ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

Minute Book 26 1851-1854

Virginia To Wit:—

At a Court held for the County of Rockingham the third Monday in September being the 15th day of said Month 1851

Present

Jacob Rush, Michael A. Harris, Peter P. Kenty & George W. Brennan } Gentlemen

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 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 at the door of the Court House of said County — Which list is as follows to Wit.

August	15th	A Deed	for Land from Ann Whitmore & Allan C. Bryan to Micajah Shipplett
"	"	"	" Micajah Shipplett & wife to John Miller
"	"	"	" William Wenty & wife to Jacob Wetrick
"	"	"	" Adam Wetrick & wife & others to Jacob Wetrick
"	5	"	" William Shirkle & wife to Jacob W. Shirkle
"	"	"	" John Saufman to William Cummins —
"	13	"	" Cuthbert B. Barham & wife to Reuben May
"	15	"	" Henry Whitlow to Michael Flory in Trust for &c
"	16	"	" Jacob Miller & wife to A. C. Bryan in Trust for J. A. Mitchell
"	18	"	" Wm. G. Thompson & John Fox to Erasmus Coffman & others
"	"	"	" William Michael & wife to David Gilmore
"	"	"	" Wm. R. Sheckel & wife to Mary Wampler
"	"	"	" Jacob Kinsey & wife to Reuben Moore
"	"	"	" Harrison Grady & wife to Jacob Bought & Henry Lenhart
"	"	"	" John Archart & others to Jacob Archart
"	"	"	" John Archart & others to Abraham Archart
"	"	"	" John Archart & others to George Archart
"	"	"	" Abraham Miller & wife to Jacob Shank Son
"	"	"	" James Means Sen. & wife to James Means Jr
"	"	"	" Paul Roller to John C. Wooddon (in Trust)
"	19	"	" Joseph Foltz & wife to Josiah W. Kratzer
"	"	"	" Susan Conrad & others to John Holsinger

ROCKINGHAM VA - MINUTES 26

Augt 18 A Deed for Land from Daniel Miller to Frederick Cline

" " " " " C C Spears & wife to George Cline

" 22 " " " " Samuel Gibbons & wife to Conrad Senger

" " " " " Joseph W Kratzer & wife to A C Bryan & Trust for J Armentrout

" 29 " " " " John Stuckey to Barbara Stuckey

" 30 A Deed of Loan for P P from Meletar G Jones to John Jones

" " A Deed for Land from William Pearcy & wife to Felix T Shuey

Ordered that elections be held on the fourth Thursday ~~next 4th Thursday~~ in October next being the 23d day of said month, at the several places appointed by law for holding elections in this County for the purpose of electing one proper & fit person to represent the district compris of the Counties of Rockingham, Rockbridge, Augusta, Shenandoah Pendleton & Hardy in the next Congress of the United States & two proper & fit persons to represent this County in the next General Assembly of Virginia, and that the persons hereinafter named be appointed Commissioners to superintend the elections at the several places of election hereinafter named. To wit:

at the Court House in Harrisonburg, Robert Grattan, George Kuyle Robert McKyle, Isaac Hardesty & Michael A Harris

at the house of J K Mauzy in Spartapolis, Jacob Rhoades, Peter P Koontz, John Harrison, Abram Mauzy & George Rhoades

at the house of in Centerville John Bowman, John Brenner, John Zigler, Wm G Thompson & Michael Homan

at Conrads Store, Jacob Bear, Simeon B Jennings, Alfred Wolf, Thomas K Miller & John Hansberger,

at McGaheysville, Joseph Mauzy, Jacob Rush, Henry Kisling, Peter Miller, & Robert Mooney

at Ottobine on Beaver Creek, John H Funkhouser, John Vogt William C Smith, John Harmon & Felix T Shuey

at Caplingers in Brock's Gap Jacob Caplinger, James Dove Reuben Dove Philip Sanders & Addison Harper

at Mr Crawford's Cypress & Turley, Pleasant & Claiborne John Rolles, Peter Roller & George Sherman

at Coates Store, at the mouth of Brock's Gap Jacob Trumbo, Wm Hearnes, Isaac Riddle, Samuel Miller & Jackson Horn

at Port Republic, Charles Sears, James Eddins, Robert W Palmer, James O'Brien & Stephen Vanderyer
at Bridgewater, James Davis, John G Brown, George Gebhart, Henry Smeltz & William R Mack
at the Cross Keyes, Wm Vanscoy, Edward Kemper, Jacob Earman, William Hooke & Samuel Musser
at Gordons Store, John K Bear, David Bear, John H Hopkins, Joseph Burkholder, Archd Hopkins Sen

and it is further ordered that the persons so appointed to superintend said election at the said several places of election being first duly qualified do superintend the same on the day and at the places appointed and make due returns thereof according to Law

On the Motion of Michael Homan it is ordered that he be appointed a Committee for David Homan a person of unsound mind who thereupon entered into bond with security in the penalty of $1,000 Con dicionas as the Law directs

Registers of Andrew Euler John Smeltz Phebe Smeltz Thornton Smeltz & Free Negroes was returned into Court by the Clerk thereof and being by the Court compared with the said Andrew Euler John Smeltz Phebe Smeltz & Thornton Smeltz and found duly made Copies thereof are ordered to be furnished them according to Law

Ordered that Jacob Miller be appointed Surveyor of Precinct No. 1 on the Brown road — in the room of Allen Deveaux dec'd)

On the Motions of Samuel Ashenfelter he having made oath thereto & entered into bond with security in the Penalty of $500 — conditioned as the Law directs Administration of all and singular the goods & Chattles of Nathaniel Ashenfelter dec'd is granted him in due form

On the motion of Herring Christman and he having made oath thereto & entered into bond with security in the penalty of $2400 - conditioned as the law directs Administration of all & singular the goods & Chattles of Catharine Yost dec'd is granted him in due form, and it is ordered that Samuel Shacklett, Samuel Henry, C B Sterling Henry Ott and Andrew Howell or any three of them being first duly sworn do appraise the Estate of the said Catharine Yost and make report to Court

On the Motion of Elias Tusing the hearing made oath thereto and entered into bond with security in the penalty of $400 - conditioned as the law directs, Administration of all and singular the goods & Chattles of Daniel Tusing dec'd is granted him in due form, And it is ordered that Geo Rodes, Peter Rosenberger, Thomas Cummins and Samuel Handly or any three of them being first sworn do appraise the Estate of the said Elias Tusing & make report to Court

On the Motion of Israel May ~~Administrator of Isaac May deceased Ordered that~~ and he having made oath thereto & entered into bond with security in the penalty of $1.000 - conditioned as the law directs, (Mary May the widow of said Isaac May having from under hand & seal, to administer) Administration of all & singular the goods & Chattles of Isaac May dec'd is granted him in due form & It is ordered that Peter Bushong, Samuel Hepp, Jacob Kipps & Daniel Tusing & any three of them being first sworn do appraise the Estate of the said Isaac May dec'd & make report to Court

A writing purporting to be the last will & Testament of Joseph Bellmire dec'd was presented in Court and proved by the oaths of Anthony Huffman & George Secrist

two of the witnesses thereto ordered to be recorded, John Albright the executor ~~therein named~~ named appeared in Court & refused to qualify, and Mary Bilhimer the widow of said Joseph Bilhimer from under hand also refused to administer, Whereupon On the Motion John Bilhimer who made oath thereto and entered into bond with security in the penalty of $6000 - conditioned as the law directs, Administration with the will annexed is granted him on the Estate of the said Joseph Bilhimer dec'd - in due form - And it is ordered that Evan Stenton, John Dillard, Jacob Armentrout & Geo Secrist or any three of them being first sworn, do appraise the estate of the said Joseph Bilhimer dec'd & make report to Court

On the motion of Strother Bright It is ordered that the Estate of Rosetta Pourdevin be committed to the Sheriff of Rockingham County to be administered

On the Motion of Mathias Kesh Administrator of Mathias Kesh dec'd It is ordered that Joseph Mauzy be appointed a Commissioner to examine State & settle the Estate &c of the said Mathias Kesh dec'd with the said Administrator & make report to Court

On the Motion of David Mollar & he having made oath thereto & entered to bond with security in the penalty of $100 - Conditioned as the law directs Administration of all and singular the goods & Chattles of Elizabeth Taplinger dec'd is granted him in due form, And it is ordered that John Wine, Samuel Wine, Elias Andes & Nelson Keyser or any three of them being first sworn do appraise the Estate of the said Elizabeth Taplinger & make report to Court

Alfred C Rohr Plff
vs
The Widow & Heirs of John Rohr dec'd Defts
} In Chancery

On the Motion of the Plff It is ordered that Erasmus Coffman be appointed Guardian ad litem for the infant defendants in this suit —

A Report of the Commissioners appointed to lay off and assign to Katharine Shirley late Catharine Rhodes widow of Samuel Rhodes dec'd her dower in the lands of the said Samuel Rhodes dec'd was returned into Court & ordered to be recorded

A Report of the viewers on the Petition of Zachariah Rains &others for a change in the Swift Run Gap road as set forth in said petition was returned into Court & the change as set forth in said report is ordered to be established —

Ordered that the Clerk be directed to Register James Holeman a free negro as the law directs & permit the said Holeman with a copy thereof

On the Motion of Samuel H Lewis, Adm'r of Thomas Lewis dec'd It is ordered that Wm H Yancey be appointed a Commissioner to examine state & settle the Estate acc'ts of said Thomas Lewis dec'd with the said Adm'r & make report to Court

On the Motion of Samuel H Lewis Ex'r of Charles Lewis dec'd It is ordered that Wm H Yancey be appointed a Comm'r to examine state & settle the Estate accts of the said Charles Lewis dec'd with the said Executor & make report to Court

On the Motion of Wm G Thompson Executor of John Stalps dec'd it is ordered that Wm H Yancey be appointed a Commissioner to examine state & settle the Estate accounts of the said John Stalps with the said Executor & make report to the Court

Smith vs Newton – Notice on Obj Bond – Notice proved & Injct & Execution awarded –

On the Motion of Henry Bovy & he having paid to the Sheriff the tax imposed by Law It is ordered that a license be granted him to Keep Private Entertainment at his house in this County until May Court 1852

Present

Samuel A Lewis, Alanson R Hopkins, John G Brown, Michael Harris – Reuben Moon & G Anders –

The Court proceeded to the appointment of Commissioners of the Revenue tax for the year 1852 Whereupon Joseph Buckholder was unanimously appointed for the N W district & Conrad A Kite unanimously appointed for the N E district upon their entering bond with security and qualifying in the manner directed by Law which is ordered to be certified

Settlements of the Estate accounts of George Reinhart dec'd George Koogler dec'd Jacob Warble dec'd Daniel Miller dec'd John Plecker dec'd – were returned into Court & having been filed in the Clerks Office for the time prescribed by Law were ordered to be recorded

A Settlement of the Guardian acc of John Garber with his ward Noah Rhoades was returned into Court & having been filed in the Clerks Office for the time prescribed by Law was ordered to be recorded

Ordered that this Court be adjourned until the third Monday in October next

S. H. Lewis

Virginia, to Wit:

At a Court held for the County of Rockingham on the third Monday in October being the 26th day of said month 1857

Present

Robert Grattan, Stephen Sandberger, Michael H Harris & John G Brown — G. Justices

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 30th day of September 1857 (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 to be posted at the door of the Court house of said County — which is as follows, to Wit:

A Deed for Land from Geo E Kenadi to Jas Kenney in trust for
" " " " " Archibald Brock Com to Geo E Kenadi
" " " " " Augustus Waterman to David R Hopkins
" " " " " William Crickenberger & wife to Sam'l Grabill
" " " " " John Miller & wife & others to F & M Utze
" " " " " John Argabright & others Agreement
" " " " " Lydia Ann McCrary to Abram Paulsel
" " " " " Jacob Kougler to A & Williams
" " " " " James Bolton & wife to David K Mesplick
" " " " " S W Gambill (Trustee &c) to A McKlowman
" " " Deed " John K Bear & wife to Richard Robinson
" " " " " C B Barnhart to Sandy Bird
" " " " " Peter Hains & wife to Mathias Kersh
" " " " " Joseph Mauzy to Richard Mauzy
" " " " " Peter Paulsel to Abram Paulsel
" " " " " David Frank to Wm H Sams in Trust for
" " " " " Daniel Miller to Christian Wine
" " " " " David Price & wife to Shem Bowman
" " " " " Same to William Andes
" " " " " John Letcher (Trustee) to W E Wilkins
" " " " " George Runyon & wife to James Taylor
" " " " " Peter Whitzel to Geo Whitzel & others (Trustees)

A Deed for 88 acres from Wm & Hudde to Alfred McLany (in Trust for &c)
" " " Same " Joseph Mauzy to Jacob K Mauzy
" " " 88 " Willis B Moffett to A C Bryan (in Trust for &c)
" " " Same " Philip Leggett & wife to Albert P Nicholas
" " " " " Geo Kersh & others to Matthias Kersh & [illegible]
" " " " " Robt M Ewan & wife to William W Lewis
" " " " " James M Lewis & others to Geo W Kempin Jun (in Trust for &c
" " " " " William A Black & others to Robert Black
" " " 88 " William C Jennings to Geo W Miller (in Trust for &c)
" " " Same " Robert Black & others to Gabriel Heatwole
" " " " " William S Runkle & wife to Jacob W Runkle
" " " " " Henry Ritchie & wife to George Ritchie
" " " 88 " Geo W Bright to John Williamson (in Trust for &c)
Sterling and Conrad, Agreement
" " " " " James W Wright to J P Effinger (in Trust for &c
" " " Same " John F Harris to Jackson Shiver
" " " " " Same to Andrew B Price
" " " " " Martha Lewis & others to Juliana Wood &
Power of Atto " Geo Humphrey & wife to Robert M Ewan

Copies Certified to Auditor

Peter Brick Sailor of this County presented an account against the Commonwealth of Virginia for $61.90 Cents which was examined by the Court & ordered to be certified to the Auditor of Public Accounts in the manner directed by Law

Hasmokel
vs
Conrad
In Chancery

The death of Jacob Runkle one of the defendants in this Cause being suggested, on the motion of the Plaintiff this cause is revived as to him in the name of ~~his heir at Law~~ Isaac Monger Executor of said Jacob Runkle dec'd ~~& to Wm Jackson Runkle, Oliver Runkle, Nancy Runkle, Jonathan Runkle, Mary Runkle, Elizabeth Yeager, Susan Troach Jacob Runkle (the said Jacob being under 21 years of age) William Runkle, Charles Runkle & Virginia~~

~~being the infant Children of Michh Runkle deceasd who~~ ~~was the son of Jacob Runkle deceasd~~ & that the same is & stands rennd in the name of the ~~parties, heirs at law of~~ said Isaac Thomas Executor of the said Jacob Runkle decd

On the motion of Daniel Headrick & he having made oath thereto & entered into bond with security in the penalty of $1000 — conditioned as the law directs, administration of all and singular the goods & Chattles of Frederick Means is granted him in due form — & It is ordered that Samuel Paul, Hugh Swope, Jacob Shank & Daniel G Headrick or any three of them being first sworn do appraise the Estate of the said Frederick Huffman & make report to Court

On the motion of Asahel Pierce Admr of Benjamin Curry Jr decd (with consent of the parties interested) It is ordered that John G Brown be appointed a Commissioner to examine, state & settle the Estate account of the said Benjamin Curry decd & with the said Administrator & make report to Court

Entzler Plff
vs
Beard Dfdt
} In Chancery

This cause came on this 20th day of October 1851 to be heard on the original bill & answer & on the motion of Counsel, is referred to Master Commissioner Wm Henry Tams, to state the account as may be required by either of the parties to this suit & make his report to this Court & Plff given to file amnt of the Bond. which was accordingly filed in Court

Jacob Stigh, a native of Holland this day declared on oath in Open Court that it is bona fide his intention to become a citizen of the U States & to renounce forever all allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty whatever & It is ordered that his said declaration be filed among the papers of this Court

Settlements of the Estate accounts of Daniel Whistler dec'd, Peter Paul dec'd, James Turner dec'd, Emanuel Hamsberger dec'd, Ann Bithard dec'd & Henry Myers dec'd, were returned into Court by the Clerk thereof, and having been exhibited in the Clerks Office for the time prescribed by Law were examined by the Court & ordered to be recorded

A Settlement of the Guardian account of Abraham Funk with his ward Joseph O'Bannard, was returned into Court by the Clerk thereof, and having been filed in the Clerks Office for the time prescribed by Law was examined by the Court & ordered to be recorded

On the Motion of Jacob Baker and he having made oath thereto and entered into bond with security in the penalty of $1000 - Conditioned as the law directs, Administration of all and singular the goods & Chattles of Philip Baker dec'd is granted him in due form - And it is ordered that Philip Ritchie, Emanuel Roadcap, George Fulk, and Samuel Sprankle or any three of them being first sworn do appraise the Estate of the said Philip Baker & make report to Court

Ordered that the present School Commissioners of this County be reappointed for each for One year from this time

On the Motion of John Bigler Jr and he having made oath thereto & entered into bond with security in the penalty of $2600 - Conditioned as the law directs, Administration of all and singular the goods & Chattles of Catharine Bigler (formerly Catharine Hoover daughter of John Hoover dec'd) is granted him in due form -

On the Motion of [illegible] Knop & he having made oath thereto & entered into bond with security in the penalty of $200 - conditioned as the law directs Administ-

tration of all and singular the goods & Chattles of the ~~said~~ Seannah Cook is granted him in due form & It is ordered (Sp) that Joseph Shoup, George D Brenner, George Ruder and Horatio Koontz or any three of them being first sworn do appraise the Estate of the said Seannah Cook and make report to the Court

On the motion of Benjamin Strickler who owns the lands on one side of the North Fork of the Shenandoah River and is desirous of building a Water Mill for the manufacturing of flour, a saw mill & other Machinery, the lands on the opposite of the river on Sp which he proposes to abut his dams, belonging to John Knopp and the evidence of legal notice of this motion - It is ordered that a writ of ad. quod dammum, be awarded him as the law directs, to be directed to the Sheriff of Rockingham County and to be executed on Friday the 31st day of ~~October~~ November next returnable here at Nov- Court next-

A writing purporting to be the last will & Testament of Jacob Rinkle dec'd was this day presented in Court and proved by oaths of Isaac Thomas & Layton I Mayers two of the subscribers thereto and ordered to be recorded - And on motion of Isaac Thomas the executor therein named who made oath thereto and entered into bond with Security in the Penalty of Sp $20.000 Conditioned as the law directs a certificate is granted him for obtaining a probate thereof in due form - and it is ordered that John Cook, John Conrad, Jacob Mayers & Jacob Mauk, or any three of them being first sworn do appraise the Estate of the said Jacob Rinkle dec'd & make report to Court

On the motion of Samuel Coates Admr. of Isaac Ridenour dec'd it is ordered that Wm G Thompson be appointed a Comr. to examine State & settle the Estate accounts of the said Sp Isaac Ridenour dec'd with the P. Admr & make report to Court.

On the Motion of Samuel Cooter Admr. of Jacob Heck deceased It is ordered that Wm G Thompson be appointed a Commissioner to examine State & settle the Estate account of the said Jacob Heck dec'd with the said Admr & make report to Court

On the motion of Geo W Kemper Shff of this County, Abram W Harris & Andrew L Lindsay are admitted his deputies who appeared in Court and took the several oaths prescribed by Law

Frances Johnson over 14 years of age & writing acknowledged & recorded before a justice of the Peace in the manner directed by Law - Nominated John Carnack as her Guardian, Whereupon it is ordered that the said John Carnack be appointed Guardian for the said Frances Johnson - who thereupon appeared in Court and entered into bond with security in the Penalty of $ 20 - Conditioned as the law directs

On the Motion of Geo W Kemper Shff of Rockingham County and as such Admr of Rosetta Pondexter dec'd It is ordered that Abraham Bird, Edward H Smith & Philip Cole, being first sworn Falsaham Earman do appraise the Estate of the said Rosetta Pondexter dec'd & make report to Court

Nelson Bell
vs
Augustus Rice

Upon a motion to quash a capias ad respondendum issued out of the Clerk's Office of this County by Augustus Rice against the said Nelson Bell, in accordance with the Act of Assembly passed March 31st 1857 allowing bail in certain cases)

This day came the parties by their attorneys & the Court having heard the evidence & argument of Counsel overruled the motion to quash -

On the Petition of John Conrad one of the Securities of Joseph H Conrad one of the Executors of Charles L Yancey dec'. and the acknowledgment of the due service of notice - It is ordered the said Joseph H Conrad be Summoned to appear here on the 1st day of Novemb Court to shew cause why he shall not give a new bond with other security as one of the Executors of said Charles Yancey & to have his authority as one of said Executors revoked

Summons Issued

Addison Roper
vs
John Miller

On an attachment - Docketed, And on motion of the Defendant by his attorney, It is ordered that the said attachment be quashed, that the constable return to the owner the property, levied on - and that the defendant recover of the Plff his costs by him expended in this case against the Plff

Pet

On the Petition of Said Beckitt & others Trustees of the Town of Dayton It is ordered that John A Herring, Abraham Paul, Daniel Roadcap, Solomon Gaster & Benjamin (any three of whom may act) be appointed Commissioners to ascertain the compensation of lot holders in Dayton for so much of their lands as may be taken for the purposes of said Town - as set forth in said Petition, said Commissioners to meet on the 27th October 1851 - & make report to Court

Ord

On the motion of Saml Yount it is ordered that he have leave to appoint Jeremiah Clemons as his agent to be peddle under authority of his license as a hawker & peddler

Ord

Ordered that the Overseers of the Poor bind Joseph Wilkins 13 years old to Peachy Wheeler to learn the Shoe dressing & Farming business as the law directs

Henderson v Groves — The Rule awarded at last Term in this case being returned executed and the defendant failing to appear — It is ordered that an Attachment as directed by Law be awarded against him to answer before the same Court returnable to the 1st day of November Court next

Ordered that Agent of the County be directed to procure two reams of Paper for the use of the Court of the County

Ordered that the Court be adjourned until the Monday in November next

Saml. Coates

Virginia, to Wit:

At a Court held for the County of Rockingham on the third Monday in November being the 17th day of said Month 1851

Present

Jacob Rush, Robert Grattan Jonathan Peale, Jacob Hansbergen Gent. Justices

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 October 1851 (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 to be posted at the door of the Court House of said County, which is as follows, to Wit —

A Deed for Pd from Charles Taylor to Daniel Nichols (In Trust for
" " " Land from Michael Funk to Giles Glover (In Trust for
" " " " " Peter Sipe to John Shoemaker (In Trust for
" " " " " Sylvanus A Byrd to Abraham S Byrd
" " " " " John Adamson & wife to Mans Lee
" " " " " Benjamin Strickler & wife to John Cowan
" " " " " Daniel Miller to Noah Price
" " " " " George W Hansbergen & wife to James Steele
" " " " " Tobias Beam & wife to Catharine Rhodes
" " " " " Martha Lewis & others to Robt McEwan
" " " " " John Cowan & wife to Benjamin Strickler
" " " " " John Stalls Exr to Same
" " " " " Jonathan Pence & others to Philip Pence
" " " Pd " David Funk to Wm H Sams (In Trust for
" " " Land " John Sibert & wife to Henry Rogers
" " " " " John R Kuogler & wife to Adam Radent (Trustee)
" " " " " Frederick Weaver & wife to Adam Roads
" " " " " John Hill to John W Lee
" " " " " Geo W Price & wife to R T Company
" " " " " James Bolton & wife to Samuel Bolton &
" " " " " William Freeze to John Swank
" " " " " George Funk to Isaac Ritchie
" " " " " Isaac Ritchie & to Levi Ritchie
" " " " " Paul Weaver to Henry Beasley

A Deed for Land from Jacob Monger & others to Joseph H Conrad

" " " " " Same to Paul Brannum

" " " " " Richard Pickering & wife to John Booker

" " " " " Peter Fitch & wife to Jacob B Nicholas

" " " " " John T Hamrick & wife to John Swaity

" " " " " Christian Grabill & wife to Martin Beahm

" " " " " Henry Shumalter & wife to Abraham Rife

" " " " " Benj F Walker & wife to Simon Whitzel

" " " " " Eli Kerran & wife to George W Hecklo

" " " " " John Shumalter & wife to John C Brown

" " " " " John C Miller to John Riddle

" " " " " Joseph Gwin to R M Money (In Trust for &

" " " DD " Frederick Carr to James Kenney (In Trust for &

" " " Land " James R Crawford to James Flick

" " " " " Turner M Jackson & wife to John Reubush

" " " DD " Sam'l Shumalter to John F Harris (In Trust &

" " " Land " A N Owen to S W Gambill (In Trust for &

" " " " " Wm Fitzwaters & wife to Nancy Strandersman

" " " " " Abraham Brenemans Ex^r to Christian Brenneman

Mahaly Wright & Eli Miller (Marriage Contract)

" " " " " Daniel Merica & wife to W S Blakemore

" " " " " James Sevel & wife to John W S Burk

Emely Bichimer (orphan of Jacob Bichimer dec^d) over 14 years came into Court & made choice of Daniel Detrick for her guardian Whereupon it is ordered that the said Daniel Detrick be appointed Guardian for the said Emily Bichimer, the said Daniel Detrick thereupon appeared in Court & entered into bond with security in the penalty of $50 - conditioned as the law directs -

On the motion of Jacob Naw Admr of Isaac Shoemaker dec^d It is ordered that William G Thompson be appointed a Commissioner to examine state & settle the Estate accounts of the said Isaac Shoemaker dec^d with the said Administrator & make report to Court

On the motion of Jacob Swan Adm^r of Elias Shoemaker dec^d
It is ordered that Wm G Thompson be appointed a Commissioner
to examine State & settle the Estate accounts of the said Elias
Shoemaker dec^d with the said Administrator & make report
to Court

A writing purporting to be the last will & Testament of
Charles T Barnes dec^d was presented in Court and proved
by the oaths of Richard Mansfield & John Ettenger the subscribers
thereto and ordered to be recorded — And on motion
of Abiatt Coffman an the executor therein named who made
oath thereto and entered into bond with security in the
penalty of $24000 — conditioned as the law directs, a certificate
is granted him for obtaining a probat thereof in due form —
and it is ordered that Henry Pennybacker, Richard Mansfield
Jacob Myers & Elias Smith or any three of them being
first sworn do appraise the Estate of the said Charles
T Barnes & make report to Court

A Register of Gesner Byrd a free negro was returned into
Court by the Clerk thereof, and being compared with said Gesner
Byrd & found duly made a copy thereof is ordered to be
furnished him in the manner directed by Law

Erasmus Coffman Clerk of Rockingham County presented
an account against the Commonwealth for warranting & certifying
the Commissioners books for the year 1857 which was examined
& ordered to be certified to the First Auditor

Present

Robert Grattan, Reuben Moore, Samuel Coates & Jacob Harshberger

The Court proceeded to nominate three of the justices of the County
to act as Sheriff of the same for the ensuing year & the names of the
justices being polled they severally voted for George W Kemper Abra-
ham Smith & Samuel Coates, Whereupon it is ordered that the said
Justices be recommended to the Governor as proper & fit persons to be
commissioned as Sheriff of the County for the ensuing year —

On the motion of Laura Williams and she having made oath thereto and entered into bond with security in the penalty of $200 Conditioned as the law directs, Administration of all and singular the goods & Chattles of John C Williams dec'd is granted her in due forms, And it is ordered that R A Clarke, Perry Byrd Jackson Rhodes & Hugh Bussey or any three of them being first sworn do appraise the Estate of the said John C Williams dec'd & make report to Court

A Writing purporting to be the Last Will & Testament of Catharine Spader dec'd was presented in Court & proved by the oaths of Christian Blose, & George Bowman Jr two of the witnesses thereto and ordered to be recorded

Ordered that Mary C Bowers be appointed Guardian of her infant Children Frances G, John H, and Nathaniel G Bowers whereupon the said Mary C Bowers appeared in Court and entered into bond with security in the penalty of $200 conditioned as the Law directs

On the Petition of Hugh Vance & others for a new road from the Brock Gap road near Spring Creek Meeting House to intersect the Mountain road leading from Mount Solon to the Briery Branch Gap road. Exhibit with said Petition, It is ordered that Joshua Cupp, James Vance, David Vanfossen & Shem Seal be appointed viewers to examine the route of said new road & make report of the advantages & disadvantages attending the same as well to the public as to individuals

