering their Verdict discharged, and the Cause continued until the next term —

✓ Sherman vs McLaughlin upon an attachment. Continued

✓ Same vs Same upon an attachment. Continued

✓ Jacob Hochmow vs R. C. Thompson on appeal docketed & continued

✓ Peter Shinkle vs Lewis McLaughlin upon an Attachment

The Constable returned on the Attachment executed on a horse carriage & harness — Whereupon Martha McLaughlin by her attorney appeared in Court and by her plea of interplead or sayeth that the property so attached as her property and not the property of the defendant, and thereupon a Jury was sworn to wit the same Jury as in the case of Effinger against McLaughlin who being duly tried and sworn well and truly to say to whom the said property belonged, upon their ~~with a delay~~ and having heard the evidence and arguments of Counsel, retired from the bar to consider of their Verdict and after some time returned into Court, and declared they could not agree, whereupon by Counsel, John Rice one of the Jurors was withdrawn and the rest from their Verdict discharged, and the Cause is continued until next term.

✓ Peter Shinkle vs James Moore on appeal docketed & continued.

On the Motion of the present and directors of the Valley

✓ Turpitude Company, it is Ordered that Jacob Rust, Jacob Stansberger and Anthony Huffman or any two of them being first sworn to appointed Commissioners to examine that part of the said Valley Turpitude ~~Company~~ ^{Road} commencing at the ~~store~~ end of Isaac Aikens the Contract and from thence westwardly to the County Line of Augusta, and make report thereof to the Court, within that part of said Road has been completed according to Contract.

Ordered that the Court be adjourned until the third Monday in January next

Aug. Waterman