A writing purporting to be the last will & Testament of Polly Wilhelm deceased was presented in Court & proved by the oaths of D Watkins & Stephen J Fear and ordered to be recorded two of the witnesses thereto and On Motion of Jacob Detrick the Executor therein named who made oath thereto & entered into bond with security in the penalty of $400 conditioned as the law directs

a certificate is granted him for obtaining a probat thereof in due form, and it is ordered that Pleasant A Clarke, Stephen J Few, Miram W Switzer & Andrew Sago or any three of them being first sworn do appraise the Estate of the said Polly Wilkins & make report to Court

A writing purporting to be the last will & Testament of Philip Wells deceased was presented in Court & proved by the oaths of John Shoemaker & Isaac N Bolton two of the witnesses thereto and ordered to be recorded — And on motion of Adam Wells the Executor therein named who made oath thereto and entered into bond with security in the Penalty of $400 conditioned as the law directs a certificate is granted him for obtaining a probat thereof in due form — And it is ordered that Adam Armentrout, Jacob Morlet & Benjamin Whetmore being first sworn do appraise the Estate of the said Philip Wells & make report to Court

Joseph K Burkholder Commissioner of the North Western district came into Court & entered into bond with security in the Penalty of $1000 — conditioned as the law directs which bond was acknowledged in Open Court by the parties thereto and ordered to be recorded

bond copied & sent to Auditor by mail Nov 27 1851 EC

On the motion of Daniel Keller and he having made oath thereto and entered into bond with security in the penalty of $6000 — conditioned as the law directs, (the securities herein justified) Letters of Administration of all & singular the goods and Chattles of Lewis Keller dec'd is granted him in due form (Ann Keller the widow of said Lewis Keller having born under her hand relinquished the administration) And it is ordered that Jeptha Burkholder, Anthony Burkholder & John Miller being first sworn do appraise the Estate of the said Lewis Keller & make report to Court

A writing purporting to be the last Will & Testament of Jacob Showalter dec'd with a Codicil thereto attached was presented in Court & the said Codicil was proved by the oaths of Samuel Shackleton & Isaac G Coffman two of the subscribing Witnesses thereto & ordered to be recorded, And on the Motion of John Evers & Peter Showalter the Executors therein named who has made oath thereto and entered into bond with security in the penalty of $30.000 Conditioned as the law directs (the said securities having justified) a certificate is granted them for obtaining a probat thereof in due form, and it is ordered that Joseph Coffman, Anthony Huffman, Henry Miswander and Michael Flory or any three of them being first sworn do appraise the Estate of the said Jacob Showalter and make report to Court

A Report of the Commissioners appointed to lay off and assign dower to the widow of George Brunk dec'd in the land of the said George Brunk dec'd was returned into Court & ordered to be recorded

Foreman
Wm M K Wartman, Andrew Lago, Adam Rader, Jacob Dundore, John S Meatwole, John Williamson, Jacob Linaman Jacob Nicholas, John I Mantz, Samuel G Baughman, A J O Bader, Daniel Wine Jr, Michael Shaver, Abraham Funk Charles F Mason, Philip Bible & George Nicholas 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 made the following Indictments & Viz: — An Indictment against Moses Swanson for an Assault & battery a true bill, An Indictment against John W Dunlap, William Seed & Harry Bertsch, for an Assault and battery a true bill, An Indictment against Michael May for an Assault & battery a true bill, An Indictment against Jeremiah Powell for a wilful trespass a true bill, An Indictment against Albert Perkey for selling ardent Spirits by retail without ordinary license a true bill

An Indictment against Emanuel Groves, Jackson Reddle, and Nathan Keefs, for disturbing an Assembly met for the Worship of God - a true bill -

~ ~ ~

since the filing of the bill and the service of the subpoenas upon the other defendants, the same is taken for confessed as to them,

And the Court doth, adjudge order and decree, that Henry Miller, Joseph Myers and Joseph Mauzy be appointed Commissioners whose duty it shall be to go upon the lands in the bill mentioned and divide the same into seven equal parts according to quantity, quality and improvements of which they shall assign two parts to the Plaintiff in this cause two parts to the defendant John Conrad, one part to the Executor of the Estate of Jacob Runkle dec^d, one part to the heirs at law of ~~Jacob Runkle dec^d~~ Christena Sellers dec^d whose names are unknown & the other part to the remaining defendants, and make report of their actings & doings, under this decree to this Court in order to a final decree —

S

C. Yost & Adm^r Pltff
agst
ifsa A C Wilson & others Defts
S

} In Chancery

Order of Publication awarded against absent defendants

Pd to Mick Apl 17 1852 Rcpt taxed

Ordered that Erasmus Coffman the Commissioner appointed to make sale of the old jail, be directed to pay Peter Mick the sum of $25— for improvements made by him on the said jail lot, to be paid out of the proceeds of the sale of said jail property

Jacob Runkle Pltff
vs
George Gilbert Defft

} Upon a writ of A q D

On motion of the ~~Defendant~~ Plaintiff It is ordered that

ifsa the writ and inquisition returned in this case be quashed and that a new writ be awarded directed to the Sheriff to be executed on the 3^d day of December next returnable to the Court next

Ordered that Philander Herring be appointed Surveyor of Precinct No 1. on the road leading from Frank Ellis to John Dunkles, in the room of James Davis

Ordered that George Seacrist be appointed Surveyor of Precinct No 2 on the Harrisonburg road to Swift Run Gap road in the room of Joseph Bellmire dec'd

Ordered that the Overseers of the Poor bind Frank (a colored boy son of Julia Haines) aged 6 years on the 15th March 1851 to Amanda Peale until he is 21 years of age to learn the farming business — as the law directs, who is to pay him when he arrives at the age of 21 years the sum of One hundred dollars

A C Rohr Plff
agst
W J Rohr & Ors Defts
} In Chancery

Answer of Guardian ad litem & deposition of Joseph T Rohr filed

A C Rohr Plff
agst
The Unknown Heirs of John Rohr dec'd Defts
} In Chancery

This cause came on to be heard this 18th day of November 1851 upon the bill of complainants & exhibits the answer of the defendant Margaret J Rohr and of the infant defendants by Erasmus Coffman their guardian ad litem the replication & depositions of witnesses whereupon the argument of Counsel being heard and the Court being satisfied that the Plaintiff is entitled to a specific performance of the contract for the sale of the house and lot in Harrisonburg in the Bill mentioned, the Court doth therefore adjudge order and decree that Jacob Rohr Sen'r who is hereby appointed

a commissioner for that purpose, shall proceed to make a settlement with the plaintiff and ascertain what amount he has paid on his contract of purchase, and what amount is yet unpaid, on the purchase, and if the said Alfred C Rohr shall execute his bonds with good personal security to said Commissioner, who is hereby appointed a receiver for that purpose, for the sums which are ascertained to be unpaid agreeably to the original purchase, tho the said Jacob Rohr Sen^r is hereby authorized and empowered, to execute and deliver to said Alfred C Rohr ready for recording, a deed with special warranty for the real property mentioned and described in the deed Exhibit A. reserving the Vendors lien in the deeds for the balance of the purchase money: And said Jacob Rohr Sen^r is required to make report to this Court at its next Term

Com'th (vs) Maney — Jury sworn to try the issue to wit:- F^k Way, James Roadcap, Kinnel Shiflett, Moses Jinkins, William Grimsly, William Motts, John Rader, Richard D Foster, William Wright, Peter Ritchie, Robert Berry, & William Ralston. Verdict "We the Jury find the defendant guilty & assess his amercement to Fifteen dollars" — and judgment accordingly

Mowry (vs) Tutwiler — Continued for Deft

s Com'th vs Newton — Capias awarded

s Same vs Sorrels - 2 Cases — Same

s Same vs Mettetiegen — Same

s Same vs Rudy — New Sums awarded

s Same vs Raines — Writ Issued & Served

s Same vs Perrow — Same

s Same vs Gordon — Same

Same vs Estep 2 Cases Same

Same vs Woolsey — Same

Same vs Gray — Same

Contbo	vs	Tansly	Continued
Same	vs	Lydia Ralston	Same
Same	vs	Page	Same
Same	vs	E Dyer	Same
Same	vs	Keto	Same
ipso	Same	vs	Moore — Capias awarded
ipso	Same	vs	Hugh — Same
ipso	Same	vs	Brown — Same
	Same	vs	W Dunlap — Dismissed
	Same	vs	E Dunlap — Same
ipso	Same	vs	E Terrill — W Sum. awarded
	Same	vs	A Moore — Judgt confessed for costs
	Same	vs	Hunter — Same
	Same	vs	Hunstpng — Judgt confessed for $5 & costs
	Same	vs	Swanson — Gen'l Demr W Gt & Sum'l Contd
	Same	vs	Same — Same
	Same	vs	Miranda — Same
	Same	vs	Mizell — Same
	Same	vs	Harry — Same
	Same	vs	Miranda — Same
	Same	vs	Looker 2 cases Same
	Same	vs	Nicholas — Same
	Same	vs	Dean — Same
	Same	vs	Arnett — Same
	Same	vs	Jones — Same
	Same	vs	Pitney — Same
	Same	vs	Gibbons — Same
	Same	vs	Rice — Continued
	Same	vs	Krontz — Same
Ipso	Same	vs	Herring — Costs & Rule upon Nicholas Shifflett
	Same	vs	Foskett — W Gt & Sum'l Continued
	Same	vs	Mizell — Same
	Same	vs	Brightman — Same
	Same	vs	J Long — Same
	Same	vs	C Long — Same

ipa Comth vs Hackley — Capias awarded
ipa Same vs Cook — Same
ipa Same vs Hutchins — Same
ipa Same vs Vanfant — Same
ipa Same vs Brown — Same
ipa Same vs W Bowyer — Same
ipa Same vs I Bowyer — Same
ipa Same vs D Glover — Same
ipa Same vs M Glover — Same awarded

Benjamin Crawford
vs
Samuel Wheatbarger

Upon a motion to recover money after 60 days notice under 5th Section of Chapter 167 of the Code of Virginia —

The Notice in this case having been returned executed

ipa It appearing that the said notice had been returned to the Clerks Office within the time prescribed by law — On motion of the Pltff by his attorney it is Considered by the Court that the Plaintiff recover against the defendant $37.56 cents with Interest from the 19th August 1850 the Costs & Judgt accordingly

Ordered that A W Harris, I. S. McCann, I L Holt, J E Brown, N Eddins, Wm Bateman, A L O'Brien, I Harper, I Brown, P Fitch, L Crawford & A May be appointed a Patrol for the term of three months within the bounds of the district of the Port Republic Constable, and that Abram W Harris be appointed the Captain of said Patrol, to patrol said district in the manner prescribed by Law —

Tp

Shewalter vs Baker & — Upon a motion on a Dly Bond

Ipa Motion granted Judgment Execution awarded

(Sandy)
Comth vs Fox — Jury sworn to try the issue to Wit: J G Way William Grimsley, Richard Foster, William Wright, Peter Ritchie, Robert Berry, John Cromer, Noah Brock, John Sorker, William Manner, Hazle Riddle, Robert Jones. — Verdict — We the Jury find the defendant not guilty —

Comth vs Rinker — Continued

~~Tolander~~ vs ~~Valley T Company~~

Tolander vs Valley T Company — Ordered that Robert C Mauck be appointed a Commissioner in this case in the room of Samuel Gibbons, who has removed, to act in connexion with the Commissioners heretofore appointed in this case —

Myers vs Vally T Company — Continued

Clarke vs Webb — Continued

Howard vs Armentrout — Same

Armentrout vs Howard — Same

Sterling vs Gailey 2 cases — Same

Fried vs Thompson — Dismissed

Wetzel vs Almond — Contd for Dfts

ipo Pool vs Wolfley — Contd / Rule upon Defts to answer

Sant vs Sam — Same

Shoualter vs Smith — Continued

Hopewell vs Berry — Same

Barley vs Turley — Upon a Sum to amend suggestion filed by the Plff — Declaration Continued

Nathan Wemer Plff
vs
John B Shumaker Dft
} Upon an attachment

Booked

The Sheriff having returned the attachment Executed in this case & for reasons appearing to the Court it is considered that the Plaintiff recover against the defendant $90- with interest from the 22d day of June 1851 Title found & Costs.

Steenbergen vs Grove — Dismissed

Young & Pochon vs Pierce — Continued

McDowell Gov & vs Gailey — Same

Radenhurst vs Wenfield — Same

Hendershot vs Epps — Same

Younts Admr. vs Holder & wife - Nt Guilty & Special plea filed Gen. replication & Issue & Jury sworn to try the issue to wit: Jas Way William Grimsley, Richard Foster, William Wright, Peter Ritchie, Robert Berry, John Cromer, Noah Brock, John Looker, William Hammes, Mayle Riddle & Robert Jones - Verdict "we the Jury find the defendant Not Guilty" & Judt accordingly.

Memo - on the trial of the cause the Plaintiffs counsel ~~the~~ moved the court to set aside the verdict of the jury & set aside & a new trial granted which motion was overruled by the Court

---

Tarkington W Jackson Plff
against
William B Pierce Deft

Upon an attachment

Resisted - and ~~the Sheriff having made return that he had executed the same~~ Continued, and order of publication awarded - and it is further ordered ~~ordered~~ that the Sheriff make sale of the property levied on, and hold the proceeds thereof subject to the further order of the Court

Upd

Same vs Same — Dismissed

Holland vs McGilvray — Dismissed agreed

Looker vs Mimler — Cont'd on Plff's Rule on sheriff to Emanuel Stepp & Michael Manty witnesses

Upon

Newman vs Bailey — Def'ts and W.A. act of Limitations Gen'l repl. Issue & Continued —

Walton vs Bevers — Suit remanded to Rules and new Summons awarded

Entd

Conrad vs Conrad — Upon a rule to give Executor security, or new bond as one of the Executors of Charles Yancey — The Summons being returned executed & the defendant failing to appear, It is ordered that his powers as Executor be revoked & annulled — and that a rule be awarded against Charles Yancey the other Executor of said Charles Yancey, returnable here at next Court to shew cause why he should not enter into a new bond as executor of said Charles Yancey dec'd

Upd

Benjamin Stuckler Plff
agst
John Knopp Dfft } Upon a writ of A. q. d

The inquest of the Jury in this case having been returned & there being no exception thereto it is ordered that the same dam be established according the verdict of the said Jury & judgment accordingly

Long for Plff vs Hook — Costs for Plff
Mercer Adm vs Yancey — Continued
Looker vs Looker Exr — Same
Smith for P vs Cryder D — Same
Same vs Nicholas — Same
Same vs Leggett D — Same
Wayt Wilson vs Hunter — Same
Cline vs Bowman — Same

Ordered that the Court be adjourned until to morrow morning at 10 Oclock

Reuben Moore

Wednesday November 19th 1851

Present

Reuben Moore, Samuel Shackleford, Nason Barr, Thomas K Miller } G. Justices

John Miller & Wife & others Plff
agst
Joseph D Moyers & Others Dfft } In Chancery

It appearing to the satisfaction of the Court that the defendants Catharine, Elizabeth, Jacob, John & Benjamin Moyers in this suit are infants under the age of twenty one years On motion of John T Moyers of Rockingham he is appointed guardian ad litem for the said infants in this suit

Settlements of Estate accounts of David Sinclair dec'd. Philip Knopp dec'd Henry Parkey dec'd, and David Funkle dec'd were returned into Court & having been filed in the Clerks Office for the term prescribed by Law, were examined by the Court & ordered to be recorded

Michael Armentrout & Pltfs
vs
David Armentrout & Dfts } In Chancery

This cause came on this 19th day of November 1851 to be finally heard on the papers formerly read in this cause and the report of Peter P Koontz, Jacob Barley & Michael Sellers who were appointed at a former Term of this Court Commissioners to lay off and partition to the heirs of Henry Armentrout dec'd the land of which the said Henry Armentrout died seized & possessed of amongst his heirs agreeable to his will, and was argued by counsel, on consideration whereof the Court doth adjudge order and decree that the division of the lands of Henry Armentrout dec'd as made by P P Koontz, Jacob Barley, and Michael Sellers as per their report filed in this cause is confirmed & made final. It is further adjudged ordered and decreed that an execution shall issue against David Armentrout for his proportion of the costs of this suit & the costs of partitioning the land being one fifth part of the costs of the Plaintiffs

George Rhodes Executor Plff
vs
John Brock's Heirs Dfts } In Chancery

This cause came on again to be heard by consent this 19th day of November 1851 upon the bill answers depositions and the several reports and decrees heretofore rendered, and by consent of parties this cause is again opened and the Court doth adjudge order and decree that the Guardian of the infant defendants in this cause

before receiving the money coming to them shall give bond in the Clerks Office of this Court in at least double the amount coming to said infants with qualified security payable to the Commonwealth of Virginia conditioned to pay said sums of money and account for the same whenever required so to do by this Court

And it is further ~~adjudged~~ ordered ~~and decreed~~ that the guardian shall lend out said monies from year to year or if said guardian shall retain said money in his hands that he shall account for the interest annually and lend the same out again, and this cause is again remitted upon the docket in order to render any further decree until the whole cause is finally disposed of

Copies Certified to Auditor

A Moffett Sheriff of this County presented an account against the County for arresting Harry Sellers & for other services which was examined allowed & ordered to be certified to the First Auditor

Copies Certified to Auditor

Asher Argenbright presented an account against the Commonwealth for services rendered in assisting the Sheriff of this County in arresting Harry Sellers & for other items & expences incurred which which was examined allowed & ordered to be certified to the First Auditor

R Younts Admr. Plff
agst
W Hollis Exrs Dft } in Trover

~~On motion~~ Mumf. on the trial of this cause on yesterday the Plff by his attorney moved the Court to set aside the verdict rendered in this cause & to grant him a new trial, which ~~motion~~ was overruled, and the Plaintiff this day tendered a bill of exceptions, which bill was received signed, sealed & sealed by the Court & ordered to be made a part of the record in the cause

Elizabeth Cromer — Cont. for Pff. leave to retake Testis. deposition

Miller Hume & al. Johnson — Cont. & Rule as to Pritchett

Byrd vs Maupin — Cont. for Dft.

Roller vs Bailey — Cont.

McKinnon & Rodeheffer vs Beard — plea waived & Judt. Confessed for the debt in the declaration mentioned & Same by equity

Fishback vs Snell &c — Same

Douglas & Gilmer vs Stanton — Same

Thacker vs Catlett — Same

Bruffey for &c vs Eubank — Same

Young Cowan vs Eubank — Same

Same vs Same — Same

Same vs Same — Same

Switzer for &c vs Alexander — Same

Armentrout for vs Switzer &c — Same

Wise vs Lloyd — Same

Fox vs Bowman — Same

Mauzy's adm. vs Saunders — Same

Same vs Bowyer &c — Same

Same vs Bowman — Same

Roller &c vs Switzer &c — Same

Bratton vs Shue — Continued

John Miller & wife & others Pffs.
vs
Catharine Bowyer &c Defts. } In Chancery

This cause came on to be heard this 19th day of November 1851 upon the bill of the Plaintiffs, the answers of all the defendants and replications thereto whereupon the argument of Counsel being heard, and the Court being of opinion that it is proper that dower shall be assigned to the widow and partition made of the real Estate of Jacob Bowyer agreeably to the prayer of the bill; and the Court being satisfied that the deceased has made the following advancements to his children with which they are

chargeable Vic to Benjamin Mayers $2.223 to Jacob Mayers $1200 - to John Miller use $1200 - to John Mayers $200 - and to Levi Baxter & wife $137 - The Court doth therefore adjudge order and decree that Wendle Coffman Peter Acker and William B Smith who are hereby appointed Commissioners for that purpose, do proceed to lay off and assign by proper meets and bounds, one equal third of the land in the bill mentioned, as nearly to quantity and quality as the dower of Catharine Mayers widow of Jacob Mayers -

The Court doth further adjudge and order that the said Commissioners, proceed to value the remaining two thirds of the said land according to the best of their skill and judgment on payments of one third in hand and the remainder in three equal yearly instalments and add to said valuation the aggregate of the aleo advancements $4.960 but the valuation of the land on payments shall first be reduced to Cash value by deducting interest, and having ascertained the value of the land in this mode, and adding thereto the sum of $4.960 - they shall make partition of the land in such manner, as to allot to the Children of Benjamin Mayers $2.223 less in value than one equal fifth of the aggregate - to ~~Jacob Mayers~~ John Miller use $1200 less than one equal fifth of the aggregate, to Jacob Mayers $1200 - less, to John Mayers $200 - less, and to Levi Baxter & wife $137 less than one equal fifth of the aggregate -

Hunter vs Bear Jury sworn to try the issues to wit William Webster Charles Burnett Peter Byerly Daniel Myers Jacob Effinger Abraham Early Thomas Logan John Gordan John T Myers Turner M Jackson Williams Sandy Williams Ralston Verdict for the Plaintiff for $13.69 Cents Damages & Judgment accordingly

Decreasy Safford & Co v Shipman & Roller Offrs Judgment set aside
Payment Genral replication & Spec Hand issued

Shirey v Harris	The Same
Paul for Pt v Dunlap	same
Effinger v Smith	same
Harris as for Pt v Ralston & P	same
Shacklett & Bruffy v Cattles	same

On the motion Wellcam Deane and he having made oath thereto and entered into bond with security in the penalty of $500 conditioned as the law directs Administration of all and singular the goods & chattles of James Deane Jr is granted him in due form (Nancy Deane the widow of the said James Deane Jr having first under hand relinquished her right to the administration) and it is ordered that George W Harshberger, A L Blakemore and Zachariah Taylor being first sworn do appraise the Estate of the said James Deane Jr dec'd & make report to Court

On the motion of John Jones and the delivery of a former Register it is ordered that the Clerk be directed to Reregister the same John Bass in the manner directed by Law

Whereas Thomas Smith a constable for Rockingham County by virtue of an execution issued by Saml Shacklett a justice of the Peace on the 1st day of November 1851 for $25.25 in the name of Wm Nicholas vs James Philips, and whereas the said Smith by virtue of the said Execution proceeded to sell on the 17th Inst at 60 days credit one Carryall as the property of said Philips, which Carryall sold for $25.50 payable in 60 days and whereas Berin Webster claims said Carryall the proceeds or value thereof, and on the application of the said Officer Smith (no indemnifying bond having been given) It is ordered that the said Wm Nicholas as well as the said Berin Webster, do appear before this Court at the Decmbr Term next & contest their right to the said Carryall or the proceeds or value thereof and that the said Smith be directed to hold the proceeds of said sale subject to the further order of this Court

Richard H. Austin Plff
agst
The Widow & Heirs of Richd H Austin dec'd Defts } In Chancery

This cause came on to be heard this 19th day of November 1851 upon the bill and answers of the infant defendants by their Guardian ad litem and it appearing to the Court that more than one month has elapsed since the filing of the Plaintiffs bill and the return of the subpoenas executed and the execution of the order of publication and the adult defendants having all failed to answer, the bill is taken for confessed as to them whereupon the argument of counsel being heard the Court doth adjudge order and decree that George W. Kemper Fountain M. Dayton & George Sally who are hereby appointed Commissioners for that purpose, do proceed to lay off one equal third of the land in the bill mentioned of which Richard H Austin died, and seized and possessed, according to quality and quantity and assign the same as dower for the widow, that said Commissioners further proceed to make partition of the remaining two thirds among the heirs dividing the same into seven equal shares according to quality & quantity assigning two shares to the defendant John H Austin, one share to the defendant Elizabeth Wood one share to the infant defendants the children of Thomas Wood, one share to each of the defendants Samuel M and Eli Austin and one share to the Plaintiff. The Court doth further adjudge and order that the said Commissioners proceed to make partition of the slave property belonging to the Estate of the said Richard H Austin dec'd and assign one equal third part thereof to Mary Austin widow of Richard H Austin dec'd and do make division of the remaining two thirds into eight equal shares and assign one said shares to Mary Austin widow of said Richard H Austin and one share to Daniel Murray and one to each of the following persons viz John H. Samuel M & Elizabeth Austin Wood, the Plaintiff and one to Samuel Pearson Esqr & make report to this Court at its next Term

Kiffer vs Gilmore — W E set aside A A Gen'l rep'd upon Cont'd

Price's adm'r vs Hamberger — W E set aside N A / offset Gen'l rep'd upon Cont'd

Annison vs Cupp — W E set aside N A / offset Gen'l rep'd upon Continued

Dillard vs Keyser — W E set aside N G. Gen'l rep'd upon Continued

Miller & Myers vs Downing — Continued

Price's Adm'r vs Hamberger — Same

Ordered that all the causes set for trial at this Court which have not been tried be continued — be continued until next Court

Ordered that this Court be adjourned until the first Monday in December Next

Nason Barr
"

Virginia, to Wit:

At a Court held for the County of Rockingham on the third Monday in December being the 15th day of said month 1857

Present

Jacob Rush, Reuben Moore, Isaac Hardesty & Wm R Hopkins 3 3 G. Justices

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 December 1857 (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 to be posted at the door of the Court House of said County, which is as follows, to Wit;

A Deed for Land from S W Gamble Com to Ananias Harnsberger
" " " " " Solomon Garbers Adm to George Shafer
" " " " " Susan Shevalter & to John M Nichols
" " " " " J. M. Nichols to A Chrisman Cr Trust for &c
" " " " " Shem Bowman & wife to Isaac Rodgers
" " " " " Madison Lofland & wife to Adam Shevalter
" " " " " J M Kinton to D. T. Harris Cr Trust for &c
" " " " " Henry Chrisman to George W Humphreys &
" " " " " David Swarts & wife to John McWilliams
" " " " " Isaac Rodgers & wife to John M Pitman
" " " " " Philip Burkey to George W Kemper Jr
" " " " " John Miller & others to Henry Miller &
" " " " " Hiram Bauserl & wife to Joseph McMullen Jr
" " " " " Geo Burkey to Jas Kenney Cr Trust for &c
" " " " " Richard I Foster & wife to Philip Seitz
" " " " " Augustus Waterman to Saml R Sprinkle
" " " " " Same to Henry Mayers
" " " " " Thomas Lockhart to S W Gamble Cr Trust for &c
" " " " " Andrew Campbell to Charles Lewis Cr Trust for &c
" " " " " Peter Fitch & wife to Henry Carrier &
" " " " " Jacob B Nicholas & wife to Peter Fitch Henry Fisher

A Deed for Land from John Miller & wife to Henry & John
" " " " " David Sands to P. S. Roller & others
" " " " " Randall R Anthony & wife to John W Cuckley

Alfred C Rohr Plff
Agst
The Widow & Heirs of John Rohr dec'd. Defts } In Chancery

This Cause came on to be finally heard this 15th day of December 1857 upon the Papers heretofore filed, and the report of Jacob Rohr Sen. Commissioner, to which report there is no exception, whereupon the argument of Counsel being heard, The Court doth adjudge, order and decree, that said Jacob Rohr Sen be allowed to withdraw the bonds for $106.71 and $100. filed with his report, executed to him as commissioner by Alfred C Rohr & Joseph F. Rohr, and collect the same for the benefit of the Estate of John Rohr. dec'd. - It appearing to the Court that Alfred C Rohr has received no credit in the Commissioners report for the interest on $145. from April 15th 1857 to December 9th 1857, The Court doth therefore adjudge & order that said Jacob Rohr Sen Commissioner shall allow a credit for $5.66cts the said interest on the bond for $106.71cts And further that he allow a credit on the bond for $100. when it becomes due for the Costs of this suit: and that the Commissioners deed be handed to said Alfred C Rohr the Plaintiff to be recorded. —

William Shewalter &c Plff
Agst
John Shewalter's Widow & heirs Defts } In Chancery

This Cause came on to be further heard this 15th day of December 1857 upon the proceedings heretofore had, together with the report of Commissioners Joseph Mauzy, David Wise and Benjamin Weller, whereupon the argument of Counsel being heard, and it appearing to the Court that the three Commissioners agree in their report, so far as regards the

division of the two thirds of the lands of John Shovalter dec'd, and disagreed in their report as regards the division of the dower land, and no exceptions being taken to the report as far as the Commissioners concur, The Court doth thereupon aduge order and decree that the said report be confirmed as far as the Commissioners agree, and so far as regards the two-thirds of the land to which the heirs of John Shovalter are entitled to present possession: and as regards the dower land about the partition of which the Commissioners disagree - the case is retained in Court for the present -

On the motion of John Zigler and he having made oath thereto and entered into bond with security in the penalty of $300- conditioned as the law directs (the security having justified) a com administration of all and singular the goods & chattles of John Spitzer is granted him in due form, (Anna Spitzer the widow of the said John Spitzer having formerly under her hand relinquished her right to the administration) and it is ordered that Abraham Knepp, Samuel Cline, John I Bowman & John Cline or any three of them being first sworn do appraise the Estate of the said John Spitzer & make report to Court

A writing purporting to be the last will & Testament of John Click dec'd was returned Court and proved by the oaths of Jacob Wine & David Garber two of the witnesses thereto and ordered to be recorded - And on motion of Abraham Click Isaac Click and Joseph Click the Executors therein named who made oath thereto and entered into bond in the penalty of $1000- conditioned as the law directs (no security being required by the said will) a certificate is granted them for obtaining a probate thereof in due form, And it is ordered that John A Brown, Christian Miller, David Garber & Shem Keaton or any three of them being first sworn do appraise the Estate of the Estate of the said John Click dec'd & make report to Court

On the motion of Charles A Rush Admr. of Nathaniel Bowers dec'd. It is ordered that Joseph Mauzy be appointed a Commissioner to Examine & State & Settle the Estate account of the said Nathaniel Bowers with the said Admr & make report to Court

On the motion of Charles A Rush Admr. of John Rush dec'd. It is ordered that Joseph Mauzy be appointed a Comr to examine State & settle the Estate account of the said John Rush dec'd with the said Admr & make report to Court

A writing purporting to be the last will & Testament of Barnet Huffman dec'd with a codicil thereto attached was presented in Court & proved by the oaths of Edward H Smith & John Anderson two of the witnesses to the said will & codicil and ordered to be recorded

A writing purporting to be the last will & Testament of Joseph Miller dec'd was presented in Court & proved by the affirmations of the witnesses thereto and ordered to be recorded And on the motion Abraham Miller, Daniel Miller, and Joseph Miller the Executors therein named who made affirmation thereto and entered into bond with security in the penalty of $20000 conditioned as the law directs (the securities having justified) a Certificate is granted them for obtaining a Probate thereof in due form — And it is ordered that Jacob Thomas, Abraham Click Junr, Martin Miller of Hamilton & David Shank or any three of them being first sworn do appraise the Estate of the said Joseph Miller dec'd & make Report to Court

Peter Keller & Ann Eliza Keller orphans of Lewis Keller dec'd (both over 14 years of age) came into Court and made choice of Anthony Burkholder as their Guardian, whereupon the said Anthony Burkholder appeared in Court & entered into bond with security in the penalty of $1500 — conditioned as the law directs (the security having justified)

Charles B Yancey, ~~Executor~~ of Charles Yancey dec^d who was Summoned here to give a new bond as Executor of the said Charles Yancey appeared in Court and entered into a new bond with security in the penalty of $20000 conditioned as the law directs, (the securities having justified) and it is ordered that Joseph A Conrad one of the former Executors of said Charles Yancey dec^d whose powers as such was revoked annulled at the last Term of this Court be directed to pay over, to the said Charles B Yancey Ex^r as aforesaid, any funds ~~to effects~~ or effects which may be in his hands belonging to the Estate of the said Charles Yancey dec^d

On the Motion of Samuel Cline Guardian of Calhoun Roadcap orphan of Jacob Roadcap dec^d It is ordered that he have leave to bind his said ward to John Songer in the manner directed by Law

On the motion of Jeremiah Clemons ~~Samuel Hoover~~ it is ordered that he have leave to appoint Harvey Swank, as his agent to peddle under his license as a Hawker & Peddler

G W Entsminger Pl'ff
vs
R N Beard Def't } In Chancery

Leave given to file the answer of Def't Beard which was accordingly filed in Court & Ord'd to be spread

A writing purporting to be the last will & Testament of Ward Wilts dec^d was presented in Court & proved by the oaths of the subscribing Witnesses & ordered to be recorded

On the Petition of Abraham Burkholder and others, for leave to change the Public road leading from New Erection to Darlingtown

known as the Middle Road, It is ordered that Peter Good Jacob Leatherman & John I Miller be appointed Commissioners to view the proposed change in said road as set forth in said petition & make report to Court of the conveniencies & inconveniencies attending the same as well to the Public as to individuals

On the Petition of Peter Wise & others, for a way for a Public road from the W.S. & Har. Turnpike to the Ridge road near St Michaels Church - It is ordered that Adam Wise Sr. Geo Airy Junr, Harvey Dunkle & Jacob Winebrenner be appointed Viewers to examine the way for said road as set forth in said Petition & make report to Court

Baily Plff
"
Furley Dft

To answer the suggestion of Wm Baily a judgment Creditor of John Marfield that there is a Liability from him the said Cyrus Furley to the said John Marfield

The Sums in this case having been returned ac-knowledged and the said Dft failing to appear, & the Court having heard the argument of counsel & the Testimony of the witness Judgment is awarded the said Baily against the said Furley for $10.25 cents with Int from 20th July 1850 title paid & 30 cents costs for $4.50 cents with Int from 25th July 1850 title paid & 30 cents costs for $13.22 cents with Int from 17th Decr 1850 title paid & 30 cents costs & for $13.91 cents with Int from 16th Augt 1851 & 30 cents costs & the costs of this Motion - Subject to a credit of $22.50 cents paid 3d Novr 1851

Settlements of the Estate accounts of Elizabeth West dec'd & Adam Wise dec'd & Adam Landes with their respective personal representatives were returned into Court by the Clerk thereof having been filed in the Clerks office for the term prescribed by law were ordered to be recorded

Settlements of the Guardian accounts John Kenney and Jacob Mayer with their respective wards were returned into Court by the Clerk thereof having been filed in the Clerks Office for the term prescribed by law, were ordered to be recorded

Requestes of John Thompson & George Rankin for two persons of colour now returned into Court by the Clerk thereof and being compared with the said Thompson & Rankin found duly made, copies thereof are ordered to be furnished them as directed by Law

Petition for leave to open alleys in the Town of Easton

Report of Commissioners returned & confirmed.

Ordered that Joseph Miller be appointed Guardian of Rebecca Cromer daughter of Joseph Cromer & legatee of Martin Cromer dec'd. who thereupon appeared in Court & entered into bond with security in the penalty of $5000. conditioned as the law directs, (the security having justified)

On the Petition of Allan O'Bryan & John Kenney two of the securities of Anderson Moffett late Admr with the will annexed of Henry Meyer dec'd praying that they may be relieved from their said security ship & the acknowledgment of the said Anderson Moffett that he had received reasonable notice of the intention of said Petitioners, It is ordered that the said Anderson Moffett be required to appear here on the 1st day of March Court next to execute a new bond &c. Admr aforesaid, Meyer dec'd.

On the motion of Wm J Meyerhoffer leave is given him to retail liquors at his store in this County until May Ct 1852. It appearing to the Court that his store is a proper person to retail liquors & that that the said Meyerhoffer is a man of good character

Webster
vs
Hay & Nichols

Petition - to contest right of Wm Hay &c
Petitioner & Contestees

Ordered that the Overseers of the Poor bind Edwin Thomas Wilkins a coloured boy aged 8 years to John Wilson (as the law directs) to learn the Tailoring business who is to pay to the said boy $100 - when he arrives at the age of 21 years, and for the payment of the said sum of $100 - bond with security shall be taken by the Overseers

JP

On the motion of Josiah S Rollet he having made oath thereto and entered into bond with security in the penalty of $900 — conditioned as the law directs, (the security having justified) Administration of all and singular the goods & Chattles of Valentine Sentzo dec^d is granted him in due form — And it is ordered that P. A. Clarke, Cyrus Farley Wm Byrd & Jackson Rhodes or any three of them being first sworn do appraise the Estate of the said Valentine Sentzo dec^d & make report to Court

JP

Ordered that the Overseers of the Poor bind Alexander Yancey aged 8 years 6th Aug^t 1851 to John Shumaker (as the law directs) to learn the farming business, who is to pay the said boy $20 - and a freedom suit when he arrives at the age of 21 years

JP

Present — Isaac Hardesty Abm Smith
Matthias Pickel Mitchell Harris

Edw^d Smith & others jail Committee having reported to the Court that they had received the new jail from the contractors — It is ordered that Gilkerson Sheriff of this County take possession of said jail to be henceforth used as the jail of the County

---

Ordered that I Hardesty & E Coffman be appointed Comm^rs to contract for the enclosure of the new jail lot of this County to provide stores for the same, and to procure the furniture & appliances which may be necessary for said prison & also to make sale of any irons or other materials which have been procured & are not be wanted for said jail

---

Ordered that the Court be adjourned until the third Monday in January next

Chas W Ware

J. Hardesty

Virginia, to Wit

At a Court held for the County of Rockingham on the third monday in January being the 19th day of said Month 1852

Present

Wm B Yancey, Isaac Harderty, John A Herring Geo. Brenner & J. Justices

A List of Deeds and other writings admitted to record in the Clerk Office of Rockingham County from the 1st to the 31 day of December 1851 (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 to be posted up at the door of the Court House of said County, which List is as follows, to Wit:

A Deed for Land from Saml Fansler to A C Bryan (In Trust for &c)
Wm Shawalter & Susan Shawalter (A. of Agreement)
" " " P.C. " Wm Reguardd to Herring Chrisman In Trust for &c
" " " Land " William S & Morris & wife to Abraham S Williams
" " " " " Abraham S Williams & Wife to Nelson Bradley
" " " " " Abraham Neal & wife to Peter Heil
" " " " " John Eiler & Wife to William Eiler
" " " " " Charles Taylor to S W Gambill In Trust for &c
" " " " " John Patterson & others to Jacob Weitnick
" " " " " Michael Wilhelm & wife to Jacob Weitnick
" " " " " John Wilhelm & others to Jacob H Weitnick
" " " " " John Repsy & wife to Eli Long
" " " " " Fendall R Anthony & wife to Benj F Solomon
" " " " " Jamis Duff's Ex^r to Robert Wright
" " " " " Hamilton S Huffman & wife to Solomon Garber &
" " " " " George Michael & wife to George Selley
" " " " " Jonathan Shafer & wife to Michael J Mayerhoffer
" " " " " Frances H Perry & others to William Sigler
" " " " " Abraham Stover to John Yeast
" " " " " Michael Howard & wife to George Lutz
" " " " " William S Crawford to George W Miller
" " " " " Paul Branon & others to Jacob Monger
" " " " " Henry Beasley & others to William Monger

A Deed for Land from William Monger & others to Henry Monger

" " " " " Henry Monger & others to William Sheffett

" " " " " Emanuel Sipe & others to Noah Sipe

" " " " " David Sipe & others to Noah Sipe

" " " " " Jacob Rohr & Com^e to Alfred Rohr

Mesnick & others Agreement about a Well of water

" " " " " French & Ruff to Peter Rinkle

" " " " " Wm R Long to E. T. H. Warren In Trust for &c

" " " " " Wm H Peters & to Herring Chrisman In Trust for &c

" " " Land " John Sibert & wife to Riley Armentrout

" " " " " William Henry Sams to Zachariah Engler

" " " " " John Sibert & wife to Riley Armentrout

" " " " " William Showalter to Allan C Bryan In Trust for &c

" " " " " John Fulk & wife to Daniel Fulk

" " " " " Augustus Coffman & wife to Ann C Lee

" " " " " Ann Lee to Peter S Roller

" " " " " John K Leedy to Franklin Liskey

" " " " " Augustus Waterman to Noah Carbaugh

" " " " " George E Rencals to Peter P Koontz In Trust for &c

" " " " " John Repsy & wife to Peter Benton

" " " " " Livingston Frazier & wife to George Fawcett

" " " " " Ann C Lee to Peter S Roller

Copies of Lists to Auditor by E Harris

Wm G Stevens presents in Court his bond with security as School Commissioner for the County of Rockingham and for the year commencing on the 1st day of January 1852 which was approved by the Court & ordered to be certified to the Second Auditor

On the motion of Daniels Thomas and he having made oath thereto and entered into bond with security in the penalty of $4000- conditioned as the law directs (the securities having justified) Administration of all and singular the goods & Chattles of Henry Thomas dec^d is granted him in due form & It is ordered that Gabriel Heatwole, Martin Miller, Solomon Garber, Daniel Shuttle & Samuel Niswander or any three of them being first sworn do appraise the Estate of the said Henry Thomas dec^d and make report to Court

On the Motion of George W Price & he having paid to the Sheriff the tax imposed by law; It is ordered that a license be granted him for Keeping an Ordinary at his house in the County of Rockingham and until the 1st day of May 1852 - the Court being of opinion that the said Geo W Price is sober & of good character and will probably keep a house orderly, useful & such as the law requires

Augustus Rice Plff
vs
Nelson Bell Dft } Upon a Summons to answer interrogatories &c

filed

The report of the Comr with the interrogatories & answers filed with him in this case was returned into Court and ordered to be filed

On the Motion of Philip Keller & he having made oath thereto and entered into bond with security in the penalty of $200 - Conditioned as the law directs, (the security having justified) Administration of all and singular the goods & Chattles of George Rodgers dec'd is granted him in due form - (Margaret Keller the widow of the said George Rodgers Rogers having from under her hand renounced the right to the Admin-istration) And it is ordered that Jacob P Slusser, Abraham Coffman, Daniel Slusser & Simon Whitsel or any three of them being first sworn do appraise the Estate of the said George Rodgers dec'd & make report to Court

On the Motion of John Rinkle Jun'r he having made oath thereto and entered into bond with security in the penalty of $500 - Conditioned as the law directs (the security having justified) Administration of all & singular the goods & Chattles of Richard Gibson dec'd is granted him in due form - (Mary E Gibson the widow of the said Rich'd Gibson having from under her hand relin-quished her right to the Administration) - And it is ordered that John G Brown, John Miller, Joseph Mullen &

John Williamson, do appraise the Estate of the said Richard Gibson dec'd & make report to Court

A writing purporting to be the last will and Testament of Barnet Huffman dec'd was again presented in Court, and on the motion of Peter Neff one of the Executors named in said will who made oath thereto and entered into bond with security in the penalty of $1200 - conditioned as the law directs (the securities having justified) a certificate is granted him for obtaining a probate thereof in due form - Peggy Huffman the executrix named in said will having from under her hand relinquished her right to qualify) and it is ordered that R.N. Harrison, Andrew Benton, John Miller & Smith Copland or any three of them being first sworn do appraise the Estate of the said Barnet Huffman & make report to Court

On the Motion of William A Conrad and he having made oath thereto and entered into bond with security in the penalty of $3000 - conditioned as the law directs, (the securities having justified) administration of all & singular the goods & chattles of Philip Parkey dec'd is granted him in due form, And it is ordered that John Yount, Joseph Berry, Isaac Long and Daniel Miller or any three being first sworn do appraise the estate of the said Philip Parkey & make report to Court

On the Motion of John Stevenspring he having made oath thereto & entered into bond with security in the penalty of $2000 - conditioned as the law directs, (the securities having justified) administration of all and singular the goods & chattles of Absalom Coffman dec'd is granted him in due form, (Mary Coffman the widow of the said Absalom Coffman having from under her hand relinquished her right to the administration) And it is ordered that Daniel Dickerson Samuel Paul, Joseph Miller & John Herring or any three of them being first sworn do appraise the Estate of the said Absalom Coffman dec'd & make report to Court

Ordered that the Overseers of the Poor bind Fanny Peters a free girl of colour 10 years old to Gabriel Woods until she arrives at the age of 18 years, as the law directs who is to pay her $50 at the expiration of her time, and to give bond & security for the same as required by law

Moffett &
vs
John Rud & Wife &

Plff
Defts
} In Chancery

Report of Comr filed in Court

Moffett &
vs
John Rud & Wife &

Plff
Defts
} In Chancery

This cause came on to be heard this 19th day January 1852 upon the bill answer, exhibits & former decree & the report of Louis G Rice a Commissioner appointed by the Court to sell the house & lot in the bill mentioned and it appearing to the Court that the sale of said property was properly & regularly made, It is hereby confirmed by the Court and the Court doth adjudge order & decree, that said Louis G Rice who is hereby appointed a Commissioner for the purpose shall collect the bonds referred to in his report as they fall due and after defraying the expenses of the sale including a Commission of 5 per cent for himself upon the amount of the said sale money, the remainder of the said $126.00 the amt for which the said house and lot sold shall be applied by him as indicated in the first decree rendered in this cause, and shall also make a deed to the purchaser upon the payment of the whole purchase money, the said Comr is to receive no money under this decree until he shall have given bond & security before the Clerk of this Court in the penalty of $260 - conditioned for the faithful discharge of his duties, the Commissioner to report to the Court when the deed to the property is made

Present.
Wm B Mauzy, Jonathan Peale, Isaac Hardesty & Enoch Cramer

Archibald P. Brock Plff
vs
James M Johnson Dfft

Upon a writ of Unlawfull detainer - returned executed for unlawfully withholding from the Plaintiff a lot of land containing about two acres and the buildings thereon lying and being in the County of Rockingham near Smiths Creek

This day came the Plaintiff by his attorney as the said defendant by his attorney - and the said defendant for plea saith he is Not Guilty of unlawfully detaining the said lot of land from the said defendant as set forth in the writ - to which plea the Plaintiff replied generally and issue is thereupon joined - and thereupon came also a jury to wit: John Long, Absalom Jones, John Moore, Daniel Glick, [illegible] Elder, Jacob Bear, G W Cahoon, John Rhodes, Emanuel Rhodes, William Gay, Jacob Bury and James Payne, who being elected tryed, & sworn and having heard the evidence and argument of Counsel - retired in their oaths do say, We the Jury find the defendant Not Guilty & Judgment accordingly.

Settlements of the Estate accounts of Peter Kriver, Martin Cramer, David Sincebaugh, Solomon Garber, John H Campbell, and George Bowman dec'd, were returned into Court by the Clerk thereof & having been filed in the Clerks Office for the time prescribed by law were ordered to be recorded.

Settlements of the Guardian accounts of John Pannell & Anderson M Newman with their respective wards were returned into Court by the Clerk thereof & having been filed in the Clerks Office for the time prescribed by law, were ordered to be recorded.

A report of the Overseers of the Poor of this County for the year ending the 31st day of March 1851 was returned into Court and ordered to be certified to the Fiscal Auditor

copied & sent to Auditor Jany 21st 1852

Joseph Scurr an Irish a native of Kerry in Ireland ~~a native of~~ Austrew came into Court and made a declaration upon oath of his intention of becoming a citizen of the U States, which declaration is ordered to be filed

Ordered that the Court be adjourned until to Morrow morning at 10 O Clock

J. Hardesty

Tuesday January 20th 1852

Present

Stephen Hansbrough, Wm B Nancey & Isaac Hardesty & Samuel Shadrick } 4 Justices

D S Bonestreet & } Plff
[illegible] } In Chancery
Jacob Yosti's heirs } Defts

On the motion of the Plff it is ordered that E Coffman be appointed Guardian ad litem for the infant defendants to defend this suit for them

Mary Wyant Plff
ayt } In Chancery
Eli Burns Dft

Leave given to file bill & annex & Eli Burns which was accordingly filed in Court —

Mary Wyant Plff
ayt } In Chancery
Eli Burns Dft

This cause came on to be heard this 20th day of January 1852 upon the bill answer exhibits & was argued by counsel. Whereupon it is adjudged ordered and decreed that Thomas K Hansbrough who is hereby appointed a Commissioner for the purpose do proceed to sell the tract of land mentioned in the Plffs bill, on the premises (after having advertised the time & place & sale for at least

four weeks in the Harrisonburg Republican) upon the following terms, for so much in Cash as will pay the expenses attending the sale & the costs of this suit, and the balance on a credit of Three months and out of the proceeds of the sale to pay to the Plaintiff the sums mentioned in her bill of Complaint and the balance if any to the defendant or his assigns — The said Commissioner shall sell the land reserving permission to the present tenant to cut and carry away the present growing crop, and that the said Commissioner make report of his proceedings to this Court

Webster Pltff
vs
Wm & Nicholas Dfts } Interpleader —

Continued — generally

Ordered that Wm G Stevens be permitted to transfer his merchants license to Effinger & Stevens

Ordered that the Court be adjourned until the third Monday in February next

J. Harrisonty

Virginia, to Wit:

At a Court held for the County of Rockingham on the third Monday (viz: February being the 16th day of said Month 1852

Present

Jacob Rush, Isaac Thomas, Isaac G. Surtees
Harshberger, Jonathan Dale, John Herring

A List of Deeds & other Writings admitted to record in the Clerks Office of the County Court of Rockingham from the 1st to the 31st of January 1852 (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 to be posted at the door of the Court house of said County, which List is as follows, to Wit:

A Deed for Land from Isaac Nave to Mathias Miller
" " " " " Michael B Cline & wife to John Beery
" " " P E " Henry W Kerman to Wm H Tams (in Trust &c
" " " Land " Catharine Grim to Harrison Bateman
" " " " " John Beery to E Coffman (in Trust &c
" " " " " John Miller to Ruth Miller —
" " " " " Augustus Waterman to Jacob Custer —
" " " " " Same to Albert Joseph
William C Kite vs R C Mauck (Lis Pendens)
" " " " " Algernon S Gray to John Moyerhoeffer
" " " " " Derick Pennybacker (Trustee) to Geo Rader
" " " " " Geo Bowman & wife to Samuel Kline
H & W S Braithewaite & C C & S R Sterling (Agreement)
" " " " " Martin Sisley & others to Robert Gray
" " " " " Jno Layman & Wm Cummins to Benj Strickler
" " " P E " Abm Snyder to John Williams (in Trust &c
" " " Land " Turner M Jackson & wife to David Smith
" " " " " John Sibert & wife to Jacob Flook —
" " " " " Same to Same —

Ordered that the Overseers of the Poor bind Wm Edwards Mowry aged 11 years &c the 19th April 1851 - until he arrive at the age of 18 years, as the Law directs -

On the several motions of J W Allen, A Cochran and M K Cullen, and they having taken the oaths required by law are permitted to practice as Attorneys in this Court

Shem Stallcop, Foreman, Richard L Foster, Reuben Moore, Thomas Kirkpatrick, John Weller, Amos Scott, John Conrad, Robert M Ewing, William Kiger, John Haugh, Henry Michael, Henry Good, John Taylenger, Samuel Neaves, William Robertson, Jacob Rounden, John Williamson, Henry E Cromer, were sworn a grand Jury for the County, who received their charge and retired from the bar to consider of their presentments and after some time returned into Court & made the following Indictments to Wit:- An Indictment against Walker Frame, Samuel Hill, Thomas L Pennybacker, Strotherman Brock, John Ettinger, Peter Rider, Silas Spears, Abraham Shoemaker, David Emshwiller, Richard Shull, John H Neff, Washington Whisler, & William Hill - for disturbing an assembly met for the worship of God - a true bill - An Indictment against Asberry Hewett for disturbing an Assembly met for the worship of God, a true bill. An Indictment against Isaac Brown for an Assault & Battery a true bill And the said grand Jury having no further business before them were ordered to be discharged, And it is ordered that Summons to be awarded against the several Defendants to answer the said several indictments, returnable here to the May Court next

ifsd

Copied & Certified to Auditor & Sent by mail Mch 2nd 1852 H.C

Conrad & Kate, Consr. of the Revenue in the N E district in this County came into Court & executed a bond with security according to law as Consr of the Revenue, which was examined by Court & being considered good & sufficient was acknowledged & ordered to be certified to the Auditor

On the petition of Ordered that Jacob Brunk be appointed Guardian for Elizabeth Weaver, Margaret Weaver, Frances Weaver, Abraham Weaver, Jacob Weaver and Susannah Weaver, infants of Frederick & Weaver dec'd. Whereupon the said Jacob Weaver appeared in Court and entered into bond with security in the Penalty of $ 6000.- Conditions as the law directs.- (the securities having justified)

A Writing purporting to be the last will and Testament of Anna Wampler dec'd was presented in Court and proved by the subscribers thereto and ordered to be recorded, And on Motion of John Kline the Executor therein named who made oath thereto and entered into bond with security in the Penalty of $ 2000 - conditioned as the law directs - (the securities having justified) a Certificate is granted him for obtaining a probate thereof - And it is ordered John Bowman and Saml. Daniel Driver, Lewis Driver and Joshua Driver - or any three of them being first sworn do appraise the Estate of the said Anna Wampler dec'd & make report to Court

On the Motion of Samuel & John Leedy and they having made oath thereto and entered into bond with security in the penalty of $ 5000.- Conditioned as the law directs (the securities having justified) Administration of all and singular the goods and chattles of Daniel Leedy dec'd is granted him in due form, (The widow of the said Dan'l Leedy dec'd having from under her hand relinquished her right to the Administration

And it is ordered that Anthony Kauffman, Charles Chandlee Peter Brown and Robert Cox or any three of them being first sworn do appraise the Estate of the said Daniel Leedy dec'd & make report to Court

Elizabeth Rosenberger minor over 14 years of age child of Edward Rosenberger and grand child and legatee of Jacob Warty dec'd, having in writing acknowledged before a justice of the Peace named Edmund Rosenberger as her guardian-

It is ordered that the said Edmund Rosenberger be appointed guardian for the said Elizabeth Rosenberger, whereupon the said Edmund Rosenberger appeared in Court and entered into bond with security in the penalty of $500 - conditioned as the law directs

On the motion of C A Shands & he having made oath thereto and entered into bond with security in the penalty of $1200 - Conditioned as the law directs - Administration of all and singular the goods and chattles of Ellen Coakley dec'd is granted him in due form - and it is ordered that Cyrus Young, Ebenezer Nicely, Samuel Fansler and John Sanger or any three of them being first sworn do appraise the Estate of the said Ellen Coakley & make report to Court

On the motion of Asa S Baugher and he having made oath thereto and entered into bond with security in the penalty of $500 - conditioned as the law directs (the security having justified) Administration of all and singular the goods and chattles of Onslow Rucker is granted him in due form - And it is ordered that Samuel G Baugher, Willis Powell, William C Kite, and Daniel Baugher or any three of them being first sworn do appraise the Estate of the said Onslow Rucker & make report to Court

On the motion of John Lunsford & he having made oath thereto and entered into bond with security in the Penalty of $16000 - conditioned as the law directs (the securities having justified & Mourner D Eddens the widow of James Eddens dec'd having from under her hand relinquished her right to the Administration) Administration of all and singular the goods and Chattles of James Eddens dec'd is granted him in due form and it is ordered that Jacob Rush, Jonathan Peake, R W Palmer, James O'Bryan and John Huff or any three of them being first sworn do appraise the Estate of the said James Eddens dec'd & make report to Court

Benjamin Coffman, Susanna Coffman, and Nicholas Coffman over 14 years of age and orphans of Samuel Coffman came into Court & made choice of Daniel Bowman as their Guardian, and it is ordered that the said Dan'l Bowman be appointed Guardian for the said infants over 14 years of age and is also Guardian for Daniel, Barbara and Catharine Coffman infants of the said Samuel Coffman under 14 years of age, whereupon the said Dan'l Bowman appeared in Court & entered into bond with security in the Penalty of $4000 - conditioned as the law directs (the securities having justified)

Ordered that John Waller Palmer be appointed Guardian for Abram Eddins orphan of James Eddins dec'd who thereupon appeared in Court and entered into bond with security in the Penalty of $800 - conditioned as the law directs - (the security having justified)

Frances Leidy & Enoch Leidy over 14 years of age & orphans of Daniel Leidy dec'd came into Court & made choice of Samuel Leidy as their guardian - and it is ordered that the said Samuel Leidy be appointed guardian for

for Jacob Leedy orphan of the said Elam Leedy under 14 years of age - Whereupon the said Samuel Leedy appeared in Court and entered into bond with security in the penalty of Nine hundred dollars conditioned as the Law directs (the securities having justified)

A writing purporting to be the last will and Testament of Catharine Fulk dec'd was presented in Court and partly proved by the oath of W J Newham one of the witnesses thereto - & docketed & Continued - & Summons awarded against Isaac Fulk & Emma Fulk the remaining witness to said will, returnable here at March Court

1 Sum's ifs 2 copies

Isaac May (over 14 years of age) orphan Isaac May dec'd came into Court and made choice of Israel May as his guardian - And it is ordered that the said Israel May be appointed guardian of Seannah May under 14 years of age orphan of the said Isaac May dec'd. Whereupon the said Israel May appeared in Court entered into bond with Security in the penalty of $300 - Conditioned as the Law directs - (the Security having justified)

On the Motion of Lucy Coakley & She having made oath thereto and entered into bond with security in the Penalty of $400 - Conditioned as the Law directs (the securities having justified). Administration of all and singular the goods and Chattles of Austen Coakley dec'd is granted her due form - And it is ordered that Samuel Fowler, Ebenezer Knicely & Cyrus Young do appraise the Estate of the said Austen Coakley & make report to Court

Tp

On the Motion of Warren T McGahey and he having made oath thereto and entered into bond with security in the Penalty of $2500 -

conditioned as the law directs (the security having justified) Administration of all and singular the goods & Chattles of Jacob Haynes dec^d is granted him in due form - And it is ordered that William Yancey, Christopher Waltz, Noah W Sluder, John Ryan & Joseph Leap or any three of them being first sworn do appraise the Estate of the said Jacob Haynes dec^d & make report to Court

On the motion of Abraham Knop Executor of Adam Shultz it is Ordered that Isaac Thomas be appointed a Commissioner to examine State and settle the Estate & accounts the said Adam Shultz with the said Executor & make report to Court

Ordered that Joseph A Conrad be appointed Guardian of William I. Charles W and Ann Virginia Runcle orphans of Joseph Runcle dec^d whereupon the said Joseph A Conrad appeared in Court and entered into bond with security in the penalty of $2000 - conditioned as the law directs

A Report of the viewers for a change in Public road leading from New Creation to Turley Town was returned into Court, and the change prayed for ordered to be established agreeable to said report

On the petition of Charles B Yancey & others for the establishment of a road from or near Wolf Creek Tannery to a point near Benjamin Stanley's Store in Stanley's Hollow - It is ordered that Jacob Bear, Joseph A Conrad & Thomas K Miller, be appointed Comm^rs to examine the route for the proposed road as set forth in said Petition & make report to Court

Ordered that the Overseers of the Poor bind Wm Tate - Orphan aged 13 years to Conrad Sanger as the law directs, who is to pay him £100 - when he arrives of age -

Ordered that Overseers of the Poor bind Abner Tate, aged 11 years to Jacob Sanger as the law directs to learn the farming business who is to pay him £100 - when he comes of age

On the Motion of the Rockingham Turnpike Company - due notice of their application having been given in the manner prescribed by Law) It is Ordered that William Vanclear, Charles Weaver, John F Lewis, David Gilmore and Henry E Sipe, be appointed Commissioners, to ascertain a just Compensation to the owners of land upon the line of said improvement within the said County, for such of the said lands as are proposed to be taken by said Company for its purposes

A writing purporting to be the last will & Testament of St Clair D'Kirby dec. was presented to Court and proved by the oaths of Joseph H Conrad & Conrad H Keto to be wholly in the hand writing of the said St Clair D'Kirby & ordered to be recorded, And on the motion of Henry M Sofland one of the Executors therein named who made oath thereto and entered into bond with security in the penalty of £20.000 - conditioned as the law directs (the securities having justified) a Certificate is granted him for obtaining a probate thereof in due form - And It is ordered that Jacob Bear, George W Saurberger, Jacob Miller and John Conrad or any three of them being first sworn do appraise the Estate of the said St Clair D'Kirby & make report to Court

A report of the views made on the Petition of Hugh Glenn & others for a road - was returned into Court & the said road ordered to be established agreeably to said report

Ordered that the Court be adjourned until 10 Oclock to Morrow — Isaac Thomas

Tuesday the 17th day of February 1852

Present

Isaac Thomas Jonathan Poole
George Brunner & Isaac Hardesty } Gent. Justices

Henry Hemler an alien appeared in Court and declared his intention upon oath of becoming a Citizen of the U States which declaration is ordered to entered of record —

John L Hofmotel — an alien appeared in Court and declared upon oath his intention of becoming a Citizen of the U States which declaration is ordered to be entered of record

A Report of the Commissioners appointed to divide the land and negroes of Abraham Sinclair dec'd as directed by the sale of said dec'd was returned into Court & ordered to be recorded

Settlements of the Estate accounts of Adam Melrick dec'd Nathaniel G Bowers dec'd, John Rush dec'd & Andrew Coffman dec'd with their respective executors & administrators were returned into Court and having been filed in the Clerks Office for the time prescribed by Law were ordered to be recorded

Settlements of the Guardian accounts of Joseph Miller & Marion Mast with their respective wards were returned into Court & having been filed in the Clerks Office for the time prescribed by Law were ordered to be recorded

Comth. } Long Jury sworn to try the issue to wit Asberry Fauntl
John Newcander Phelander Bush Davis Sipe Boren Webster Daniel
G Myers Thomas Vansant Abra Conady Henry Good Abraham Huddle
John Smith & Jesse Flesh – Verdict – Defendant Not guilty

	Commonwealth	vs	Hunter	Capias awarded
	Same	vs	Sowels	The Same
	Same	vs	The Same	The Same
Jpd	Same	vs	Mellenger	The Same
Jpa	Same	vs	Ready Judgment	Confessed for Costs
	Same	vs	P. Tawley	Dismissed
	Same	vs	Ralston	Continued
	Same	vs	Moore	Not Guilty & Issue Continued
	Same	vs	Page	Continued
	Same	vs	Dyer	Continued
	Same	vs	Gordan	Continued
	Same	vs	Koonty	Continued
	Same	vs	Hite	Continued
Jpd	Same	vs	Terrill & New Sums to Augusta County	
	Same	vs	Fox	Continued
	Same	vs	Renker	Continued
	Same	vs	Hugh	Not Guilty & Issue Continued
	Same	vs	Moore	abates by Return
	Same	vs	Hackley	Ind & Confessed for Costs ~~Not Guilty & Issue Continued~~
	Same	vs	Wetzel	Continued Rule on H. Wetzel & Ustrup
	Same	vs	Cook	~~Not Guilty & Issue Continued~~ Ind & Confessed for Costs
	Same	vs	Phelps	Continued
	Same	vs	Harry	Continued
	Same	vs	Swanson	Continued
	Same	vs	Hutchins	Not Guilty & Issue Continued
	Same	vs	Brightman	Continued
	Same	vs	Vansant	Not Guilty & Issue Continued

S The Commonwealth vs Neecander Continued
S The Same vs Nicholas Continued
S Same vs Smith Continued
S Same vs Brown Not Guilty & Upon Him Continued
S Same vs Wm Bowyers The Same
Tpd Same vs Joseph Bowyers (Injr Cons/pd Dismissed & Costs)
Jpds Same vs Glavis New Sums awarded
S Same vs Jones Continued

Henry B Hansbergen Plff
vs
Upon an attachment
Tp Michael B Cline Dft

Docketed & order of Publication awarded

Christian Kratzer Plff
vs
Upon an attachment
Tp Michael B Cline Dft

Docketed & order of Publication awarded

Henry B Hansbergen Plff
vs
Upon an attachment
Michael B Cline Dft

Henry B Hansbergen Plaintiff in an an action instituted in the County Court of Rockingham pending on the 5th day of January 1852 having on that day made oath before Erasmus Coffman Clerk of the said County Court that the amount of his Claim in said suit was $400 - due 2nd January 1848 with Int from that date subject to the following credits viz $24 February 26th 1849 & $25 July 18th 1850 that the said Cline was justly indebted to him the said sum as above stated, that the said Cline was not a resident of this State & that the affiant believes the said Cline had estate or debts due him in said County of Rockingham, and the said Clerk having granted an attachment against the Estate & debts due & belonging to said Cline in said County returnable to the present term of this Court, and the

Sheriff having made return that he had summoned John Beery, William Bridges, Franklin McLittle, Harvey Smith and Charles Polland as garnishees – This day came the Plff by his attorney by his attorney and the said Michael B Cline was solemly called but came not. Whereupon Franklin McLittle came into Court being sworn upon his oath declares that he rented the property in Edom which he now occupies from said Cline and that there will be due for One years rent on the 1st Sept 1852 $200 – that he is willing to pay said rent when due to the party legally entitled to receive it & further that he has in his possession Several pieces of linsey and some carpeting belonging to said Cline – William Bridges also came into Court being sworn upon his oath declares that he is indebted to said Cline $75 – due 1st June 1851 also $450 – for rent which will fall due on the 1st June 1852 – Harvey Smith also came into Court being sworn upon his oath declares that he is indebted to said Cline $65 for rent which will fall due 1st April 1852 – And It is ordered by the Court that the above named garnishees retain in their hands the property and the Several amounts of money due & to fall due as above disclosed, subject to the further order of the Court & that the same be continued until next Court

Memo. During the examination of the garnishees John Beery appeared in Court and asserted his claim to all the rents refered to in the declarations of said garnishees which have accrued since the 1st day of January 1852 –

Christian Kratzer Plff
vs
Michael B Cline Dfft
} Upon an Attachment

Christian Kratzer Plaintiff in a certain action of debt instituted in the County Court of Rockingham & pending on the 5th day of January 1852, having on that day made oath before Erasmus Coffman Clerk of the said County Court that the amount of his claim or

was $3010 – with interest on $1760 – part thereof from the 17th day of June 1850 the said & interest on $1250 – another part thereof from the 25 day of December 1851 the said, that the said Cline was not a resident of this State and that the said affiant believed the said Cline had estate or debts due him within the said County of Rockingham, and the said Clerk having granted an attachment against the Estate & debts due & belonging to said Cline in said County, returnable to the present Term of this Court, and the Sheriff having made return that summoned John Beery, Gideon Kratzer and Charles Pollard as garnishees, this day came the Plff by his attorney, and the said Michael B Cline was solemly called but came not – Whereupon William Bridges came into Court & being sworn upon his oath declares that he is indebted to said Cline $75 – due 1st June 1851 also $450 – for rent which will fall due on the 1st June 1852 – And it is ordered that the said William Bridges retain in his hands the amt of the rent due or to fall due as afore disclosed subject to the further order of the Court – and that the case be continued to next Court

Memo – John Beery appeared in Court and asserted his claim to the rent also refused to which has accrued since the 1st Janry 1852

Com'th vs Morrow – Jury sworn to try the issue to wit: John S Meadwole, William Webster, John Long, Abner Nicholas, Fountain Layton, Zachariah Ziegler, David Sipe, Samuel Fisher, Asberry Fawcett, John Smith, Peter Thomas and John S Thompson – Verdict "We the jury find the defendant guilty & assess his amercement to two cents" and Judgment accordingly

Com'th vs Raines – Continued

Same vs Rice – Same

On the Motion of W. B. Smith and he having made oath thereto and entered into bond with security in the penalty of £800 Conditioned as the Law directs for Administration of all and singular the goods and Chattles of Willoughby D'Eresby Callett is granted him in due form (the Widow of the said W. D'Eresby Callett having form under her hand relinquished her right to the administration) & Ordered that

Tps — Comth'a vs Woolfrey - Costs & Rule vs James Lee & others
s — Comth'a vs Estep — Continued
s — Same vs Same — Same
s — Same vs P. Parkey — Dismissed
s — Same vs D. Glover & W. Grayson & Continued
s — Same vs Grover & — Same
s — Same vs Powell — Same
s — Same vs Mary — Same
s — Same vs Blundell & — Same
s — Same vs Gibbons — Continued
tps s — Same vs Parkey — Capias awarded
s — Same vs Simon Swanson — Dismissed
s — Ramon vs Turney - Attachment - docketed and dismissed at Plaintiffs costs
tps — Mowry vs Tutwiler - Costs for Plff & Rules against John Brown and Wm Crawford entered
— Comth'a vs Herring - Costs & Rule for Deft for costs - & Rule to return
s — Same vs J. R. Gray — Continued
s — Same vs Mary Swanson — Same & Rule vs Ramon to answer & entered
s — Same vs Miscellaneous — Same
— Long for Plff vs Hooks - Plff set aside Dft's special plea & leave to reply Gen Issue & Continued

Mary Wyant — Plff
Eld vs Burns — Dft } In Chancery

On the Motion of Frederick Wyant by his attorney it is ordered that the decree heretofore entered in this Cause at January Court last be set aside & that the Plff Mary Wyant be required to amend her bill making said Frederick Wyant a defendant

A Sherman Admr of C Short dec'd Plff
vs In Chancery
A G Wilson &c Dfts

This cause came on to be heard this 17th day of February 1853 upon the bill & exhibits, and it appearing to the Court that more than one month has elapsed since the bill was filed & the subpoenas returned executed as to all the defendants except Henry C Wilson & William P Daingerfield and it further appearing that the said last named two defendants are absent from the Commonwealth and that an order of publication was duly made & published as to them, it is therefore ordered that the bill be taken for confessed as to all the defendants, And it is further adjudged ordered and decreed by this Court that John W Smith be and he is hereby appointed a Commissioner whose duty it shall be after advertising the time place & terms of sale for at least three weeks at two or more public places in Harrisonburg to proceed to sell the property conveyed to William P Daingerfield by the deed of Trust in the bill mentioned, at public auction to the highest bidder and that he require the Cash to be paid in all cases where the purchases of the bidder do not exceed $10- & take bonds with approved security, for all sums exceeding $10- falling due on the 2d day of July next & make report of his proceedings in the premises to the next term of this Court thereafter -

Condth as Witpl - Jury sworn to try the issue & trie Thomas Vanpelt, William Rodeffer, Benin Webster, Abner Canada, Henry M Dofland, John Niswander, William Ralston, Jesse Flick, William Sooter, Samuel Jones, Michael Weavers & Samuel Hutchins - Not agreeing in their Verdict they were discharged

Myers vs Huddle — By consent removed to Circuit Court

Clive vs Bowman — By consent order of Survey awarded & cause continued —

D.S. Jones & wife &c Plffs vs Jacob Yosts Heirs Dfts } In Chancery

Leave given to file answer of Guardian ad litem, S. W. Yost, & Jacob B. Yost, which were accordingly filed in Court

D.S. Jones & wife &c Plffs vs J. Yosts Heirs Dfts } In Chancery

This cause came on to be heard this 17th day of February 1852, upon the bill answers, replications & the answers of the guardian ad litem of the infant defendants and it appearing to the Court that more than One month has elapsed, since the bill was filed and subpoenas returned executed upon the Lucinda Ward and Gambill Sprinkle & wife it is ordered that the bill be taken for confessed as to them and it appearing to the Court as well from the statements of Counsel as from the bill and answers and from the nature of the property in the bill mentioned, that the same is incapable of being divided at all among so large a number of heirs, it is therefore adjudged ordered and decreed by the Court that Herring Clive may be and he hereby is appointed a Commissioner, whose duty it shall be after advertising the time place and terms of Sale for four weeks in the Penn newspapers published in Harrisonburg to proceed to sell the property in the bill and proceedings mentioned in such parcels as he shall deem most advantageous on the following terms, to wit: One third of the Purchase money of any one parcel to be paid in two months with interest from the day of Sale & the balance in Three ~~equal~~ annual payments from the day of Sale

to be secured by bonds with approved personal security and by deeds of trust upon the property & that he make report of his proceedings to the Court

It is further ordered that the said Herring Chrisman shall receive no part of the purchase money of said property until he shall have given bond with security before the Clerk of this Court in the penalty of $6000 —

Comth vs William Sorter — Continued
Same vs Same — Continued
Same vs Fawcett — Same
Same vs Dean — Same

Ordered that the Court be adjourned until to morrow Morning at 10 O'Clock

Isaac Thomas

Wednesday the 18th day of February 1852

Present

Jacob Rush, Jonathan Peale, Isaac Handley, Peter D. Koontz, Stephen Manning & Isaac Thomas } Gent Justices —

Ordered that the Overseers of the Poor bind Abram Dever a white boy Six years old to Martin Brenneman as the law directs to learn the farming business, who is to pay him $100 — when he comes of age

Switzer vs Catlett — On motion of Plff suit revived in the name of the Admr of said Catlett — & cause continued —

Coakley vs Jackson — On motion of Plff suit revived in name Admr of Coakley & continued

A report of the Commissioners appointed to ~~divide~~ make partition of the lands of Jacob Huffman dec'd. was returned into Court & confirmed & ordered to be recorded

Commonwealth vs Conrad Long — Jury sworn to try the issue — to wit: Fountain M Layton, John Gordon, Charles Burnett, William Miller, George Brent, Samuel M Bowman, Samuel P Johnson, Ferdinand G Way, William Rodgers, Franklin Marty and Joseph Price Lemuel Innes, Verdict "We the Jury find the defendant guilty — & Ind^t accordingly —

Ind^t

Tutwiler Adms vs Valley T Company — Continued —
Peter Moyers vs Same — — dis^d Agreed —
Clarke vs Webb — — Continued —
Howard P vs Armentrout — Continued —
Sterling vs Bailey — — Continued —
Same vs Same — — Same —

R O Thompson & Co^ Plff's
vs
Abner Canada Def^t
} Upon an attachment

This day came the parties by their attorneys and the Sheriff having made return that he has executed the attachment on one boom & tackle &c & the Court having heard the argument of counsel & the evidence for the motion — It is considered by the Court that the Plaintiffs recover against the defendant the sum of $144.73½ cents with Int on $3.37½ cents part thereof with Int from 12th Aug^t 1845 — and interest on $80.48 Cents another part thereof from the 25 day of March 1847 and interest on $60.48 cents the residue thereof from the 16th day of June 1848 till paid. and his costs by him in this behalf expended And it is ordered that the Sheriff make sale of the personal property levied on, except such part as may be exempted from execution by law — as the law directs & pay the proceeds thereof to the Plaintiffs on account of the judgment & return an account of such sale directed by law —

Cert^e & Cert^d to Auditor

Andrew J Van Pelt — Sergeant of the Company of Harrisonburg two accounts against the Commonwealth amt^g together to $5.80 Cents which were examined by the Court & ordered to be certified as directed by law —

Ordered that the Sheriff be directed to hire out George Strother, Isps Lewis, Peter Brannon, Isaac Londenberry Jr A Londenberry, Isaac Londenberry, Peachy Gordon, George Colley, Caesar Hughs, Shedrick Holley, Willis Griggs, Benjamin Safety, John Triplett, John Spangler, Moses Strother Madison Maho, Calvin Hall, James Hite, Jerry Gibson, John Gibson, St Clair Gibson, Joshua Bryan & Samuel Bryan free negroes who have been reported to Court by Wm Abbarnet Thomas Hewes & Hamberger Deputy Sheriffs, for having failed their taxes for the year 1857 - for such time as will suffice, at not less than ten cents a day to raise the said taxes and levies with a Commission to the Officer of five per cent

Thompson vs Canada — Continued
Weaver vs Almond — Same
Shoveltead vs Smith — Same
Pool vs John E Braffey — Continued & docketed in the name of Nolens Ex: vs Jno E Braffey
Same vs Same — Cont'd & ordered to be docketed in the name of Mary Maphis - vs Jno E Braffey
Wood & Co. vs Braffey & Bro — Continued
Hopewell vs Berry — Continued
Cooper vs Dew — Dismissed
Rice — vs Bell — Dismissed
Dunkle vs Gibbons — Continued
Roller vs Bailey by consent Continued

A Report of the Commissioners appointed to divide the slaves of which Albert G Mauzy died possessed between the Widow and infant heirs of the said dec'd was returned into Court and ordered to be recorded

Waupin vs Hagans — Cont'd for Def't

Webster vs Wayt Nicholas ~ Jury sworn to try the issue joined & Wit:- John Gordon, Charles Burnett, William Miller, George Brunk, William Rodeffer, Franklin Mantz, George W Chandler Joseph Price, William Allen, Martin Brennaman, Samuel Hutchins, & Reuben Ringrey, Verdict "We the Jury find that the Carryall levied on sold by Thos Smith Constable to be the property of the Plaintiff Benn Webster & that he is entitled to receive the proceeds of the Sale thereof." & Judgment accordingly —

Keffer vs Gilmer ~ Judgment confessed (per agreement filed) for $117.50 cents with Interest from 18th July 1852 till paid & Costs of Suit ~ Subject to a credit of $62.50 paid 18 July 1852 ~ Execution to lie until April 1853

Kemper Ex. &c Randall - Affirm'd & Set aside Supt Bond rep upon Costs
McCormack vs Dunlap ~ Same
Carpenter " Catlett ~ Same
Gray " Hale ~ Same
Duff " Ruffner ~ Same
Swope " Showalter ~ Same
Ruffner Mercantile Co vs Way ~ Same
Walton for Co vs Dever ~ Same
Fletcher Guard " Lee ~ Same
Effinger for Co " Mauck ~ ~ Same
Blain " Ruffner ~ ~ Same
Leedy " Long ~ ~ Same
Philips " Berry ~ Same ~

Ordered that the Court be adjourned until to morrow morning at 10 Oclock

Isaac Thomas

Wednesday 14th July 1852

Present

Isaac Thomas, Isaac Hardesty
Jonathan Peale, Robt McKyle } 4 Justices
John Ott Brown.

Turner W Jackson Plff
vs
Wm S Pierce Dfdt } Upon an attachment

This Sheriff having returned the attachment
1pa in this case Executed & for reasons appearing to the Court It is con-
sidered that the Plaintiff recover against the defendant $75- with
Interest thereon from the 5th day of November 1851 title paid & Costs -

Turner W Jackson Plff
vs
Wm S Pierce Dfdt } Upon an attachment

The Sheriff having returned the attachment in
1pa in this case Executed & for reasons appearing to the Court It is
considered that the Plaintiff recover against the defendant $75-
with Interest from the 27th day of May 1851 & costs &

Decurcey & Superintendent &c vs Shipman & Roller Continued
Shirey vs Harris — — Continued
Paul vs Dunlap - Plea warrant Judgment confessed for debt
in declaration mentioned saving equity -
Effinger vs Smith Same
Harrison vs Ralston & — Same
Shacklett & Brassfield vs Catlett — Suit remains against Defdt
Smith as one of Defdt Catlett — & Continued —
Pool vs Lantz on a Rule Contd
Combs vs Shufflebarger " Same
Young & Pochon vs Piper — — Contd
McDowell Exrs & vs Bailey — Do
Rader " Winfield — Same
Newman " Bailey Same
Hardesty vs Epler Same

Bevin Webster Plff
v
Way & Nicholas Defts } Interpleaders

On the motion of the Plaintiff and for reasons appearing to the Court It is ordered that the verdict rendered in this case on yesterday be set aside, and that a new trial be granted upon condition that the Defendant pay the costs of the trial had at this term - & that the cause be continued

Mercer's adm'r v Yancey Continued
Looker v Looker Ex'r Same
Byrd v Maupin — Cont'd for Plff
Way & Wilson v Hunter — Cont'd
Sentyre for &c v Catlett — remitd agst Adm'r of Catlett & Continued
Fridley v VanPelt — Cont'd
Shield v Mills — by consent remd to Circuit Court
Thompson & v Canada — dismissed
R.C. Thompson v Same — Continued
Lamb vs Way - Plea &c and Judgt confessed for the debt in the declaration mentioned saving equity —

John Looker vs Henry Steinler - W.C. set aside W.C. general replication & issue — & Jury sworn to try the issue to wit: Samuel Bowman, Samuel Hutchins, John Gordon, Garrard M. Effinger, John G. Effinger, William C. Blakemore, Elijah Hauntenger, Elijah Ham, David A. Stone, Joseph Price, William Redfern & Samuel P. Johnson — Verdict "We the Jury find the defendant Not guilty" & Judgment accordingly

Present
Isaac Hardesty, Robert McKyle
Jonathan Peale, Jno. G. Brown } Justices

Miller Exrs vs Downing — Dismissed agreed —
Klein vs Cromer — Costs for Plff —
Miller Hamm & Co. vs Johnson, dismissed & Judgt for defts costs
Smith Const for vs Crofoot — Continued
Same vs Nicholas — Same
Same vs Sigafoot — Same
Blair vs Bleigh — Same

On the motion of Stephen Hausbergs Executor of Jacob Hausbergs dec'd It is ordered that Richard P Fletcher be appointed a Commissioner to examine Hear & Settle the Estate accounts of the said Jacob Hausbergs dec'd with the said Executor & make report to Court

Mauzy's Adm'r vs Weidle — It is set aside the Statute of Jeofails, Jeofail rep & issue and by consent a jury of Seven men sworn to try the issue, to Wit:— Samuel Brennan, John Gordon, Gerard M Effinger, John G Effinger, Samuel P Johnson, John Hoover, Abram M Harris — Verdict. We the Jury find for defendant & Judgt accordingly

Long vs P Shonaltes — It is set aside Jeofail rep & issue Costs
Same vs I Shonaltes — — Same

Patterson vs Bear — By consent a jury of Seven was sworn to try the issue to Wit:— John Gordon, Gerard M Effinger John G Effinger, Fry Hausbergs, Elijah Hann, Samuel P Johnson & John Hoover, Verdict "We the jury find for the Plff $23.42 cent damages & Judgt accordingly

Klein vs McCall — Continued
Minich vs Minich (dismissed for want of security for costs)
Bohrer vs Gailey — Continued
Canada vs Shetty — Same

Annon vs Cupp — Contd for Dft
Hagans vs Maupin — Contd for Dft
Kratzer vs Shue — Contd for Dft
Lindamood vs Hendrickell — Contd
Beam vs Barley — Contd
Milliard vs Keyser — Contd
Seutzer vs Dickinson - W E set aside W G for 2nd time & issue & Contd
Lambert vs Donovan — plea waived & Judgment confessed for the debt in the declaration mentioned — Saving equity —
Cooks Adm. vs Showalter - W E set aside W G 2nd time & issue & Contd
Looker vs Spitzer — Continued
Looker vs Marty on a rule — discharged
Same vs Step " " — Same
Prices Adm. vs Hamberger — Case The Plaintiff replied the Statute of limitations against the plea of offsets & Continued
Same vs Same Debt — plea Con. & Same & Issue & Judgt confessed for the debt in declaration mentioned Saving equity
Miller vs Harris — Office Judgt set aside Payment filed & issue & Continued

Ordered that the Court be adjourned until the third Monday in March next

J. Hardesty

Virginia to Wit;

At a Court held for the County of Rockingham on the third Monday in March being the 15th day of said Month 1852

Present

Reuben Moore, Charles A Spears
John G Brown & David R Hopkins } Gent. Justices

A List of Deeds and other Writings admitted to record in the Clerks Office of Rockingham County from the 1st to the 29th day of February 1852 (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 to be posted up at the door of the Court house of said County, which List is as follows, to Wit;

A Deed for Land from John Lienberger & Wife to Jacob Lienberger —
" " " D E " John Shuff to Geo R Long (In Trust for Jno F Haines
" " " Land " George Keshler to Daniel Hook —
" " " " " Conrad Senger & Wife to John Senger —
" " " " " Same to Jacob Senger —
" " " " " Algernon S Gray to Charles S Polland —
" " " " " Same to Emanuel Royer —
" " " " " Thomas K Miller & Wife to Alfred L Wolfe —
" " " " " Alfred L Wolfe & Wife to Thomas K Miller —
" " " " " Jeremiah Shavalter & Wife to William H Bailey —
" " " " " Henry Carrier & others to Jno F Harris (In Trust for &c
" " " " " Harrison Mickens & others to Henry Michael & others
" " " " " Erasmus Coffman Clerk to Odd Fellows —
" " " " " Peter Yetter to John Sprinkle —
" " " " " Adam Peterfish & others to Daniel McKay —
" " " D E " John Rice to Isaac G Coffman (In Trust for &c
" " " " " John Bear to James Keyney (In Trust for &c
" " " Land " Mary Baker & others to Jacob Baker —
" " " " " George K Gilmore & others to M E Church —
" " " " " Strother May & others to Israel May —
" " " " " Isaac Moffett to Reuben Kingree (Release)
" " " " " Robert Thompson to William Cook —
" " " " " Stephen Shuflett to Chapman Shuflett —
" " " " " Isaac Fridley to Rachael R May —
" " " " " Jane Beadins to William Gallehugh —

A Deed for Land from Christena Vantrumph &c to John Vantrumph
" " " " " Same to Adam Brock
" " " DE " D. A. Gibbs to E. A. Shands (In Trust for)
" " " Land " R. Armentrout Wife to Michael Armentrout
" " " " " John Huffman to Peter P. Koontz & others (Trustees)
" " " " " John Miller & Wife to Lewis Garrison
" " " " " Henry Keats to George Miller (In Trust for)
" " " " " Martin Neff to Herring Chrisman In Trust for &c
" " " " " Polly Seigfried to Andrew J. Johnson
" " " " " C. F. Harnberger to E. T. H. Warren (In Trust for)
" " " " " David McKay & others to Daniel Hoel
" " " " " Robert McKyle to Philip Leggett
" " " " " John L. Hopkins Comr to Samuel Miller
" " " " " Algernon S. Gray to Daniel Taylor
" " " " " John Eaman Wife to E. A. Shands (In Trust for)
" " " " " Augustus Waterman to Jacob Mayers
" " " " " Samuel Bowman Sen to Michael Whitmire
" " " " " Same to Benj & Sam'l Bowman
" " " " " Same to John Bowman
" " " " " John Rhodes to Abraham Early & (Trustees)
" " " DE " George A. Hinkle to Jno Williamson (In Trust for)
" " " Land " William Linaweaver to David Linaweaver

Israel Way &c — Plff
Jacob Way &c — Deft
In Chancery

Leave given to file answer of guardian ad litem
May May &c

Israel Way &c — Plff
Jacob Way &c — Deft
In Chancery

This cause came on to be heard the 15th day of March 1852 upon the bill, exhibits, and answer of Mary May and of the infant defendants by Erasmus Coffman their guardian ad litem whereupon the argument of Counsel

being heard, the Court doth adjudge order and decree that Daniel Driver, Henry Neff, and Seram P Kimbel who are appointed Commissioners for that purpose, do proceed to make partition of the lands of which Isaac May dec^d died seized & possessed, which are described in the deeds exhibited A. B. C & D, and lay off by metes & bounds one equal third thereof agreeably to quantity & quality including the mansion house as the dower of the defendant Mary May; and that said Commissioners make partition of the remainder thereof and assign to Israel May three eights thereof agreeably to quantity & quality, in one body if the same can be done without injustice to the remaining shares and assign to John A White & Lydia his wife to Jacob Crist & Elizabeth his, to John Campbell & Caroline his wife to Isaac May and to Leanah May each one eighth thereof by metes & bounds agreeably to quantity and quality, and that said Commissioners make report to this Court at its next term —

Settlements of the Estate accounts of Benjamin Mayers dec^d, Samuel Horn dec^d, Thomas Lewis jr dec^d and David Paubel dec^d were returned into Court by the Clerk thereof, and having been filed in the Clerks Office for the time prescribed by Law were ordered to be recorded

Hofmokel	Plff	}	In Chancery
vs			
Comadre	Defts		

This cause came on again to be heard this 15th day of March 1852 upon the papers heretofore read in the cause & upon the report of the Commissioners appointed to make partition of the lands in the bill mentioned which not being excepted to, the same is hereby confirmed. And the Court doth further decree that the expenses & costs of this suit be paid by the parties thereto in proportion to their respective interests in the lands in Controversy —

A Writing purporting to be the last Will & Testament of John R Bear dec'd, was presented in Court and proved to be wholly in the hand writing of the said John R Bear by the oath of William B Warren - and ordered to be recorded, And on the motion of Peter H Bear and Joseph Burkholder the executors therein named, who made oath thereto and entered into bond with security in the penalty of $28.000 conditioned as the law directs, a certificate is granted them for obtaining a probate thereof in due form - And it is ordered that Simon S Harmon, John A Funkhouser, Jacob Mundon and Benjamin D Bowman or any three of them being first sworn do appraise the estate of the said John R Bear dec'd & make report to Court -

Cp

A Writing purporting to be the last Will & Testament of Adam Wise Sen'r was presented in Court & proved by the subscribers thereto & ordered to be recorded, And on motion of Adam Wise & Peter Wise the executors therein named who made oath thereto and entered into bond with security in the penalty of $36000 - conditioned as the law directs a certificate is granted them for obtaining a probate thereof in due form - And it is ordered that John Wise Junr, John Miller of Martin, Micah S Rollar and David Wise or any three of them being first sworn do appraise the Estate of the said Adam Wise Sen'r & make report to Court -

Ag Wise to Copy of Certificate of Probate

Cp

On the motion of Reuben T Gaines who made oath thereto and entered into bond with security in the penalty of $800 - conditioned as the law directs, Administration of all and singular the goods & chattles of Priscilla Franklin is granted him in due form - & It is ordered that John Sanders, Mans Burkholder & Charles Chandler being first sworn do appraise the Estate of the said Priscilla Franklin dec'd & make report to Court -

Cp

A writing purporting to be the last will & Testament of William Pinkney Williams was presented in Court & proved by the oaths of Wm A Gamble & Mich St Shea to be wholly in the hand writing of the said William Pinkney Williams and ordered to be recorded and on motion of Charles D Gray the Executor therein named who made oath thereto and entered into bond with security in the Penalty of $10000 Conditioned as the law directs, a certificate is granted him in due form

Crawford Jerkle (son of John B Jerkle and grand son & devisee of Jacob Mantz dec'd.) over 14 years of age came into Court & made choice of his father John B Jerkle as his guardian, whereupon the said John B Jerkle appears in Court and entered into bond with Security in the Penalty of $400 - Conditioned as the law directs —

William Eddings over 14 years of age, orphan of James Eddings dec'd. came into Court & made choice of Jacob S Piper as his guardian and it is ordered that that the said Jacob S Piper be appointed guardian for Catharine A, Robert Theodore Pike and Mourneen A Eddings orphans of the said James Eddings dec'd (under 14 years of age) — whereupon the said Jacob S Piper appeared in Court and entered into bond with security in the Penalty of $6000 - Conditioned as the law directs

On the motion of John G Jerkle, Guardian of Sarah E, Richard & Isaac F Thomas orphans of Stothers Thomas dec'd. - It is ordered that Wm G Thompson be appointed a Commissioner to examine State & settle the Estate account of the said Guardian & make report to Court

A writing purporting to be the last Will & Testament of Charles A Young dec'd was presented in Court and proved by the oaths of the subscribers thereto & ordered to be recorded

A writing signed by Elyabeth Barnes widow of Charles J Barnes dec'd in which she renounces the provision now made for her in the will of her late Husband was returned into Court & proved by the oaths George Rader & Anthony Roads the subscribers thereto and ordered to be recorded

Elyabeth Ann Armentrout, Sarah Catharine Armentrout, and Evaline Maria Armentrout (over 14 years of age) children of Jacob Armentrout and grand children of Baltzer Seitz dec'd by writing acknowledged before a justice of the Peace, nominated the said Jacob Armentrout as their guardian -- Whereupon the said Jacob Armentrout was appointed guardian for the said Elyabeth A. Sarah C & Evaline M Armentrout - over 14 years of age - & also guardian for Amanda Jane, Susan Estaline & William Henry Armentrout under 14 years of age children of the said Jacob Armentrout & grand children of Baltzer Seitz dec'd - and the said Jacob Armentrout appeared in Court and entered into bond with security in the Penalty of $3000 - Conditioned as the law directs

On the motion of John Ashenfelter who made oath thereto and entered into bond with security in the penalty of $100 - Conditioned as the law directs Administration of all and singular the goods & Chattles of Thomas Ashenfelter dec'd is granted him in due form - And it is ordered that Nathan Austow, Jacob Triesel, Joel Spitzer & Samuel Wine or any three of them being first sworn do appraise the Estate of the said Thomas Ashenfelter & make report to Court

On the Motion of Levi Reedy who made oath thereto and entered into bond with security in the penalty of $300- conditioned as the law directs a Commission of all and singular the goods & Chattles of William Reedy dec'd is granted him in due form, And it is ordered that John Paulsell, Jacob Miller, John Miller and Philip Parrot or any three of them being first sworn do appraise the Estate of the said William Reedy & make report to Court

On the Motion of Thomas B Gilmore, who took the oaths prescribed by Law, It is ordered that he be admitted to practice as an attorney in this Court

On the Motion of James Raynes who made oath thereto and entered into bond with security in the penalty of $2000- Conditioned as the law directs Administration of all and singular the goods & Chattles of Jeriah Raynes is granted him in due form

On the Motion of Charles R Rush Admr. of John Nicholas dec'd. It is ordered that Joseph Maury be appointed a Commissioner to examine state and settle the Estate accounts of the said Joseph Maury with the said Admr & make report to Court

A writing purporting to be the last will & Testament of Sarah Hurly dec'd was presented in Court & proved by the oaths of the witnesses thereto & ordered to be recorded and on motion of Smith Lofland who made oath thereto & entered into bond with security in the penalty of $250 - conditioned as the law directs Administration with the will annexed is granted him in due form & it is ordered that David Armentrout, John A Hefs, David H Gamble & Reuben W Harrison or any three of them being first sworn do appraise the estate of the said Sarah Hurly & make return to Court

On the motion of John V Koogler who made oath thereto and entered into bond with Security in the penalty of $150 – Conditioned as the law directs Administration of all and singular the goods & Chattles of Abraham McKay dec'd is granted him in due form, and it is ordered that John Heatwole, Joseph Heatwole & Elias Holland being first Sworn do appraise the estate of the said Abraham McKay dec'd & make report to Court

Cp

On the Motion of Peter Lasey Wood & Petition for Road. It is ordered that Philander Herring George Kiser & Solomon Garber be appointed viewers to examine the change proposed & Report to Court

Cp

A writing purporting to be the last will and Testament of Catharine Fulk dec'd was again presented in Court & fully proved by the oaths of Isaac Fulk and Joshua Fulk the Remaining Witness thereto & ordered to be recorded

S

On the motion of Levi Reedy who made oath thereto and entered into bond with Security in the penalty of $50. Conditioned as the law directs, Administration of all and singular the goods & Chattles of Nancy Reedy dec'd is granted him in due form and it is ordered that John Paulsel, Jacob Miller, John Miller & Philip Parrot or any three of them being first Sworn do appraise the Estate of the said Levi Reedy & make report to Court

Cp

S Way – vs Sheetz – On a motion Docketed & Continued

S Comito vs Sellers – On a Recognizance – Docketed & Continued

S Harper vs Green – Unlawful Detainer – Docketed and Continued

I Miller &c Pltff
vs
C Moyers &c Dfts
} In Chancery

The report of Commissioners Dennis Coffman, Peter Acker & Wm P Smith in this cause was presented in Court this 15th day of March 1852 to which there is no exception & the same is therefore confirmed & ordered to be recorded

Benj Moyers Heirs Pltffs
vs
Benj Moyers Heirs Dfts
} In Chancery

On motion of ~~Pltff, Heretofore may have grain to file Bill &c.~~ Joseph B Moyers to the Court doth appoint John T Moyers guardian for the infant defendants

Same Pltff
"
Same Dfts
} In Chancery

Bill and answer of guardian ad litem ~~and of Joseph B Moyers~~ filed in Court

Same Pltff
"
Same Dfts
} In Chancery

This cause came only on to be heard this 15th day of March 1852 on the bill and answer of the infant heirs filed in this cause & on the replication thereto and the Court being satisfied that it is the interest of the said infant heirs as well as of the Plaintiffs that the lot of fourteen acres & 25 poles should be sold, the Court doth order and decree that John T Moyers who is hereby appointed a Commissioner for that purpose shall sell the said lot of 14 acres & 25 poles at such time & place as he deems most to the interest of the parties at public sale

on the following terms to wit:- One third in sixty days & the remainder in two equal payments due in nine & eighteen months with interest on the whole from the day of Sale - after having first advertised the time place and terms of Sale for four weeks previously in one of the newspapers published in the town of Harrisonburg and also at three public places in the neighbourhood of the said land for the same length of time - The said Commissioner shall take bonds with good security for all the deferred payments and retain the title of the land for further security, The said Comr. is not authorized to collect any of the money until he shall execute a bond with approved security, before the Clerk of this Court, in the penalty of $800- conditioned to account for and appropriate the proceeds of said Sale according to the further order or orders of this Court - And it is further ordered that the said Comr. report to this Court at its first Session after the Sale what he has done in the premises.

=

Andrew Moffett Admr. with the will annexed of Henry Mayes dec'd, who on the petition of Allan C. Bryan and John Kenney two of his securities in his official bond was at the December term of this Court (last past) required to appear here on the 1st day of the present Court and give a bond - came into Court and refused to give such bond -

It is therefore considered by the Court that the said Administrator has been guilty of a breach of official duty and is and ought to be forthwith removed from his office of Admr.

=

On the motion of Sarah Manning who made oath thereto and entered into bond with security in the penalty of $200 - conditioned as the Law directs Administration of all and singular the goods and Chattles of James R Manning is granted her in due form

and it is ordered that Samuel Fansler, James B. Black and Abraham Carrier being first sworn do appraise the estate of the said James R Manning & make Report to Court

On the Motion of Hugh Newlove it is ordered that Shem Headrick & Francis Dever be appointed Commissioners to allot hands to the new road opened on the petition of s^d Headrickothes - & report to Court

A Writing purporting to be the last will and testament of Harriet S Irvine was presented in Court and proved by the oaths of the witnesses thereto ordered to be recorded John A Brown the executor named therein appeared in Court & refused to qualify - Whereupon on Motion of Clemants Irvine, who made oath thereto and entered into Bond with security in the penalty of $2400 - conditioned as the Law directs, Administration with the will annexed on the Estate of the said Harriet S Irvine is granted in due form

Registers of Lucinda Morris, Francis Morris, Mary F. Morris, Layton Morris, Julia Ann Morris and John Morris, Free negroes now returned into Court by the clerk thereof & being compared with the said Negroes found duly made copies thereof are ordered to be furnished them in the manner prescribed by Law

The Commonwealth vs Noah Sipe } On a Recognizance as the father of two bastard children of Sally Ann Soakey

This day came the Pl^ff by his attorney & the said defendant appeared in Court in discharge of his Recognizance, (the proceedings in the case having at the instance of Cyrus Rhodes on the Recognizance of the Poor) and the evidence and

argument of Counsel being fully heard, the Court on consideration of the case are of opinion that the said Noah Sipe is the father of the said two bastard children, Therefore it is ordered that the said Noah Sipe be charged with the payment of $220- to the owners of the Poor of the County of Rockingham for the maintainance of the said bastard children that is to say -on account of the female bastard child $20- within one month from the date hereof and then $20- annually from the date of the first payment until the sum of $140 is paid - if the said Child shall live so long & on account of the male bastard child $20 within one month from this date and then $20- annually until the sum of $80 is paid if the said Child shall live so long - and that the said Noah Sipe give bond in the penalty of $440 - conditioned for the performance of the above order - Whereupon the said the ~~said~~ Noah Sipe appeared in Court and entered in bond in the penalty above named with Daniel Sipe & John Sipe as his Securities conditioned as above directed

Memo. Upon the trial of this motion the defendant by his counsel moved the Court for a continuance of the cause which motion the Court overruled, to which opinion of the Court the defendant by his counsel excepted and tendered a bill of exceptions which was signed sealed & ordered to be made a part of the record

Ordered that the Court be adjourned until to morrow morning at 10 O'Clock

D R Hopkins

Virginia, to Wit

At a Court held for the County of Rockingham on the third Monday in April being the 19th day of said Month 1852

Present

Jacob Rush, Isaac Thomas, Isaac Hardesty, Samuel Shacklett } Gent. Justices

A List of Deeds & other writings admitted to record in the Clerks Office of Rockingham County from the 1st to the 31st day of March 1852 (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 to be posted up at the door of the Court house of said County, which list is as follows, to Wit —;

A Deed for Land from William Silly & wife to David Rhodes
" " " " " David Rhodes & wife to Gabriel Headrick
" " " " " Julia C Mauzy to Samuel Miller
" " " " " Sam'l Wine Sen'r & wife to John K Wine
" " " " " Christian Simmers & wife to John Cherryholmes
" " " " " Elizabeth Spitzer to Same
" " " " " William Wright to Allan C Bryan & Trustee
" " " " " John D Reed & wife to Albert Wilhite
" " " " " Benj F Walker & wife to Enos Whitzel
" " " " " David Rhodes & wife to David F Gilmer
" " " " " John Sheets & wife to Francis S Duff
" " " " " David F Gilmer & wife to David Rhodes
" " " " " George W Anderson to William Silly
" " " " " Young J Riner & wife to George W Anderson
" " " " " Christian Hoover & others to Harvey Kinkel
" " " " " Reuben Ringer & wife to Benjamin Flick
" " " " " Same to Henry W Ringer
" " " " " Same to William Swecker
" " " " " Richard S Mauzy & to D Pennybacker
" " " " " Elizabeth McGahey to Williams Life
" " " " " David Wise & wife to John Wise
" " " " " John D Reed & wife to David Wood
" " " " " John Whisler & wife to Maria Taylor

A Deed for Land from David Rhodes Wife to Isaac Ritchie
Adam Wise's Heirs Agreement
Peter Michael & Henry Kisting (Agreement)
" " " " " Sam Fillow Wife to Stephen Roadcap
" " of Release " John Higgins (Trustee) to Wm Miller
" " for Land " Joseph H Sheets to Jno T Harris (in Trust &c
" " " " " Samuel Mills & others to G Reed & McCummins
" " " Deed " G. Shoemaker to John T Harris (in Trust for &c
" " " Land " Abraham Harrison Wife to William Sellers
" " " " " Abner Harrison & Wife to Same
" " " " " Jacob Rhodes Wife to Same
" " " " " Jacob Wikle to Trustee of Bridgewater
" " " " " Arthur Craton Wife to Jacob Sanger
" " " " " Albert Wilhite Wife to Emanuel Wise

Settlements of the Estate accounts of John Stalb dec'd & Rebecca Cartwright dec'd & Peter Grubb dec'd & Dan'l H Smith dec'd with their respective Personal Representatives were returned into Court by the Clerk thereof and having been filed in the Clerks Office for the time prescribed by Law, were ordered to be recorded

Settlements of Guardian account of Christian Faulty Guardian of Barbara Crist & Richard S Wampler Guardian of Jacob Lincoln were returned into Court by the Clerk thereof and having been filed in the Clerks Office for the time prescribed by Law were ordered to be recorded

A Settlement of the account of Samuel Klein Trustee for Maria Yount, was returned into Court by the Clerk thereof and having been filed in the Clerks Office for the time prescribed by Law, was ordered to be recorded

A writing purporting to be the last Will & Testament of Adam Wise Sen'r dec'd was again presented in Court & on the Motion of Peter Wise who made oath thereto and entered into Bond with Security in the Penalty of $4000 — Conditioned

as the law directs (the securities having justified) Administration de bonis non with the will annexed on the Estate of the said Adam Wise Sen^r is granted him in due form.

On the motion of James H Flick, who made oath thereto & entered into bond with security in the penalty of $100 - Conditioned as the law directs, Administration of all & singular the goods and Chattles of David Flick deceased is granted him in due form, And it is ordered that Henry Heaton, Hugh Berry, James Berry, and Joseph Smith or any three of them being first Sworn do appraise the Estate of the said David Flick & make report to Court

On the Motion of Jacob T Berry and with the consent of the widow and guardians of the infant heirs of Abraham Berry deceased, It is ordered that Henry Berry, Joseph Wanger, & Abraham Brenneman be appointed Commissioners to assign dower to Magdalen Berry, the widow in the Real Estate of said Abraham Berry, and lay off three elevenths in the said real property for said Jacob T Berry, one as his own share as heir, and two as purchaser from Lydia and John two of the heirs, the three shares, to be laid off in one body if it can be done without injustice to the other heirs and make report to this Court at its next Term

A writing purporting to be the Last Will & Testament of Christian Miller dec^d was presented in Court & proved by the oaths of Abraham Sager and Samuel Miller, two of the Subscribing Witnesses thereto and ordered to be recorded, And on motion of Solomon Parker the Executor therein named who made oath thereto and entered into bond with security in the penalty of $10.000 conditioned as the law directs (the securities having justified) Letters is granted him for obtaining a probate thereof in due form And it is ordered that Geo^g R Hutton, Clemant Irvine, Joseph Roth & Henry H Wenant or any three of them being first Sworn do appraise the Estate of the said Christian Miller dec^d & make report Court

A writing purporting to be the last Will and Testament of Jane Bolin deceased was presented in Court & proved the oaths of the subscribers thereto and ordered to be recorded. (John VanKholden the Executor named in said Will appeared in Court & refused to qualify)

A writing purporting to be the Last Will & Testament of John Blaser dec'd was presented in Court and proved by oaths of the subscribers thereto and ordered to be recorded — And on Motion of David Bowman the Executor therein named who made oath thereto and entered into bond with Security in the penalty of $100- Conditioned as the law directs a certificate is granted him for obtaining a probate thereof in due form And it is ordered that Samuel Shank Sen'r John M Bowman David B Bowman and Samuel Summers or any three of them being first sworn do appraise the Estate of the said John Blaser dec'd & make report to Court

Ordered that Isaac Click be appointed guardian ~~of~~ Christian, Elizabeth, Ann and Jacob Click all under 14 years of age, Children of the said Isaac Click and grand Children & heirs of Christian Miller dec'd. Whereupon the said Isaac Click appeared in Court and entered into bond with Security in the Penalty of $5000 - conditioned as the law directs (the Securities having justified)

Ordered that the Overseers of the Poor bind Philip Adsby aged 8 years September 30th 1851 son of Philip Adsley) to Peter Good as the law directs to learn the farming business (who is to pay said boy $70- when he is of age —

On the Motion of John A Ralston Jr who made oath thereto and entered into bond with Security in the penalty of $1000- Conditioned as the law directs (the Securities having justified) Administration of all and singular the

goods and Chattles of John A Hopkins dec'd is granted
him in Form &c And it is ordered that Jacob Shutzer
John Paulsel, John Wine and Levi Ruby or any three
of them being first Sworn do appraise the Estate of the
said John A Hopkins dec'd and make return to Court

Lists of delinquents in the land & property tax in the County
of Rockingham for the year 1851 were returned into Court
by Abm D Byrd, Wm R Warren, & Thos K Dare two Deputies
for Geo W Kemper Sheriff of said County which lists were
examined by the Court & ordered to be certified to the Pres.
Auditor

Ordered that the Overseers of the Poor bind James a
Mulatto boy son of Mrs Haynes aged 3 years 6 Months
to to Noah Beard to learn the business of a house
servent (as the law directs) who is to pay to the said
boy $75- when he arrives at the age of 21 years - and that
the said Beard give bond with security for the said $75
in the manner directed by Law

Ordered that Overseers of the Poor bind Algernon a Mulatto
boy son of Mrs Haynes aged 5 years 6 Months to Tiffin
Alston (as the law directs) to learn the Farming business also
is to pay said boy $100 - when he arrives at the age of
21 years

Wm A Effinger	Plff	}	On a notice for money
vs		}	collected as Constable by
Samuel Sterling &	Dft	}	said Sterling &

Notice Docketed & Continued

James Carrol, Patrick Hanifan, Thomas Hanifan, Garret
King & Michael Ward came into Court & declared their inten-
tions of becoming Citizens of the U States which declarations
were ordered to be filed

A Report of the Viewers for a Way for a road made on the Petition of Peter Wise & others was returned into Court by the said viewers & It is ordered that Hannah Rinkle through whose land the said road will pass be Summons to appear here on the first day of next Court to shew cause why the said road should not be established agreeable to said report

Report of the Commissioners appointed to ascertain a just Compensation to the Owner of such Lands as are proposed to be taken by the Rockingham Turnpike Company on the line of said road for its purpose - was returned into Court - in the following case to Wit - Bernard Peale's heirs, Catharine Peale, George A Conrad, Harriet Effinger, Mathias Stenb. heirs, Adam Leap, Georg Kuyle, Dan Leedys heirs, Jacob R Stevens, Margaret Nicholas, John Rush heirs J. I Bent, Joseph Leap, Benjamin Van Pelt, George Nicholas, Hannah Scott, Willis Bundy, Elizabeth Nicholas Allan A Bryan, Elizabeth M Gahey, William Richard, Samuel Carmon, & William S Miller And on Motion of E A Sharp President of the Rock. T. Co. was ordered to be docketed and Continued

Jacob S Rinkle (over 14 years of age & orphan of Jacob Rinkle) in writing acknowledged before a justice of the Peace nominated Henry Miller as his guardian, Whereupon it is ordered that that the said Henry Miller be appointed guardian for the said Jacob S Rinkle, whereupon the said Jacob Miller appeared in Court & entered into bond with security in the penalty of Two thousand dollars conditioned as the law directs (the Security having qualified)

Ordered that Isaac Hardesty be appointed a Commissioner to examine the basement Story of the Jail of this County, and to adopt such means, as in his discretion he may think proper to remove the water from said basement which is now in said basement to the injury of said Jail & the annoyance of the occupants

Ordered that this Court be adjourned until the third Monday in May next

Jacob Rust

Virginia To Wit:—

At a Special Term of Rockingham County Court on the 3 day of May 1852, held in in pursuance of an act of the General Assembly of Virginia passed April 24th 1852. Entitled "An act providing for a Special "Term of Rockingham County Court to enable the Sheriff "to give the bond and take oaths of Office"

Present

Isaac Hardesty, John G Brown
David R Hopkins, Newitt Coffman } Gentlemen Justices

George W Kemper, ~~Sheriff elect~~ produced in Court a Commission from the Governor of Virginia under the lesser seal of the Commonwealth, dated April 24th 1852, whereon he is commissioned Sheriff of the County of Rockingham to continue in Office until the March Term of the Court of said County or until a Successor shall be duly appointed and qualified Whereupon the said George W Kemper, together with Jacob Strayer, Jacob Rush, Samuel H Lewis, John H Hopkins & Erasmus Coffman as his sureties entered into and acknowledged a bond in the Penalty of Thirty thousand dollars conditioned according to law, which is ordered to be recorded & certified, and the said George W Kemper took the several oaths of Office prescribed by Law, which is ordered to be entered of record

On the motion of Geo W Kemper Sheriff of this County William R Warren, Abram M Harris, Thomas K Harnsberger, Nathaniel Hanna, Isaac I Grace, John H Hopkins, Abraham S Byrd & Peter Rick were admitted his deputies who appeared in Court & took the several oaths prescribed by Law. The Court being of opinion that they are all men of honesty & good demeanor, which is ordered to be entered of record

Ordered that this Court do now adjourn

D W Coffman

Virginia To Wit:

At a court held for the County of Rockingham on the third Monday in May 1852 being the 17th day of said month

Present

Jacob Rush, Reuben Moore
Mst Harris, Davis R Hopkins } Gentlemen Justices

A List of Deeds and other writings admitted to record in the Clerks office of this County Court of Rockingham from the 1st to the 30th day of April 1852 (both days inclusive) and being 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 to be posted at the door of the Court House of said County, Which List is as follows, to Wit:

A Deed for Land from Samuel Brennan Senr to Wm Rowdabaugh
" " " " " Jacob Lincoln to Richard S Maupin
" " " " " Joseph Showalter & wife to Samuel Good
" " " " " Joseph Funk to Jonathan Funk
" " " " " I. Smith & wife to I A Mitchell &
" " " " " Henry C Rexrode & wife to Archibald Hopkins &
" " " " " W. Mauzy (Trustee) to I Sipe (Release)
" " " " " Jacob Sipe to W Mauzy In Trust to secure &
" " " " " Algernon S Gray to Anthony Rhodes
" " " " " Same to John Riserwander
" " " " " Same to David McLaughlin
" " " " " Same to Isaac N Linden
" " " " " Same to George W Cahoon
" " " " " Alfred C Rohr to Wm G Price
" " " " " Crawford C Strayer & wife to Wm Carpenter
" " " " " Abner Mayers & to Asa S Baughan
" " " " " Same to Julia A Baughan
" " " " " Henry McNorman & wife to John W Rambaugh
" " " " " John Higgins to Crawford C Strayer
" " " " " Same to A C Bryan (In Trust for &c)
" " " " " Joseph Bellhimer Exr to John Bellhimer

A Deed for Land from John Huggins to Allan Bryan (In Trust for &c)
" " " " " Isaac Bolton to Isaac Hardesty (In Trust for &c
" " " " " John Long to Herring Shuman (In Trust for &c
" " " Land " William G Andes & Wife to Isaac Reamer &c
" " " " " Samuel Good & Wife to John Swanwaver
" " " " " Robert M Kyle to George W Cupp
" " " " " Jacob Rinckle Exr to Jacob Amman
" " " " " John Rose to Mary Carry
" " " " " Reuben N Harmon & Wife to Wm R Long
" " " " " Wm Sooter to John T Harris (In Trust for &c
" " " " " Lydia Berry to Jacob T Berry
" " " " " Same to George Hogan
" " " " " Tipton Ford & Wife to Jacob A Mitchell
Catharine Hoover to Jacob Byerly (Agreement)
" " " " " Reuben Kingree & Wife to John Findley
" " " " " Mathias Leap & others to John I Bents
" " " " " George Michael & Wife to Adam Leap
" " " " " Samuel Cook & Wife to Christian Rummon
" " " " " Ambrose Hendel to Philip Cook

Settlements of the Estate Accounts of Norman Sofland dec'd Albert G Mauzy dec'd; Isaac Shoemaker dec'd; Abraham Stone dec'd; Henry Conrad dec'd; Conrad Cline dec'd and Jacob Shonaltz dec'd.

were returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law were examined by the Court & ordered to be recorded

On the motion of John W C Houston who made oath thereto and entered into bond with security in the Penalty of $2500 - conditioned as the law directs Administration of all and singular the goods & Chattles of William Houston dec'd is granted him he having relinquished his right & declined the widow of said W H Houston
to grant unto us due form And it is ordered that Jacob Rhodes, Michael Sellers, Joshua Jennings & Madison Brown or any three of them being first sworn do appraise the Estate of the said William Houston & make report to Court

On the motion of Robert W Palmer, who made oath thereto and entered into bond with Security in the Penalty of $1200 conditioned as the law directs a Certificate is granted him Administration of all and singular the goods & Chattles of Daniel A Bausher dec'd. is granted him in due form, And it is ordered that John Ruff, James O'Brien, James McInnis & John Dundore or any three of them being first sworn do appraise the Estate of the said Daniel A Bausher & make report to Court

George Nicholas (Foreman) William Lackey, Joseph C Hamberger, Abraham Early, William Richard, Abraham Beatwole, Jacob Dundore, John S Beatwole, George Ireland, Adam Rader, John Williamson, Jacob Lineawearer, Samuel Standley, Anthony Huffman, Samuel Bowman, & Madison Moore, were sworn a grand Jury for the County, who received their Charge and retired from the bar to consider of their Presentments & after some time came into Court & made the following Indictments. Viz An Indictment against Elizabeth Rudy for selling ardent Spirits by Retail without Ordinary license a true bill An Indictment against John Sandsman for selling sundry ardent Spirits & a mixture thereof without a license a true bill - An Indictment against Daniel Bailey for an Assault & battery a true bill, An Indictment against John Sandy for an Assault & battery a true bill - An Indictment against Jacob Shirey for an Assault & battery a true bill — An Indictment against the same for an Assault & battery a true bill, An Indictment against John Penn for an Assault & battery a true bill - An Indictment against William Bailey for an Assault & battery a true bill, An Indictment against Charles Longly for Petit Larceny a true bill, & the said grand Jury having no further business before them were discharged, and it is ordered that Summons be awarded against the aforesaid persons to answer the said Indictments returnable here to August Court next - except in the case of Charles Longly, who appeared in Court on his discharge of his recognizance to answer said Indictment & for plea saith he is not guilty -

Ordered that the Sheriff of this County summon all the acting Magistrates of the County to appear here on the second day of June Court next for the purpose ~~for the purpose~~ and also for the purpose of granting Licenses to Merchants to retail Liquor of Assessing the County & Parish levy for the year 1852 and to do and perform such other business relating to the County as may be laid before them —

On the Motion of Madison West & he having paid to the Sheriff the tax imposed by Law, It is ordered that a License be granted him to Keep a House of Private Entertainment in this County until May Court 1853 —

On the Motion of Emanuel Wise, who made oath thereto and entered into bond with security in the Penalty of $2000 - conditioned as the Law directs, (Amanda Wise Administration of all and singular the goods & Chattles & Adam Wise Jun.r dec.d is granted him in due form, (Amanda Wise the widow of the the said Adam Wise Jun.r having from under her hand relinquished her right to the administration) and It is ordered that Jonah S Roller, George Keyser, David Wise & Benjamin Huffman or any three of them being first sworn do appraise the Estate of the said said Adam Wise & make report to Court

A writing purporting to be the last will & Testament of James Gaines dec.d was presented in Court & proved by the oaths of John Swartz & Adam Thomas two of the subscribing Witnesses & ordered to be recorded —

On the Motion of John Hengarduer Guardian of Benjamin Hengardner & it is ordered that Wm L Thompson be appointed a Commissioner to settle the Guardian accounts of the said Guardian with his said ward & make report to Court —

On the motion of George W Kemper Sheriff of this County John Brenneman, Benjamin D Bowman, Shelton Carrier Benjamin Frantz, John Rader, Daniel Boone, John Cowan, Jason Bradley, Daniel Hoover, John Fishback, John A Ervin, Calvin Keefe, Nathan Bell

were admitted his deputies who appeared in Court and took the several oaths prescribed by law, the Court being of opinion that they are all men of honesty & good demeanor—

A writing purporting to be the last will and Testament of George Daley dec'd was again presented in Court and on motion of Lewis Pennybacker who made oath thereto & entered into bond with security in the penalty of $1200— conditioned as the law directs, Administration de bonis non with the will annexed, on the Estate of the said George Daley is granted him in due form

Ordered that Abraham Frank be appointed guardian for Joseph D Bowman orphan of Joseph Bowman dec'd, whereupon the said Abraham Frank appeared in Court and entered into bond with security in the penalty of $6000— conditioned as the law directs

A writing purporting to be the last will & Testament of John Koontz dec'd was presented in Court and proved by the oaths of the subscribers thereto, ordered to be recorded and on the motion of Eli A Koontz the executor therein named who made oath thereto & entered into bond with security in the penalty of $500— conditioned as the law directs a certificate is granted him for obtaining a probate thereof in due form— And it is ordered that Isaac Thomas George Mentz

Reuben Sellers & John I Mauzy or any three of them being first sworn do appraise the Estate of the said John Koontz & make report to Court

On the Motions of J K Mauzy & Thy having paid to the Sheriff the tax imposed by law. It is ordered that a license be granted them to Keep a house of private Entertainment in this County until May Court 1853

On the Motion of Samuel Cootes and he having paid to the Sheriff of this County the tax imposed by law. It is ordered that a license be granted him for Keeping an Ordinary in this County until May Court 1853 - upon his entering into bond with security in the Clerks Office as the law directs, the Court being of opinion & it is ordered to certify that he is a man of good character not addicted to drunkenness or Gambling, & that he will Keep an orderly & useful house of Entertainment

Mauzys adm'r v Bowman - on a Obly Bond. Notice proved & Judgt & execution awarded -

On the Motion of Joseph K Burkholder & Peter Bear Executors of John K Bear dec'd leave is given them to execute a new bond, whereupon the said Joseph K Burkholder & Peter Bear appeared in Court & entered into bond in the Penalty of $28000 - conditioned as the law directs -

On the Motion of John Ambart Adm'r of Henry Ambart dec'd and with the consent of the parties interested It is ordered that W G Thompson, be appointed a Commissioner to examine state & settle the Estate account of the said Henry Ambart dec'd with the said Adm'r & make report to Court

A writing purporting to be the Last will and Testament of Jane Belin dec'd was again presented in Court and on motion of William A Card who made oath thereto and entered into bond with security in the penalty of $1500 – Condetioned as the law directs – Administration with the will annexed on the Estate of the said Jane Belin is granted him in due form

On the several motions of John Fulty, John Zigler, Curtis Yates, William O Bowman

and they having paid to the Sheriff the tax imposed by law It is ordered that Licenses be granted them to Keep houses of Private Entertainment in this County until May Court 1853

On the ~~second~~ motions of Joseph T Holt.

It is ordered that a license be granted him to retail liquors at ~~his~~ the several stores in the County of Richmond for Twelve Months, it appearing to the Court, that the places at which ~~his~~ stores are Kept are proper & fit places to retail liquors And it is ordered to be certified that they ~~is~~ are persons of good Character

Present

D Rush. Isaac Thomas Robert Lindsay
Wm Thompson M H Harris D R Hopkins } Justices

On the several motions of W Bailey & Hasbrouck Null & they having paid to the Sheriff the tax imposed by law, It is ordered that a license be granted them for Keeping ordinaries in this County until May Court 1853, upon their entering into bond with security in the Clerks Office as the law directs. The Court being of opinion & It is ordered to be Certified that they are men of good Character & not addicted to dissipation or gambling & that they are to Keep & orderly & useful houses of Entertainment –

John McWilliams, who stands charged with two several felonies by him Committed in the County of Rockingham and within the jurisdiction of this Court in this that he did in the night of the 11th day of April last in the said County feloniously & maliciously burn the dwelling house of Martin A Hall and John V Brennemans and also in this that he did on the 11th day of April 1852 in the night time burglariously & feloniously break open the dwelling houses of Martin A Hall & John V Brennamans & feloniously & burglariously steal, take and carry away certain goods of the value of $74.43 cents of the goods & Chattles of the said Martin A Hall & John V Brennamans, was this day set to the bar in the Custody of the Sheriff of this County - and the Court having heard the evidence are of opinion that the said John McWilliams ought to be tried for the offence of which he stands charged by the Circuit Court of said County, and the said John McWilliams is remanded to Jail on this 17th day of May 1852

But it is remembered that Giles Neese, Martin A Hall, Willington Step, John V Brennemans, David Empsmiller, Jacob V Beam, Jacob Winkle & Jonathan Biby appeared in Court and severally acknowledged themselves to be indebted to the Commonwealth in the sum of $100 - each, to be levied of their respective goods & Chattles Lands and Tenements for the use of the Commonwealth to be rendered -

Yet upon this condition that if the said Giles Neese, Martin A Hall, Willington Step, John V Brennemans, David Empsmiller, Jacob V Beam, Jacob V Beam, Jacob Winkle & Jonathan Biby shall make their personal appearance before the Judge of the Circuit Court of Rockingham County to be held for this County on the first day of our next Term which will be on the 8th day of October next and there to give evidence against John McWilliams who stands charged with two certain felonies & shall not there depart without the leave of the Court, then the above obligation to be void else to remain in full force & virtue

James Kenney produced in Court a Commission from the Governor of Virginia under the Lesser Seal of the Commonwealth, dated May 3 1852 wherein he is constituted and appointed a Notary Public for the County of Rockingham, Whereupon the said James Kenney with John Kenney as his Security entered into and acknowledged a bond in the Penalty of $500 - conditioned according to Law - Who took the several oaths of Office prescribed by Law - & It is ordered that the said bond be recorded & certified -

Ordered that the Court be adjourned until to Morrow morning at 9 O'Clock -

Wm G Thompson

Tuesday May 18th 1852

Present

Robert Grattan, Isaac Thomas
Wm G Thompson, Robert W Kyle, Michael St Harris } Gent Justices

Wm R Speck Plff
ags
Andrew F Hatfield Defdt } In Chancery

This cause came on to be finally heard this 18th day of May 1852 upon the bill exhibits, answers, and decrees heretofore rendered in this cause, and upon the report of W C Smith Commissioner and received and the sale as reported by said Smith is hereby confirmed and the Court doth adjudge order & decree that said Smith do pay over the moneys arising from said sale to the Plaintiffs in this cause after paying the costs of said sale -

Ordered that the Overseers of the Poor bind James Carrol, (Son of Susan Carrol dec'd) about 8½ years of age to Pleasant W Whitlock to learn the plastering business as the law directs, who is to pay the said boy $20 - when he is of age -

Ordered that the Overseers of the Poor bind Horatio Soakey (son of Sarah Soakey) 9 years of age on the 15th day of May 1852 to Jacob Lincoln to learn the Milling business - as the law directs - who is to pay Sarah Sooker the mother of said boy $20 - to be divided into Seven annual payments commencing 5 years from the date of this order - and also pay to the said boy $20 - when he is of age

Bader
vs
Grove

Upon the report of Comr. Wm H Sams - Ordered that Continued & Rule awarded against defendant to shew cause, why he shall not be attached & compelled to answer the interrogatories, filed in the report before the said Commissioner, returnable here at Sum Court next

On the several motions of John N Bell, M G Jones, Ulrick Writtig, & John Argabright

and they having paid to the Sheriff the tax imposed by law It is ordered that Licenses be granted them for Keeping ordinaries in this County until May Court 1853 upon their entering into bond, with security in the Clerks Office as the law directs, the Court being of opinion & it is ordered to be certified that they are men of good character & not addicted to drunkenness or gambling & that they will keep orderly & usual houses of entertainment -

On the several motions of J. D Gilmore, Catharine Lincoln, Wm Pickering, Jacob Cole, James Hunt & W Pollard. George Messersmith

and they having paid to the Sheriff the tax imposed by Law It is ordered that Licenses be granted them for Keeping houses of Private Entertainment in the County until May Court 1853 -

On the Motion of Conrad H Ketchum Commissioner of the Revenue for North East District in this County and he being unable from feeble health to perform the duties of his office and with the assent of the Court it is ordered that Adison Hustow be appointed an assistant Commissioner in said District and that he take the several oaths of office prescribed by Law

On the Motion of Joseph K Burkholder Commissioner of the Revenue for the North west District in this County and he being unable from feeble health to perform the duties of his office and with the assent of the Court it is ordered that Jesse Burkholder be appointed an assistant Commissioner in said District and that he take the several oaths of office prescribed by Law

Philip Hebel agst Peter Good on a Motion to set aside an order made at the last Court binding Philip Hebel son of the said Philip Hebel to said Good for reasons appearing to the Court the said Motion is Overruled Hearing refused unless the next Court

Marcus Adams agst Charles Yancey The Defendant being dead On Motion of the Plaintiff by his attorney and for reasons appearing to the Court it is ordered that this suit be revived and prosecuted against Charles Yancey Executor of Charles Yancey deceased and the cause is continued unless the next Court

For reasons appearing to the Court it is ordered that order made on Yesterday granting Letters to Joseph T. Holt to sell Lands at his sale in this County be rescinded

Weis a Double on a Summons Continued

A Report of the Commissioners for a way for a road made on the Petition of Charles Yancey & others was returned into Court by the Viewers thereof and on the Motion of the Petitioners it is ordered that Samuel C Naylor through whose land the said Road will pass be summoned to shew cause at the next Court why the said Road shall not be established agreeable to said Report

A writing purporting to be the last Will & Testament of Joseph Altaffer dec'd was presented in Court and proved by the oaths of Stephen Hauslegan & James O'Brien two of the subscribers thereto and ordered to be recorded, and on the Motion of Reuben Altaffer & Joseph Altaffer the executors therein named who made oath thereto and entered into bond with security in the penalty of $12000 — Conditioned as the Law directs a certificate is granted them for obtaining a probate thereof in due form — And it is ordered that Martin Whitmore, John Carpenter, George Sawley & Henry E Cromer or any three of them being first sworn do appraise the Estate of the said Joseph Altaffer & make report to Court

Ordered that the Overseers of the Poor bind Margaret Veny a black girl 6 years of age to Peter Neff to learn the business of a house servent according to law who is to pay the said girl 50$ when she arrives at age —

Joshua Gilmer and William Gilmer who were committed to the jail of this County charged with a felony by them committed in the County of Rockingham and within the Jurisdiction of this Court in this that they did on the 20th day of April 1852 in the said County feloniously in the night time break and enter with intent to commit Larceny therein a certain meat house, the property of Jacob Byrd and steal take & carry away therefrom 10 pieces of bacon & about 50 pounds of beef of the value of $20 — of the goods & Chattles of the said Jacob Byrd — and for whose trial a court was directed to be held on the 6th day of May 1852 but which Court failed to meet as directed by the warrant issued for that purpose — were this day set to the bar in the Custody of the Sheriff of this County and the Court having heard the evidence & argument of counsel are of opinion that the said Joshua Gilmer & William Gilmer ought to be tried for the offence of which they stand charged by the Grand Jurors of said County & the said Joshua Gilmer & William Gilmer are remanded to Jail

Be it remembered that on the 18th day of May 1852 Jacob Byrd, Peter Paul, Isaac Byrd, George Roof Isaac Hardesty & Joseph Mathews appeared in Court and severally acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 each to be levied of their respective goods & Chattles lands & tenements and for the use of the Commonwealth to be rendered —

Upon this condition that if the said Jacob Byrd, Peter Paul, Isaac Byrd George Roof, Isaac Hardesty, & Joseph Mathews shall make their personal appearance before the Judge of the Circuit Court of Rockingham County on the First day of next Term which will be on the 8th day of October next — then and there to give evidence against Joshua Gilmer and William Gilmer who stand charged with a felony & shall not thence depart without the leave of this Court, then the above obligation to be void else to remain in full force & virtue —

Ordered that the Court be adjourned until to morrow morning at 10 Oclock —

R Grattan

Wednesday May the 19th 1852

Present

Robert Grattan, Robert Kyle
Wm C Thompson. Isaac Thomas, M H Harris } 4 Justices

A Writing purporting to be the last will & Testament of Charles A Young was again presented in Court — and the motion of Erasmus Coffman the Executor therein named who made oath thereto & entered into bond with security in the penalty of $600 — conditioned as the law directs a Certificate is granted him for obtaining a probate thereof in due form

On the motion of William A Blakemore who made oath thereto and entered into bond with security in the penalty of $8000 — conditioned as the law directs, Administration of all and singular the goods and Chattles of Jonathan Clary dec'd is granted him in due form Frances Clary having first under her hand relinquished her right of Administration and it is ordered that Isaac Standley Robt Bowman Joseph C Braithwaite and John S Effinger or any three of them being first sworn do appraise the Estate of the said Jonathan Clay and make report to the Court

A Writing purporting to be the Last Will and Testament of Charles A Young deceased was again presented in Court and on the Motion of Erasmus Coffman the Executor therein named who entered into Bond with security in the penalty of $2000 conditioned as the law directs a Certificate is granted him for obtaining a probate thereof in due form

J. Haynes & others — Plaintiffs
vs
G. Lefe & others — Defendants
} In Chancery

This Cause came on to be heard this 19th day of May 1832 upon the Bill and Answer and the Exhibits filed with them and was argued by Counsel — and it appearing to the Court that the Dower Land assigned to Christina Haynes the widow of Jonas Haynes, containing 67¼ acres — and the lot of 25 acres assigned to Margaret Haynes daughter of the said Jonas Haynes being parts of the Tract of 250 acres of which Jonas Haynes died seized have not been divided among the parties entitled thereto — the said Widow having died intestate — and the said Margaret having died unmarried & intestate about the year 1829 — the Court is of opinion that the Plaintiff Peter Haynes is entitled to 3/7 of the 25 acres allotted to Margaret Haynes John Haynes to 1/7 Peter Meshael & the his wife to 1/7 and the Defendant Geo Lefe to 2/7 and that they are entitled to the same proportions of Margarets interest in the Dower Land which was 1/8 of the 67¼ acres — and that of the balance of the

Dower Peter Haynes is entitled to 4/7 Peter Michael & the his wife to 1/7 & George Life to 2/7th and it is adjudged ordered & decreed that Col Henry Miller Jacob Miller Esqr and Joseph H Conrad be and they are hereby appointed Commissioners to divide the 25 acres and the 67/4 among the Parties entitled according to this Decree and that they lay off the interests of Peter Haynes & John Haynes together adjoining the land now owned by Peter Haynes & the interest of George Life adjoining his present land, if it can be done without injustice to the others & that they report their proceedings to the next term of this Court in order to a final Decree

John Wenner an Alien appeared in Court and disbanded on oath his bonafide intention of becoming a Citizen of the United States which Declaration so made and signed is ordered to be filed among the Records of this Court

Joseph Baker and Samuel Baker who were committed to the Jail of this County on Suspicion of Felony and stands charged with felonious by burning the Store House of Brenaman & Hall and also of stealing and carrying away Goods therefrom were led to the bar in Custody of the Jailor and the Court having heard the Evidence are of the Opinion that they are not Guilty and that they be discharged

Samuel Baker, who stands charged with a felony by him committed in the County of Rockingham within the Jurisdiction of this Court in this that he did in the night time on or about the 3d March 1852 in the said County feloniously enter the meat house of Henry Good with intent to commit a larceny therein & feloniously did steal take & carry away three pieces of bacon of the value of four dollars of the goods & Chattles of the said Henry Good - was this day set to the bar in the Custody of the Sheriff of this County and the Court having heard the evidence are of opinion that the said Samuel Baker ought to be tried for the Offence of which he stands charged by the Circuit Court of this County and the said Samuel Bell is remanded to Jail -

Be it remembered that on the 19th day of May 1852 Henry Good, Jacob A Mitchell & Thomas A Hopkins severally acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 - each to be levied of their respective goods & Chattles Lands and tenements for the use of the Commonwealth to be rendered

Yet upon this Condition that if the said Henry Good, Jacob A Mitchell & Thomas Hopkins shall make their personal appearance before the Judge of the Circuit Court of Rockingham County to be held the first day of next Term which will be on the 8th day of October next & then & there prosecute against Samuel Baker who stands charged with a felony, & shall not thence depart without the leave of this Court; then the above recognizance to be void else to remain in full force & virtue —

Wray vs Sheetz — Discontinued
Effinger vs Sterling — Same
Coontz vs Brown — Def't confessed for costs —
Pool vs Bradley — By consent refers to Allan C Bryan
Sams vs Sams — Same
Lewis &c vs Eubytes — Affids Def't to attend. Pay't &c — Cont'd
Kemper vs Eubytes — Same
Holbrook vs Eubytes — Same
Ribe vs Moffett — Same

Miller vs Harris — ~~Plea &c~~ Continued
~~for want of Declaration~~ Plea waived & Def't confessed for debt & Declaration over Damages & costs —

Kemper &c. vs Randall — Same
McDermon vs Dunlap — Same
Carpenter vs Collett &c — Same
Gray vs Hale — Same

Duffs Ruffner — Pleas issued & Judgt confessed for debt in declaration mentioned Saving equity —

Kemper vs Dovel — Same

Swope vs Showalter — Same

Rupel Mercer & Co vs Way — Same

Phelps vs Berry D — Same

Walton vs Dever — Same

Fletcher vs Lee — Same

Effinger vs Mauck — Same

Glass vs Ruffner — Same

Seedy vs Long — Same

Ordered that the Court be adjourned until the third monday in June next —

R. E. Grattan
J. C.

Virginia To Wit:

At a Court held for the County of Rockingham on the third Monday in June 1852 being the 21st day of said Month.

Presents

Jacob Rush, John A. Harrison, Thomas J. Miller, Geo. Brenaman, Nathan Bard, Isaac Kenney, Jno. A. Koontz } Gs. Justices —

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 31st day of May 1852 (both days included) and being 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 to be at the door of the Court House of said County. Which List is as follows, To Wit:

A Deed for Land from William Philips & wife to Joseph Shawalter
" " " " " Abraham Zirkle & wife to Ephraim S. Mitchell
" " of Release " Allan C. Bryan to William Shawalter (Release)
" " P of P " Benj F. Berry to Crawford C. Strayer (In Trust for &c)
" " L & P. " William Shawalter & wife Allan C. Bryan (In Trust for)
" " Land " Felix P. Sheets & wife to Ann Whitmore
" " " " " Nevel Rodgers to John Mesperly
" " P. of P " " Albert Long to Herring Chrisman (In Trust for &c)
" " Land " " George Nicholas & others to Albert P. Nicholas
" " P of P " " Jacob S. Rohr to Herring Chrisman (In Trust for &c)
" " Land " " John Cline to Jackson Horn
" " " " " Jacob S. Rohr & wife to Allan C. Bryan (In Trust for &c)
" " " " " Wm G. Andes & wife to Jacob Sheets
" " " " " Archibald Fritz to E. A. Shands (In Trust for &c)
" " " " " Jacob Mantz Sen to Curtis Yates
" " " " " Madison N. Brown Comm to Worilas Mantz
" " " " " Worilas Mantz to Curtis Yates
" " " " " Morgan Layton & others to Same
" " " " " George Fissinger & wife to Same
" " " " " Mary Horn & others to Robert F. Keys
" " " " " James Fitzwaters & wife to George Runyon
" " L & P. " John McWilliams to David Swartz (In Trust for &c)
" " P of P " Elijah Baker to Horatio N. Roontz (In Trust for &c)
" " Land " Washington Whisler to Derick Pennybacker
" " " " Margaret Evens to Sarah C. Bear
" " " " Henry Bear & wife to John H. Bear
" " " " John Bear & wife to Henry Bear
" " " " Same to George W. Evens
" " " " Joseph Byerly & wife to Allen W. Brown
" " " " Worilas Mantz to Jackson Mantz
" " " " Same to Worilas N. Mantz
" " " " Jacob Mantz's Executors to Worilas Mantz
" " " " William R. Hopkins to Wanice Bowman
" " " " Benjamin Crawford to Simon Bowman
" " " " John Miller & wife to Henry Kyle

A Deed for Land from Jacob Bloser & wife to Charles W. Pollard &c
" " " " " Daniel Mumaw to Samuel Sprinkle
" " " " " Levi Huddle & wife to Abraham Huddle
" " " " " Martin Fogle & wife to George Huff
" " " " " William Cummins to Martin Fogle
" " " " " David Shawalter & wife to John Eversole
" " " " " Daniel Bauman to William R. Hopkins
" " " " " David E Coiner & wife to John Eversole
" " " " " Abra. Funk, Geo. Brenner & others (Agreement)
" " " " " Simon Seaf & wife to William Sife
" " " " " Wm G. Thompson Comr to Ewing Devices &c.
" " " " " Ewing Devisees &c to Allan C. Bryan (In Trust for &c)
" " " " " Elizabeth Ready to Daniel Pennybacker (In Trust for &c)
" Land " William Wolfrey & wife to Martin Roadcap
" " " Priscilla West to Benjamin Strickler
" " " Isaac Bolton & wife & John F. Shickle to James Bolton
" " " Deming Chrisman (Trustee) to Geo. W. Effinger
" " " Micheal Funk to Jacob A. Mitchell
" " " Adam Wise & Adr to Lewis C. Whitescarver
" " " John A. Pitman & wife to Wilhelm A Hoffe
" " " Wilhelm A Hoffe to N. K. Trout (In Trust for &c)
" " " Elijah Smith & wife to Andrew Switzer
" " " John Cline to Frederick Cline & others (Trustees)

A writing purporting to be the last will & Testament of James Gaines dec'd was again presented in Court on Motion of Rebecca Gaines the Executrix named therein who made oath thereto & entered into bond with Security in the Penalty of $5000 - conditioned as the law directs (the Securities having justified) a certificate is granted her for obtaining a probate thereof in due form

George Silly over 14 years of age & orphan of James Silly dec'd came into Court & made choice of David G Keatons as his guardian, whereupon the said David G Keatons appeared in Court and entered into bond with Se-

curity in the Penalty of $50 Conditioned as the Law directs

On the Petition of Archibald Brock & Reuben A Sellers for a way for a Public road Commencing at the Keysletons road at Carpenters gate & passing through the lands of Long & Sellers to the Mt Adams road as set forth in the Petition It is ordered that Said Rhodes, Peter Newton Madison Moore & Cyrus Rhodes be & they three being first sworn do view the way for said road & Report to Court the conveniences & inconveniences attending the same as to individuals as to the Public

Ordered that Robert A Curry be appointed guardian for Mary E Wise, Emily Wise, Pleasant Wise & Samuel Wise, infants under 14 years of age & orphans of Adam Wise Jr dec'd. Whereupon the said Robert A Curry appeared in Court and entered into Bond with security in the penalty of $10.000 - Conditioned as the Law directs, the (securities having justified)

Hiram Golliday, James Steele, William M Bailey, John H Ralston Jr, Giles Dever, John H Austen, William R Speaks, John C Sprinkle, who have been duly elected constables in and for the County of York Newham for their respective districts for the term of Two years from the 1st day of July next, appeared in Court and took the several oaths prescribed by law and severally entered into Bonds with security in the penalty of $500 - each Conditioned as the Law directs which bonds were severally acknowledged by the parties thereto & ordered to be recorded

On Motion of Sylvanus Reed, who took the several oaths prescribed by Law It is ordered that he be permitted to practice as an attorney in this Court

On the Motion of Richard S Manpin and with the consent of Peter Acker the Surveyer of Precinct No on the road known as the It is ordered that the said Richard S Manpin be permitted to construct a Cattle bridge on said road in the hollow in said road on the west of the dwelling of said Manpin for a communication between his lands on either side of said road & that Peter Acker be appointed a Commissioner to report to Court on the sufficiency of said bridge —

On the Motion of Allen W Brown one of the Overseers of the Poor of this County & for reasons appearing to the Court It is ordered that James Wright be summoned to appear here at the next Court to shew Cause why the Indenture binding a free boy of colour as an apprentice to the said Wright should not be rescinded & the said boy taken from him —

Rader vs Grove — Upon a Rule — Continued.

On the motion of Joseph Buckholder Commissioner of the Revenue for the North West district in this County, who from feeble health is unable to perform the duties of his office, It is ordered that John Thomas be appointed an assistant Commissioner in said district & that he take the several oaths of office prescribed by Law

On the Motion of Yelverton Cammon It is ordered that he be appointed Committee for William F Lewis a person of unsound mind whereupon the said Yelverton Cammon appeared in Court and entered into bond with security in the Penalty of $250 - Conditioned as the Law directs -

On the motion Ulrich Wittig & he having made oath thereto and entered into bond with security in the penalty of $400 - conditioned as the law directs, (the security having justified) Administration de bonis non is granted him on the Estate of Frederick Naglerod dec'd. —

A writing purporting to be the last will and Testament of Jacob Naw dec'd was presented in Court & proved by the oaths of George Brenner & John M. Bargdoloph two of the subscribing thereto and ordered to be recorded — (Wm G Thompson the executor named in the will having from sundry his hand having refused to qualify) On the motion of John Zeigler Jr who made oath thereto and entered into bond with security in the penalty of $15.000 - conditioned as the law directs, (the securities having justified) Administration with the will annexed on the estate of the said Jacob Naw is granted him in due form and it is ordered that Samuel Cooter, George Brenner, Jackson Horn & Reuben Baird or any three of them being first sworn do appraise the Estate of the said Jacob Naw dec'd & make report to Court

On the motion of Francis M Irvine who made oath thereto & entered into bond with security in the penalty of $1200 - conditioned as the law directs (the security having justified) Administration of all & singular the goods & chattles of Margaret Irvine dec'd is granted him in due form

On the motion of George Hafner Jr who made oath thereto & entered into bond with security in the penalty of $400 — conditioned as the law directs, (the security having justified) Administration of all & singular the goods & chattles of Jonathan Life dec'd is granted him in due form & It is ordered that Joseph Leaby, Samson Dent, & Noah Shiles do appraise the Estate of the said Jonathan Life dec'd & make report to Court —

Ordered that the new board of Overseers of the Poor for the County of Rockingham, be directed to hold their first annual meeting at the Clerks Office of the said County on Saturday the 10th day of July next & that the Clerk be directed to notify of the time of said meeting.

Ordered that the Overseers of the Poor bind William Parkey-hile a free boy of Colour 11th years old on the 6th January 1852 to John Huffman as the law directs, who is to pay to the mother of said boy $5 per year commencing on the 6th day of Jany 1853 & to continue until he pay her the sum of $50 - and also to pay the said boy $50 - when he arrives at age

On the motion of Wm K Bailey who made oath thereto and entered into bond with security in the penalty of $60 - Conditioned as the law directs Ctho security having justified Administration of all & singular the goods & Chattles of John Veny dec'd is granted him in due form & It is ordered that Hugh Ruffey, William P Byrd, George Ireland & James Gladden, or any three of them being first sworn do appraise the Estate of the said John Veny & make report to Court

A writing Purporting to be the last Will & Testament of Henry Bear dec'd was presented in Court & ordered to be Docketed & Continued & on the Motion of A L Woolf - It is ordered that Wm C Lauck, James T. Graves & Peter C Lauck, the subscribers to said will be summoned to appear here on the 1st day of Nov Court to prove the Same - postage 10 Cents - Sumns $3 Copies

On the Petition of Gabriel Headricks & others for a way for a road commencing at the Three Notched road on the line between the lands of Gabriel Headricks and Ephraim Wenger and ending at a public road immediately below Daniel Rhodes Manufactoring Mill

as set forth in said Petition It is ordered that Henry Petry, Abraham Blosser, & Jacob Miller (Cook Creek) do view the [illegible] for said road & report to Court as directed by Law

Samuel Tutwiler Plff
vs
Wm H Harris Defh
In Chancery

On the motion of the Plff by his atto It is ordered that an order of publication be awarded against the absent defendants & that Wm McGambill be appointed Guardian ad litem for infant defendants—

F. M. Jackson Guardn Plff
vs
Defts.
In Chancery

On the motion of the Plff by his attorney It is ordered that E. A Shands be appointed Guard'n ad litem for infant defendants

Ordered that Christian Stauffers be appointed guardian for Christian S Wise & Rebecca L Wise orphans of Adam Wise Jr dec'd under 14 yrs of age, whereupon the said Christian Stauffer appeared in Court and entered into bond with security in the penalty of $5000— Conditioned as the law directs, (the security having justified)

The Report of Henry Bury, Jacob Wenger & Abraham Bowerman Commissioners appointed to assign dower to Magdalen Bury the widow of Abm Bury dec'd & to other purposes was returned into Court examined confirmed & ordered to be recorded

Ordered that the Overseers of the Poor bind Francis Anderson a Mulatto girl 10 years of age to Mason Bard until she arrives at the age of 18 years, who the law directs who is to pay said Bird $50— when Indenture of service expires

Jacob N Cowan, George W Fulk Archibald Hopkins Senr. Jacob Rohr Senr. Jacob Beerly who was duly elected Overseers of the Poor for the County of Rockingham, appeared in Court and severally took the various oaths prescribed by Law, which is ordered to be entered of record.

Ordered that the Clerk of this Court Registers Catharine Moon Catharine Moon a free negro woman - and deliver to her a Copy of said registration.

Ordered that the Overseers of the Poor bind Jerome Newman a mulatto boy of Colour aged 7 years on the 15th July 1852 to Isaac Moffett according to law, who is to pay said boy $30- when he arrives at the age of 21 years.

John T Harris Esqr. who was duly elected Attorney for the Commonwealth for the County of Rockingham for the Term of Four years from the 1st day of July next, appeared in Court and took the several oaths prescribed by law which is ordered to be entered of record.

Ordered Samuel Handley be appointed Surveyor of Precinct No 2 on the Mountain Valley Road in the room of David Sipe dec.

Abraham S Byrd who was duly elected Sheriff in and for the County of Rockingham for the Term of two years commencing on the 1st July next appeared in Court and took the several oaths prescribed by law and entered into bond with security in the penalty of $10.000 conditioned as the law directs, which bond was acknowledged by the parties thereto and ordered to be recorded.

Recorded & Copy transmitted by mail to Governor July 17 1852

On the Motion of Abm S Boyd Esq who has been duly elected Sheriff of Rockingham County for two years commencing on the 1st day of July 1852 - William R Harnsberger & Thomas K Harnsberger & Peter Frick were admitted his deputies who thereupon appeared in Court and took the several oaths prescribed by law - The Court being of opinion that they are all men of honesty & good demeanor, which is ordered to be entered of record

On the several Motions of Abram Hunter, John Myersmith, Charles W Pollard

and the payment by them to the Sheriff of the tax imposed by Law, It is ordered that Licenses be granted them for Keeping Ordinaries, &c this County until May Court 1853, upon them entering into bond with security in the Clerks Office as the law directs the Court being of opinion that they are men of good character & not addicted to drunkenness or gambling and that they will Keep orderly & useful houses of of Entertainment

Jsd

On the several motions of John Koontz, Willis Vanlear & William S Perry & John Wise & the payment by them to the Sheriff of the tax imposed by Law It is ordered that Licences be granted them for Keeping ~~dwelling~~ houses of Private entertainment in this County until May Court 1853

Jsd

Samuel C Nayler against whom a Summons issued at the last Court to shew cause why the request of the petitioners returned at said Court ~~petitioned~~ for a road from Wm C Kite's Tannery to Abram Heavlys on Heavlys Hollow made on the Petition of Charles B Yancey & others should not be established agreeably to said

Jsa

reports appeared in Court by his Counsel & prayed a writ of ad quod damnum to be directed to the Sheriff of this County, to be executed on the Saturday the 10th day of July next, and returnable here at July Court next

Present

Isaac Hardesty Jno G Brown
Wm B Nanny N Barr } G Justices

Ordered that the Court be adjourned until to Morrow morning at 10 O Clock

J Hardesty

Tuesday 22d day June 1852

Present

Samuel H Lewis, Robert Gatlin, Michael H Harris John Herring, Jacob Trumbo } G Justices

A writing purporting to be the Last will & Testament of of Edward H Smith was presented in Court and proved by the oaths of William B Johnson & Mary Kyle two of the witnesses thereto and admitted to record, And on motion of Julia H Smith the executrix therein named, who made oath thereto and entered into bond in the penalty of One hundred thousand dollars conditioned as the law directs, (the will requiring no security) and It is ordered that Jonathan Peale, Smith Lofland, Philip Cole & Abraham Byrd or any three of them being first sworn do appraise the estate of the said Edward H Smith & make report to Court

On the motion of William Rhodes who made oath thereto and entered into bond with security in the penalty of $8000 — Conditioned as the law directs Administration of all and singular the goods and Chattles of Peachy R Harrison dec'd, is granted him in due form And it is ordered that Isaac Hardesty, George A Conrad, Robert McKyle, William Herring & Thomas Harrison or any three of them being first sworn do appraise the Estate of the said Peachy R Harrison & make report to Court

On the motion of Wm H Fans It is ordered that Crawford Strayer be appointed a Special Commissioner to examine the Statement of the said Wm H Fans of his account as Guardian of Daniel Smith & report to Court whether it is correct or not

A writing purporting to be the Last Will & Testament of Samuel Henry dec'd was presented in Court and proved by the oaths of Allen O Bryan & John Kenney two of the witnesses thereto and ordered to be recorded

Samuel Shacklett the executor named in said will appeared in Court & refused to qualify — And on the motion of Henry Shacklett who made oath thereto and entered into bond with security in the penalty of $25000 - conditioned as the law directs, Administration with the will annexed on the Estate of the said Samuel Henry dec'd is granted him in due form

On the motion of John Kenney Guardian of Mary Frances & Andrew R Beard orphans of Andrew Beard dec'd. he is allowed by this Court who appointed him such guardian, to resign his said Trust — And this Court doth further order that the said guardian, settle his guardian accounts with a Com-

misfeasance of this Court and that he deliver and pay all the estate and money in his hands or with which he is chargable to those entitled thereto —

Recorded & copy transmitted by mail to First Auditor July 17 1852 Original delivered to Clerk of Circuit Court

Littleton W Gambill who was on the 27th day of May last duly elected Clerk of the County Court of Rockingham for the term of Six years from the 1st day of July 1852 appeared in Court and took the several oaths prescribed by Law and entered into bond with Security in the Penalty of $5000 conditioned as the law directs which bond was acknowledged by the parties thereto & ordered to be recorded & certificate to 1st Auditor as directed by Law

Ordered that Jacob Neff be appointed Surveyor of Precinct No 7 on the North Mountain road in the room of Jackson Horn,

Wm S Miller who was duly elected an Overseer of the Poor for this County appeared in Court & took the several oaths prescribed by Law which is ordered to be entered of record

Present

Samuel M Lewis, Matthew Harshberger
Jacob Miller, John A Herring, Dennis Coffman
David A Hopkins, Nelson Ward, Michael
M Harris, Robert Grattan, Isaac Hardesty
Thomas K Miller, Isaac Thomas, Abraham
Smith, Wm P Yancey,

On the several motions of D & J Strickler, Shacklett & Bradley, Ann Kenyon, Michael I Myerhoffer, Derick Penny Jackson & Franklin Pence

It is ordered that licenses be granted them to retail ardent spirits at their stores in the County of Rockingham for Twelve months & it is ordered to be certified that they are persons of good character & that the places at which their stores are kept are proper places to retail liquors —

Settlements of the Estate accounts of Abraham Bury dec'd, Samuel Coffman dec'd, John Kelso dec'd, John Nicholas dec'd, Adam Shultz dec'd, Alexander Newman dec'd, and Wm. Miller dec'd, & Charles L Yancey dec'd. were returned into Court by the Clerk thereof having been filed in the Clerks Office for the time prescribed by Law, were examined by the Court and ordered to be recorded.

A Settlement of the Guardian account Michael B Cline with his wards was returned into Court by the Clerk thereof having been filed in the Clerks Office for the time prescribed by Law, were examined by the Court and ordered to be recorded.

Ordered that Wm Saulley be appointed Surveyor of Precinct No 1 on the Kenagy Forge road in the room of Peter Shoemaker,

Ordered that Peter Blecker be appointed Surveyor of Precinct No 7 on the road from Whitmore Mill to Shuttlers Gap in the room of Wm Eiler.

Ordered that Wm Sylfus be appointed Surveyor of Precinct No 1 on the Runion road to Shenandoah line in the room of Wm Smith.

Ordered that John H Hopkins be appointed Surveyor of Precinct No 3 on the road from Harg to Hopkins Mill in the room of Conrad Rodeheffer.

Ordered that Elias Bowman be appointed Surveyor of Precinct No 6 on the North Mountain County road to Shenandoah line in the room of Abram Paulsel.

Ordered that Levi Shoemaker be appointed Surveyor of Precinct No. on the Pendleton road in the room of Jacob Turner

Ordered that Wm. Bearemore be appointed Surveyor of Precinct No. 6 on the Brock Gap & Moorefield road in the room of James Fitzgerald

Ordered that Samuel Good be appointed Surveyor of Precinct No. 2 on the New Creek & McClintock road in the room of Joseph Shoemaker

Ordered that Augustus Koller be appointed Surveyor of Precinct No. on the North Mountain road in the room of John Yarbrough

Ordered that Isaac Read be appointed Surveyor of Precinct No. 3 on the Crab Valley road in the room of Jacob D Mauzy

Ordered that Charles Marow be appointed Surveyor of Precinct No. on the Brock Gap & Moorefield road in the room of Joel Spitzer

Joseph D Myers Pltf
vs
The Heirs of Benj. Myers dec'd Defts } In Chancery

This cause came on again to be heard this 22nd day of June 1852 upon the bill answers and replications thereto and the exhibits filed & decree heretofore rendered in this cause upon the report of John T Myers Commissioner to receive and it appearing to the Court that the land sold by said Myers brought a fair price the Court doth adjudge order and decree that said sale be & the same is hereby confirmed and it further appearing

to the Court that the purchaser R.S Manpin has paid all the purchase money except two hundred dollars for which he has executed his bond with security payable on the 01st Day of Jann 1853 with Int from the date, the said John T Myers is hereby directed to execute a deed for the said land to the said Manpin when ever he shall discharge & pay off the said bond for two hundred dollars, with the interest that may have accrued

Ordered that the road extending from Houstons Mill to the Valley Turnpike be added to the Precinct of Reuben
cp Sellers (Road book p 125) & that Abram Maxty be directed to assign hands to work on it & report to Court

Ordered that Wm S Miller be appointed Surveyor of
cp Precinct No. 10 on the Whitmer Mill road to Swift Run Gap road in the room of Jeremiah Bauserger

Ordered that Wm Pickard be appointed Surveyor of
cp Precinct No 1. on the Harrisonburg road to Swift Run Gap in the room of David Leedy

Ordered that John W Dunlap be appointed
cp surveyor of Precinct No 1 on the Dry River Gap road in the room of John Sites & that John Blairs precinct be added to said Dunlap

Ordered that Moses Wright be appointed Surveyor
cp of Precinct No. 2 on the Dry River Gap road in the room of John Hess

Ordered that Isaac Long be appointed Surveyor
cp of Precinct No. 4 on the Harrisonburg & Port Republic road in the room of Peter Fitch

Ordered Jacob Sanders be appointed Surveyor of Precinct No. 8 on the Brocks Gap & Moorefield road in the room of Ulrick Wetzig

Ordered that Jacob Lanty be appointed Surveyor of Precinct No 1 on the Keplinger road in the room of Henry May

Ordered that Benjamin F Ralston be appointed Surveyor of Precinct No 2 on the Bowman Mill road in the room of Lewis Keller

Ordered that John F Crawn be appointed Surveyor of Precinct No 1 on the McCrawford road in the room of George Sherman

Ordered that Christian Myers be added to the hands on Daw Ulricks Precinct on the Gallatin & Brocks Gap road

Ordered that F Milton Irvine be appointed a Commissioner to apportion the hands between Jacob Miller Hugh Allen & Jacob Shank on their respective roads & make report to Court

Ordered that the Precinct No 5 on the Henry Conrad road of which E G & Hughes is Surveyor be discontinued & that the hands on said road be assigned as follows viz

The hands of Wm S. Miller, Henry Miller & Jacob Conrad be placed on the Swift run Gap road of which Wm S Miller is Surveyor — and that the hands of Jacob Mayers, Abner Mayers, Jacob Runkles farm on the East side of the Rev. Henry Carrier, John Conrad, E G F Hughes & Kelleys Rockingham farms be placed on Precinct No 2 on the Massanutten road of which John Crook is Surveyor —

On the application this day of Andrew Houch, Merchant for license to retail ardent spirits — It is ordered to be entered of record that his application was refused —

Ordered that Isaac Hardesty be appointed a Commissioner for the purpose of building a Smoke house on New Jail Lot & that the agent of the County be directed to pay him out of any funds in his hands — due for a sum not exceeding $50 — to be appropriated for the construction of said Smoke House —

Ordered that Henry B Hawthorne be appointed a Commissioner to act in conjunction with the Town Council of Harrisonburg, to superintend the Construction of a Bridge across Black Run on the Street passing the Old Jail, and to grade the Hill above said jail, and that the Agent of the County be directed to pay to the said H B Hawthorne a sum not exceeding $300 — out of any funds in his hands the whole or any part of which the said Commissioner is authorized to use for the purpose above named provided an equal amount be furnished by the Town Council of Harrisonburg —

Ordered that the Agent of the County be directed to pay to D Trumbo ~~who is hereby~~ who is hereby appointed a Commissioner for that purpose the sum of $125 — out of any funds in his hand to be employed in making a road to connect the Persimmon Gap Road with the old Moorefield road

Ordered that the agent of the County pay to Robert M Kyle who is hereby appointed a Commissioner for that purpose the sum of $150 — to be him applied for Painting & Glazing the Clerks Office, Painting fence around Court House enclosure & if any portion of the appropriation remains to apply to fixing a defence around Court yard fence to prevent the hitching of horses thereto

Erasmus Coffman agent for the County of Rockingham returned into Court his account as agent for the last year which was examined allowed and ordered to be filed—

On the motion of Andrew Stonerk for leave to retail ardent Spirits at his Store in Harrisonburg in the County of Rockingham It is ordered that a license be granted him to retail ardent Spirits at his store for Twelve months and it is ordered to be certified that he is a person of good Character, & that his store is a proper place to retail Liquors—

David S Jones &c Plffs
vs
Samuel M Yost &c Defts
} In Chancery

This cause came on this 22d day of June 1852 to be heard on the Papers formerly read in the cause, the report of Herring Chrisman a Commissioner appointed to sell the lands in the Bill & proceedings mentioned & upon the argument of Counsel and the Court being of opinion that the Commissioner has acted in accordance with the decree last made in the cause, do hereby adjudge ordered decreed that said report and the Sales therein mentioned be confirmed, And the Court doth further order & decree that said Commissioner make proper conveyances to the purchasers of said property in conformity with the provisions of the decree last rendered, secure the deferred Payments upon the property by deeds of Trust & that he pay the expenses of the Sale out of the cash money which shall come into his hands & shall retain as he collects, the proceeds of Sale, the legal Commission for his own services, The Commissioner to report proceedings to the Court

On the Motion
Littleton W Gambill, who was elected Clerk of the County Court of Rockingham for the Term of Six years from 1st July 1852 — Hon Erasmus Coffman, Isaac S Coffman, David A Gambill & Benj F Mastin were admitted his deputies who thereupon appeared in Court & took the several oaths prescribed by law which is ordered to entered of record

Whereas a dispute has arisen between Jacob Bear & the County of Rockingham in relation to a claim which the said Bear prefers against said County for extra work done to the new jail. It is ordered that John A Herring be appointed a Commissioner to examine the State of the accounts between the parties and report to Court

Alms Byrd, Wm P Warren & Thomas K Harnsberger Deputies for Geo W Kemper Sheriff of Rockingham returned lists of delinquents in the County levy for the year 1851 which were examined allowed & ordered to be filed

Peter Paulsel who was duly elected Sheriff of the County of Rockingham for Six years from the 1st of July 1852, appeared in Court and took the several oaths prescribed by law, and entered into bond with security in the penalty of $3000 - conditioned as the law directs which bond was acknowledged by the parties thereto & ordered to be recorded — And on motion of the said Peter Paulsel, Henry D Harnsberger is admitted his deputy who thereupon appeared in Court & took the oaths required by law which is ordered to be entered of record

Recorded

Ordered that the agent for the County pay to Geo W Kemper the sum of $500 — to aid in the construction of a Bridge across North River near Port Republic, being the same appropriation which was first made at June Court 1851 — and was not by the agent for that for the want of funds

Ordered that the sum of Six hundred dollars be apcpd on the bill of the late Rockingham Court Abraham S Byrd Sheriff who was on the 27th May elected Sheriff of this County for the year ending on the last day of June 1853 — and that the agent of the County collect the same and credit it to the County of Rockingham

On Report of Wm A Harris & John A Herring commrs appointed at June Court 1851 to reapportion the hands a certain roads named in said returned into Court a report of their apportionment, And it is ordered the Clerk make the necessary alterations in the road books and notify the Surveyors of the several roads of the alterations made as set forth in said report

The Court having signified at the last Term their intention of apcpg the County levy for the year 1852 and having for that purpose directed the Justices to be summoned to this Court and it appearing by the returns of the Sheriff on the summons issued that all of them had been duly summoned for the purpose aforesaid, the Court thereupon proceed to apcp the levy for the year 1852 as follows to Wit: —

Amt of Claims allowed by O S Poor	2177.85
Suppond allowance to Steward of P House which will fall due 31st June 1852	300 00
Claims allowed & appropriation made this day	1745.02½
Allowances to County Officers	380.00
Amt of Appropriation made at June Court 1851 to aid in construction of Bridge near Port Republic to meet which there are no funds in the hands of the agent & which must be provided for out of the present levy	500.00
Amt which it is suppond will be required to pay Contract for enclosure in front of Jail	90.00
Amt suppond to be required for draining & flooring basement story of New Jail	200 00
Estimated number of delinquents 750 @ 125	937.50
Estimate of Shffs Com for collecting levy	352 50
Balance suppond to be sufficient to support Poor at Poor House and meet contingent expenses of the County & Parish for year ending June 1853	1358.26½
	$8041.13½

Or

By bals due Parish from Shff on levy of 1851	164.85	
Amt due Parish from agent	263.53½	
Amt of payt on old Jail due Apl 53	200.25	
5450 levies @ 1.25	6812.50	
assessment on Sheriff	600.00	8041.13½

Ordered that the Sheriff collect from each taxable in the County not exempted by Law One dollar and twenty five cents, Fifty cents of which shall be appropriated to the expenses of the County and Seventy five cents to the expenses of the Parish and out of the monies arising from such collections pay the Claims allowed by the County & Parish to the Persons entitled

thereto at the time directed by Law, and the balance after making allowance for delinquents & Commission pay to the Agent or Agents for the County & Parish at the time directed by Law

Ordered that the Court be adjourned until the Third Monday in July next

J. B Carderly

Virginia to Wit:

At a Court held for the County of Rockingham on the 29th day of June 1852 for the trial & examination of Martin Snyder who was committed to the jail of this County on a charge of felony — & now this that he did on the 19th day of June 1852 feloniously, Commit the detestable & abominable crime against nature, by having carnal intercourse & Copulation with a beast to wit, with a mare —

Present

Charles C Spears, John A Herring,
Abraham Smith, David R Hopkins, } Gent Justices
Isaac Harderty —

The prisoner was led to the bar in the Custody of the Sheriff and the Court having heard the evidence, are unanimously of opinion that he is not guilty of the felony of which he stands charged and that he be discharged — And the Court further ordered it to be entered of record that they are unanimously of opinion that no evidence whatever was introduced by the prosecution to sustain the charge against the prisoner

Ordered that this Court do now adjourn —

Abm Smith

Virginia To Wit:

At a Court for the County of Rockingham on the third Monday in July 1852. being the 19th day of said Month

Present

Stephen Haarstegue, Reuben Mann, David Hopkins, Benja Brenner } Gs. Justices

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 1852. (both days inclusive) and being 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 to be posted at the door of the Court House of said County.

Which List is as follows, To Wit. (In Trust for 26)

A Deed for P P from Archibald Holland to John C. Woodson
" " " Land " Jennetta E Conrad & others to Geo. O. Conrad
" " " P P " B. R. Speck to Wm Burnsides (In Trust for 26)
" " " Land " Henry Wilhelm & others to Jacob Wetrick
" " " " " Henry Shoemaker &c to James Kenny (In Trust for)
" " " " " William Gallibugh & wife to Jacob F. Beery
" " " " " Christian Brenneman & wife to Martin Brenneman
" " " " " Same to Isaac Wenger
" " " " " Christian Brunk & wife to Martin Brenneman
" " " " " Ephraim Whitmire & wife to Martin Whitmire
" " " " " Abraham Lincoln's Exrs to Jacob Custer
" " " " " Hugh Bruffy to Jason N. Bruffy
" " " " " Martin Whitmire & wife to Ephraim Whitmire
" " " " " Richard H. Austin & wife to John H. Austin
" " " " " James Meffick & wife to Danie Rife Jun
" " " " " John A. Fishback & wife to Benj. F. Fishback
" " " " " Adam Fulk to Danie Fulk
" " " " " Christian Brenneman & wife to Christian Brunk
" " " " " William G. Thompson to Joseph Bare
" " " " " Edith Keller & wife Peter F. Eamman

A Deed for Land from John Baker & others to Daniel Fulk
" " " Lot " Nelson Keyser to James Kenny (In Trust for)
" " " Land " Jonathan Shaffer & wife to Edward F. Alcott
" " " " " Andrew L. Lindsey to Michael Bibler
" " " " " John Sifert Comr to David B. Bowman
" " " " " John H. Reisinger & wife to John V. Trump
" " " " " George Michael & others to Mathias Seaf
" " " " " George F. Funkhauser & wife to John Smith
" " " " " David B. Bowman to A. C. Bryan (In Trust for
" " " " " David Shank & wife to Benjamin Rice
" " " " " David Coffman & wife to Daniel Murray
" " " " " Wilhelm A. Wolfe to Bruce Johnson (In Trust for)

Settlement of the Estate Accounts of Jacob Bowman Decd & Jacob Pofer Decd & Peter Felty Sr. Decd & John Leidy Decd & James Duff Decd & Reuben Rawley Decd & Adam Weis Sr. Decd were returned into Court by the Clerk thereof having been filed in the Clerks office for the time prescribed by law were examined by the Court and ordered to be recorded

Settlement of the Guardian Accounts of Eli H Koontz & Benjamin Huffman & Isaac Hardesty with their Wards were returned into Court by the Clerk thereof having been filed in the Clerks office for the time prescribed by Law were examined by the Court and ordered to be recorded

Samuel H Lewis, Robert Grattan, Isaac Hardesty, William B Yancey, Jacob Miller, John A Helring, Benjamin Hoover, Jackson Hoon, John I Bowman, Jacob Caplinger Robert C Mauck, Samuel Ruebush, Michael H Harris, Reuben Huffman, John R Koogler, John A Dice, Milton Ervine, John G Brown, John Burkholder, Levi May, William O Hopkins, Archelaus Hopkins Jr, Otway C Sterling, Andrew Houck, Peter C Koontz, Isaac Thomas, Daniel Harrison, Henry T Waldron & Samuel Miller, Samuel R Shrenkle

Alfred L Worth
produced in Court Commissions from the Governor of Virginia, under the Liper Seal of the Commonwealth dated July 3rd 1852, whereins they are Commissioned Justices of the Peace in and for the County of Rockingham, who reside in their respective districts and to hold their Offices for the Term of Four years commencing on the 1st day of August 1852) whereupon the said Samuel H Lewis, Robert Grattan, Isaac Hardesty, William B Yancey, Jacob Miller, John L Herring Benjamin Homes, Jackson Horn, John I Bowman, Jacob Caplinger, Robert B Marsh, Samuel Rushbrook, Michael H Harris, Reuben Huffman, John A Douglas, John A Rice, Milton Carrier, John G Brown, John Burkholder, Levi Gray, William O Hopkins, Archibald Hopkins Jr, Henry B Sterrett, Andrew Houck Peter D Mowry, Isaac Thomas, Marion Harrison, Henry T Wiatman, Alfred L Worth, Samuel Miller, Samuel R Sprinkle,

Severally took the oaths of Office prescribed by law which is ordered to be entered of Record

Ordered that Silas Heaton be appointed Committee for Henry Rhodes a person of unsound mind, whereupon the said Silas Heaton appeared in Court and entered into bond with security in the Penalty of $4000 Conditioned as the law directs, the security here was [illegible]

On the Motion of Joseph Smith & Crawford C Strayer who made oath thereto & entered into bond with security in the Penalty of $40000 Conditioned as the law directs administration of all and singular the goods & Chattels of Abraham Smith dec'd is granted him in due form (Charlotte M Smith the widow of the said

Abraham Smith having form under hand relinquished her right to the dower in his bation) and it is ordered that John G Fulton, James Reed, George McPherrin, & Jno C Rivercomb or any
op three of them being first sworn do appraise the estate of the said Abraham Smith dec'd and make report to Court

On the motion of John A Hopkins, who made oath thereto and entered into with security in the penalty of $9000 - conditioned as the law directs, Administration
+ of all and singular the goods & Chattles of James Hopkins dec'd is granted him in due form, and it is ordered that David Bear, Michael Whitmore
op Daniel Bowman, John A Ralston & David R Hopkins or any three of them being first sworn do appraise the estate of the said James Hopkins dec'd & make report to Court

On the motion of William R Hopkins. It is ordered that Levi May, George A Chrisman, Joseph Burkholder & John Swank be appointed Commissioners (any
op three of whom may act) to lay off and assign to Elizabeth A Hopkins her dower in the lands of which
+ her late husband James Hopkins died seized & possessed & make report to Court

Ordered that Christopher I Beirne be appointed guardian for Mary Fare Andrew & Beirne orphan of Andrew D Beirne dec'd whereupon the said Christopher I Beirne, appeared in Court & entered into bond with security in the penalty of $50000 Conditioned as the law directs.
+

On the motion of Christopher I Beeson who made oath thereto & entered into bond with security in the Penalty of $ 5000 - Condition as the law directs, Administration of said and singular the goods and Chattels of Frances E Beeson dec'd is granted him in due form.

On the Motion of Samuel Bowman & the other heirs of Jacob Bowman dec'd. It is ordered that Miriam Manty, Benjamin Shrader & Jacob M Bowman be appointed commissioners to lay off and assign to Rebecca Bowman her dower in the lands of which her late husband Jacob Bowman died, seized & possessed & make report to Court

On the Motion of Adam Wise, who made oath thereto & entered into bond with security in the penalty of $ 500 - Condition as the law directs, Administration of all and singular the good & Chattels of John Wise dec'd is granted him in due form and it is ordered that Jacob Hosler, Adam Faught, John Faught & Philip Miller or any three of them being first sworn do appraise the Estate of the said John Wise dec'd & make report to Court

On the motion of James Funk & the payment to the Sheriff of the tax imposed by law. It is ordered that a license be granted him to keep an Ordinary in this County until May Court 1853, upon his entering into bond with security in the Clerks Office as the law directs, the Court being of opinion that he is a man of good character, not addicted to drunkenness or gambling and that he will keep an orderly & useful house of entertainment

Certificate of the qualifications of Robert N Palmer & Michael I Fickle who was elected overseers of the Poor for the County of Rockingham was returned into Court & ordered to be filed

On the motion of Wm Eiler & the payment by him to the Sheriff of the tax imposed by Law, It is ordered that a Licence be granted him to keep Ordinary Entertainment at his house in this County until May Court 1853

On the motion of A H Michie, who took the several oaths prescribed by Law It is ordered that he be permitted to practice as an attorney in this Court

The report of the viewers made on the petition of Conrad Heatwole & others for a way for a road from was returned into Court & the said road be established agreeable to said report and that Jacob Senger be appointed Surveyor & that John R Kagle be appointed Commissioner to allot hands on said road & make report to Court

On the motion of Peter Neff Executor of Barnet Huffman dec'd. It is ordered that he be authorized to sell and assign to Andrew J Vantilt a land warrant of the said Barnet Huffman dec'd for Forty acres of land, dated 11th November 1852. No 25.919

Robert Mowney who was duly elected Constable in and for the County of Rockingham for the term of Two years from the 1st day of July 1852 appeared in Court and took the several oaths prescribed by Law and entered into bond with security in the $5000— conditioned as the law directs which bond was acknowledged by the Sheriff whereupon & ordered to be recorded

Henry H Christmas, who was duly elected a Commissioner of the Revenue for the Third district of Rockingham County for the term of two years from the 1st day of February 1853 appeared in Court & took the several oaths prescribed by Law and entered into bond with Security in the penalty of $1000 - Conditioned as the Law directs, which bond was acknowledged by the parties thereto and ordered to be recorded & certified to the Auditor as directed by Law

William H Hammack who was duly elected a Commissioner of the Revenue for the Second district of Rockingham County for two years from the 1st day of February 1853 appeared in Court & took the several oaths prescribed by Law and entered into bond with Security in the penalty of $1000 - conditioned as the Law directs, which bond was acknowledged by the parties thereto & ordered to be recorded & certified to the Auditor as directed by Law

Rockingham Turnpike Co. vs Franklin Reno — On a Motion for a purpose & cause of execution for the use of the 5th & 6th Defendants in the subscription of the said Reno to the Rockingham Turnpike Co.

Motion proved & ordered to be certified accordingly

R H Smith vs Gordon — On a Motion

Motion proved & ordered to be certified accordingly

Caleb Reno - presents in Court an account against the County of Rc for $13.05 Cents which was examined by the Court & ordered to be certified in the manner directed by Law.

Ordered that the Court do now adjourn

Geo. Bowman

being the day established by law for holding the July Court in said County

At a meeting of the Justices of the Peace for the County of Rockingham (elected by the voters thereof on the 27th day of May 1852) held at the Court House of said County on Monday the 19th day of July 1852 in pursuance of the 12 section of the act of the General Assembly of Virginia passed 22d April 1852, Entitled "an act providing for the elections, qualifications, powers duties & Compensation of Justices of the Peace &c."

Present

Benjamin Hoover, Isaac Hoover, John G Brown, Samuel Miller, Jacob Coplinger, Samuel R Sprinkle, William B Yancey, Robert C Mauck, Alfred Woods, Jacob Miller, Samuel Rubush, John A Heaney, Robert Gattan, Michael H Harris, Reuben Huffman, John R Kuykendall, John A Dice, Milton Brown, John L Wa[illegible], John I Bowman, John Burkholder, Levi May, William D Hopkins, Archibald Hopkins Jr, Isaac Hardesty, Henry T Wartman, Henry A Mesting, Peleg D Hovatt & Isaac Thomas

being a majority of the Justices de jure for said County

On Motion of Robert Gattan the Meeting proceeded to the election of one of their body to be the Presiding Justice of the Court

And Whereupon the names of the justices present being polled they severally voted for Samuel H Harris, whereupon the said Samuel H Harris was declared to be unanimously elected Presiding Justice of this County Court of Rockingham

Attest

S H Harris.

S W Gambill Clerk

Virginia To Wit

At a Court held for the County of Rockingham on the Third Monday in August 1880 being 16th day of said Month.

Present

Samuel H Lewis, (presiding Justice) M H Harris, A S Wolfe, Wm B Yancey, I N Harnerty, Aaron Bard, John Burke, G. Justices, O C Sterling, R C Mauck, Asa Thomas, Wm Carpenter, Dan Harrison, Holden, Henry J Wartmann, H H Brown, Jefr. May, P P Koontz, Reuben Huffman, John Boyer, Benj. Horner, J Bowerman, Jackson Horn, Jno A Herring, Wm Hopkins, J M Ervine, Samuel Reubush, Andrew Houck.

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 31st day of July 1880 (both days inclusive) and being 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 to be posted at the door of the Court house of said County. Which list is as follows:

To Wit

A Deed for P P from Hiram H. Switzer to Nicho A. Trout (In Trust for)
" " " Land " Jane A. Silly & wife to William Sillan
" " " " " Abner Canada & wife to Mr. S. Byrd (In Trust for)
" " " " " Joseph Fry to John B. Winfield (In Trust for &)
" " " " " Jacob K. Stevens & wife to Elizabeth Stevens
" " " " " Same to Franklin Price
" " " " " Same to Abner D. Nicholas
" " " " " Geo. Ireland & wife to Geo. F. Funkhauser
" " " " " Jacob Baeb & wife to Jacob Hackley & others
" " " " " Augustus Waterman to John Sites
" " " " " Mary Rankin to Geo. Miller
" " " " " Jacob Randebush to Margaret Mayers
" " " " " William S. Perry & wife to Joseph Coffman (Trustees &c.)
" " " " " Richard T. Mauzy & wife to Andrew B. Trick
" " " " " Shaun Heatwole to John Weaver
" " " " " David B. Bauman & wife to David P. Bauman
" " " " " Anthony Rhodes & wife to Robert Philips
" " " " " John H. Smith to Harvey F. Smith
" " " " " Michael Wise to Adam Rader (In Trust for &c)

A Deed for Land from Abrit A. Baugher & wife to Julia A. Baugher
" " " " " Abner Moyers & others to Meredith Nighten
" " " " " Andrew B. Irick & wife to Andrew Bertram
" " " " " Henry Haudenshutat & wife to Wyatt Frazier
" " " " " David B. Bauman & wife to Jacob S. Roads &
" " " " " Wm E. McC. Harris to Thomas Chapman
" " " " " Peter Royer & wife to Samuel Royer
" " " " " John Hinesparing & others to Jacob Wiseman

Settlements of the Estate Accounts of Adam Crouchorn deceased Jno. A. Campbell deceased Jane Cherry deceased Daniel Smith deceased, & David Kyle Sr deceased, were returned into Court by the Clerk thereof, and having been filed in the Clerk's office for the time prescribed by Law were examined by the Court and ordered to be recorded

Settlement of the Guardian Accounts of David Rodes with his ward was returned into Court by the Clerk thereof and having been filed in the Clerk's office for the time prescribed by Law, was examined by the Court and ordered to be recorded.

Settlements of the Committee accounts of Harvey Kyle as Committee for Jeremiah Kyle & Robert Black as Committee for Henry Black were returned into Court by the Clerk thereof, and having been filed in the Clerk's office for the time prescribed by Law, were examined by the Court & ordered to be recorded

Catletts adms vs Solomon on appeal Docketed & Continued

Certificates of the qualifications of John Boyer Williams W Carpenter Mason Bare and Reuben Ward Esqrs as Justices Peace for the County of Rockingham Elected in their respective districts to serve as such for their respective districts for three years from the 1st of August 1852 were returned into Court and ordered to be filed

Shem Heatwole who was duly Elected An Overseer of the County appeared in Court and Took the usual oaths of office prescribed by Law

Ordered that Robert C Thompson, be appointed Surveyor of Precinct No 2 on the New Market Road to Brock Gap in the room of John Stoneman

Ordered that all the Justices of the Peace for the County of Rockingham be summoned to appear here forthwith for the trial of the complaint of the undue election and false return of Fountain M Layton as a justice of the Peace from District No 2 in said County —

Young & Pochon vs Geo W Pipes, Dismissed without costs

William C Harrison, (Foreman) — Daniel Heffman, Jacob Reubush, Peter Showalter, Robert M Evan, George Mansberger, George F Funkhouser, John Miller, Doriland Marty, John Mason, Thomas Kirkpatrick, Jacob A Mitchell, Jacob Lineaweaver, John S Heatwole, Martin Neff, Jacob Rundore, Jesse Ralston, Adam Rader, John Williamson & Henry Good, were sworn a grand Jury for this County who receiving their charge and retired from the bar to consider of their presentments and after some time returned into Court and made the following An Indictment agst Madison Glover for an Assault & Battery a True Bill An Indictment agst Albert Perley for retailing ardent Spirits without a license a True Bill An Indictment against Madison Glover & Isaac Glover for a wilful Trespass a True bill An Indictment agst John L Coakley for a wilful Trespass a True Bill An Indictment agst Joseph W Kratzer for An Assault and Battery a True bill An Indictment agst Andrew Sellers for an Assault and Battery a True bill An Indictment agst John R Miller for an Assault and Battery a True Bill An Indictment agst William Knabe for acting as a hawker & Pedlar without a license a True Bill and the said Grand Jury having no further business before them they were discharged and it is ordered that Summons issue against the aforesaid several Defendants to answer the said Indictments returnable here at the Next Court

Ordered that the Justices of this Court shall be classified as follows to Wit:

There shall be four classes numbered 1st 2nd 3rd and 4th ~~and the justices~~

Class 1st

Shall be composed of W Bard, I Kiplinger, R C Mauck, I. Boyer, M. Harris, I A Dice, I Burkholder. H Wartman & Daniel Harrison — of the afore Class —

W Bard, M A Harris. H Wartman & John Burkholder, shall compose the - August Court —

John Bowyer, R C Mauck, John A Dice & Dan'l Harrison shall compose September Court —

Jacob Kiplinger, Daniel Harrison, John Bowyer & R C Mauck. shall compose the October Court

Class 2nd

Shall be composed of B. Hoover, S Miller, W B Yancey, S Rudisill, I A Herring, F M. Erwin, S May, A Houck and W. W Carpenter — of the afore Class — B. Hoover, S May S. Rudisill & I A Herring, shall compose the Court for the 1st day of November Term, B Hoover, S May. S Rudisill, & Wm W Carpenter 2nd day of S Term —

A Houck, W W Carpenter, B Hoover & F M Erwin 3 day of S Term,

A Houck. W W Carpenter, F M Erwin & S Miller 4th day of S Term —

Samuel Miller, I A Herring, W B Yancey & A Houck shall compose December Court —

S Miller, I A Herring, W B Yancey & S. Rudisill shall compose the January Court

Class 3rd

Shall be composed of J J W Bowman, Reuben Hove, A L Woolf, R Grattan, I R Roogler, A Hopkins Jr. I Thomas & I Hardesty — of the afore Class —

Isaac Thomas, Reuben Hove, A L Woolf and I I Bowman shall compose the May Court —

Robt Grattan, John R Roogler, Archibald Hopkins Jr and Isaac Hardesty shall compose the June & July Courts

Class 6th

I. Horn, S R Sprinkle, I Miller, R Huffman, I G Brown, W D Hopkins, O C Sterling & P P Koonty of the above Class — I G Brown, O C Sterling, W. D Hopkins, & I Horn shall compose the February Court S R Sprinkle, I Miller, R Huffman & P P Koonty shall compose the March & April Courts —

The Court at its August term and at September & October Courts shall be composed of the Presiding justice & four from the 1st Class. At the November Term December & January Courts of the presiding Justice and four justices from the 2nd Class — at the February Term and March & April Courts of the Presiding justice four Justices from the 3rd Class, and at May June & July of the presiding justice & four justices from the 4th Class.

In the event of the absence of any one (or more) of the justices, when it is his terne to be a member of the Court the place of the absent member or members shall be filled by any member of the same Class if any be present or if not by any other justice of the County, unless the absent member shall have arranged with another justice to supply his place.

Called Courts or Courts of Oyer Terminer shall be composed of the presiding justice, and one justice from each class. In the event of any justice summoned being absent or disqualified, the vacancy shall be supplied as above provided.

Whereas a complaint signed by 15 of the qualified voters of the second election district of this County was filed with the Clerk of the Court, and a certified copy thereof transmitted to the Secretary of the Commonwealth, complaining of the undue election & return of Fountain W Layton as a justice for the said district, And it appearing to the satisfaction of this Court (all the justices of the County having been sum-

mond to a majority being present) that No Copy of the complaint and notice of the contest has ever been served upon the said Sayton; Therefore it is ordered that the fact be certified to the Governor, and that the Court is unanimously of Opinion that the said Fountain W. Sayton is entitled to his Commission as a justice of the Peace in the said 2nd district

Ordered that the rules of proceeding of the Circuit Court as far as applicable be adopted for the conduct of this Court and them strictly observed and be recommended

On the motion of John Cline Admr with the will annexed of John Moore dec'd It is ordered that W. G. Thompson be appointed a Commissioner to examine State & settle the Estate accounts of the said John Moore dec'd with the said Administrator & make report to Court

On the motion of John Cline Executor of John Wampler dec'd It is ordered that W. G. Thompson be appointed a Commissioner to examine State & settle the Estate account of the said John Wampler dec'd with the said Executor & make report to Court

A Writing purporting to be the last will & Testament of Henry Bear dec'd was again presented in Court & proved the oaths of William C. Lauck & Peter C. Lauck two of the subscribers thereto and ordered to be recorded, And on motion of Alfred L. Wolf who made oath thereto and entered into bond with security in the Penalty of $500 - conditioned as the Law directs, Administration with the will annexed is granted him on the Estate of the said Henry Bear dec'd

And It is ordered that Thomas K Mellen, W. M Cass & Jonathan Thomas Phillips, being first sworn do c/p appraise the Estate of the said Henry Beard & make report to Court

On the motion of Henry C Cromer Guardian & father of Daniel Cromer. It is ordered that the said Henry C Cromer bind his said ward How to David Gilmore (Castle Landers) to learn the trade of a waggon maker—

Ordered that the Overseers of the Poor bind Jerry a mulatto boy 6 years of age to Wm Gaily (as the Law directs) to learn the business of a house Servant & Cook— who is to pay said boy $150— which the reaches the age of 21 years—

c/p

Ordered that the Overseers of the Poor bind William Tate, a colored boy eight years old in April last to Henry Sofland (as the Law directs) who is to pay said boy $150— when he is 21 years of age—

c/p

Ordered that the Overseers of the Poor bind William Long (13 years of age) to Samuel Chandler as the Law directs, who is to give said boy a freedom suit & $75— when he arrives at the age of 21 years

c/p

Ordered that Isaac Hardesty be appointed a Commissioner to procure blank record books for the justices of the County, and that the said Comr. be authorized be authorized to draw on the agent of the County for a sum sufficient to pay for said books out of any unappropriated funds in his hands

Sp Ordered that Samuel Wine be appointed surveyor of Precinct No 7 on the Gradens Beech Gap road in the room of Nathan Stinson

A writing purporting to be the last will & Testament of Hannah Strine dec'd was presented in Court and proved by the oaths of the subscribers thereto and ordered to be recorded — And on motion of John Long the executor therein named, who made oath thereto and entered into bond with security in the penalty of $500 - Conditioned as the law directs a certificate is granted him for obtaining a probat Sp thereof in due form — And it is ordered that John Strine, Samuel Long, John Eversole and Samuel Long ~~or~~ any three of them being first sworn do appraise the Estate of Hannah Strine dec'd & make report to Court

A Report of F M Erwin a Commissioner appointed to apportion the lands between Jacob Miller, Hugh Allen & Jacob Shank on their respective roads was returned into Court & ordered to be confirmed & filed

A Report of G W Chrisman, Levi May, John Swank and Joseph Burkholder Commissioners appointed to assign dower to Elizabeth A Hopkins in the lands of her late husband James Hopkins dec'd was returned into Court & ordered to be recorded

Isabella W Smith (over 14 years of age) & orphan of Abraham Smith dec'd (in writing from under hand acknowledged before a justice of the Peace) nominated J Marshall McCue is her guardian, Whereupon it is ordered by the Court that that the said Marshall McCue be appointed guardian for the said Isabella W Smith, And it is further ordered

that the said J Marshall M Cue be appointed guardian for Virginia B & Jonetta J Smith (under 14 years of age) & orphans of Abraham Smith dec'd. Whereupon the said J Marshall M Cue appeared in Court & entered into bond with security in the Penalty of $30.000 - conditioned as the Law directs (the securities having justified)

William W L & Houston (now 14 years of age & orphan of Wm Houston dec'd came into Court & made choice of Thomas Harrison as his guardian. Whereupon the said Thomas Harrison appeared in Court and entered into bond with security in the Penalty of $400 - conditioned as the Law directs - (the security having justified)

Ordered that Nancy Houston be appointed guardian for Julia A S Houston (under 14 years of age & orphan of Wm Houston dec'd) whereupon the said Nancy Houston appeared in Court & entered into bond with security in the Penalty of $ 500 - conditioned as the Law directs, (the security having justified)

A writing purporting to be the last will & Testament of William Rice dec'd with a codicil thereto was presented in Court by the Executors therein named in order to be proved & it being suggested to the Court by the said Executors that a contest in regard to the the probate of said will is likely to ensue - it is ordered that it be removed to the Circuit Court for Probate.

Whereupon for reasons appearing to the Court it is ordered that William R Speck be appointed Curator to collect & take care of & preserve the goods & Chattels of the said William Rice dec'd until the controversy about the validity of said will be decided or until the

further order of the Court Whereupon the said William R Speck appeared in Court & made oath thereto and entered into bond with security in the Penalty of $30.000 conditioned as the law directs - And it is ordered that Felix T Shuty, John Winkler, John Williamson & George Gibbons or any three of them being first sworn do appraise the estate of the said William Rice dec'd & make report to Court

John Herring who was appointed a Commissioner to examine the accounts in controversy between Jacob Bear & the County of Rockingham, returned into Court a report in relation thereto - Upon consideration whereof It is ordered that the agent of the County pay to the said J. Bear out any unappropriated funds which may be in his hands from the levy of 1883 - the sum of $264.40 cents with interest from this date - (Provided the said Bear agrees to receive the same in full of all demands against the County growing out of his contract in relation to the building of the new jail)

The Rockingham T. Company & Andrew Coffman upon a notice
Notice proved & continued

The Same vs Wm M Burns	Same
The Same vs C B Gaunt	Same
The Same vs William L Marsden	Same
The Same vs C L Gaines Exr	Same
The Same vs E J F Hughes	Same
The Same vs Wm B Gaunt	Same
The Same vs G K Grimes	Same
The Same vs John Gibbons	Same
The Same vs Harry Michael	Same
The Same vs Jas Bruce	Same
The Same vs Wm S Miller	Same
The Same vs R A Gibbons	Same
The Same vs John Robeson	Same

Ordered that Wm A Sams be permitted to occupy the room above the Office of the Circuit Clerk, as an Office during the pleasure of the Court

A writing purporting to be the last will & Testament of John Cool was presented in Court & proved by the oaths of the subscribers thereto and ordered to be recorded and on motion of Samuel Flory & Samuel Good the executors therein named who made oath thereto and entered into bond with security in the penalty of $2500 - conditioned as the law directs (the security having justified) a Certificate is granted them for obtaining a probate thereof in due form - and it is ordered that Joseph Berry, John Hauk & John Yount being first sworn do appraise the Estate of the said John Cool & make report to Court

Ordered that the Court be adjourned until to morrow morning at 10 O'Clock -

S H Lewis.

Tuesday August 17th 1852

Present

Samuel H Lewis (Presiding Justice) M H Sloan
Nason Bare John Burkhead dec'd & H J Waltman & G Jenkins

On the motion of Charles R Rush administrator of John Nicholas dec'd It is ordered that Joseph Mauzy be appointed a commissioner to examine state and settle the Estate accounts of the said John Nicholas dec'd with the said administrator and make report to Court

on the motion of Charles R. Rush administrator of John Rush dec'd. It is ordered that Joseph Mauzy be appointed a Commissioner to examine State and Settle the Estate accounts of the said John Rush dec'd with the said administrator and make report to Court

On the motion of David Stoner Executor of Samuel Stoner dec'd It is ordered that Wm G. Thompson be appointed a Commissioner to examine State and Settle the Estate accounts of the said Samuel Stoner dec'd with the said Executor and make report to Court

on the motion of John Zigler administrator of John Spitzer dec'd It is ordered that Wm G Thompson be appointed a Commissioner to examine State and Settle the Estate accounts of the said John Spitzer dec'd with the said administrator and make report to Court

Came the Wolfney & Jury sworn to try the issue to them Joined A Shoop Richard I Foster Abraham Shoemaker Samuel Empswiller Abram Shoemaker Philip Keenan Jacob May William Sandy Samuel Cummins Smith Sofland John Thompson & Walson Almond Verdict Defendant Guilty and assess the amercement to $75 and Judgment accordingly.

On the Motion of John Seter and he having paid to the Sheriff the Law imposed by Law it is ordered that a License be granted him to Keep a Ordinary in this County until May Court 1853 upon his entering into Bond with security in the Clerks office as the Law directs the Court being of Opinion and ordered it to be entered that he is a man of good Character not addicted to Drunkenness or gaming and that he can Keep an Orderly and useful House of entertainment

On the Motion of John A Hoff and he having paid to the Sheriff the Tax imposed by Law it is ordered that a license be granted him to Keep a house of private entertainment in this County until May Court 1853

Comth	vs Hudson	Capias awarded
Same	vs Sowle 2 Cases	Same
Same	vs Mellefargue	Same
Same	vs Ranis	Continued
Same	vs Ruis	Same
Same	vs Robelins	Dismissed
Same	vs Moore	Dismissed
Same	vs Page	Dismissed
Same	vs Myer	Continued
Same	vs Gordan	Continued
Same	vs Roonty	Dismissed
Same	vs Hite	Continued
Same	vs Estep	Dismissed
Same	vs Same	Continued
Same	vs Jarrett	New Sumn awarded
Same	vs Herring	Continued
Same	vs Hart	Dismissed
Same	vs Renker	Dismissed
Same	vs Hugh	Judgment Confessed for Costs
Same	vs Swanson 2 Cases	The Same
Same	vs Newcomber	Continued
Same	vs Welsh	Continued
Same	vs Looker	Continued
Same	vs Faunt	Judgment Confessed for Costs
Same	vs Wood	Continued
Same	vs Phelps	Continued
Same	vs Harry	Continued
Same	vs Looker	Continued
Same	vs Brightman	Continued
Same	vs Vaugant et	Continued

Coulter vs Hawkins Upon an Indictment for stealing Liquor without a License The Defendant by her Counsel appeared in Court and Confessed a Judgment for $30 the fine imposed by law and her by her about her presentment in that behalf expended

The Same vs Newcander Continued

Same vs Nicholas Continued

Same vs Smith same

Same vs Brown same

Same vs Lowe same

Same vs Boyers same

Same vs M Glavis & Gen'l replevin & Issue Continued

Same vs Jones Continued

Same vs Glavis & Judgment Confessed for Costs

Same vs Gibbons Discharged

Same vs Grant Continued

Same vs Powell Continued

Same vs Perkey Not Guilty & Issue & Continued

Same vs Mey Continued

Same vs Dunlap & Continued

Same vs Haines Not Guilty & Issue & Continued

Same vs Frame & The Same

Same vs Reidy The Same

Same vs Sandsman The Same

Same vs Gailey The Same

Same vs Sandy The Same

Same vs Sherry Capias awarded

Same vs Same The Same

Same vs Penee The Same

Same vs Barley Not Guilty & Issue & Continued

Same vs Longley Continued

Same vs Henry Webster upon a rule The Defendant not appearing altho Solemnly called it is ordered that an Attachment be awarded against him returnable here at the Next Court

Ordered that a Patrol be organized to Patrol the Country commencing at Bridge Water including the Town of Bridge Water and from thence to the County Line of Augusta and with said Line to the Mt Adam adjoining Road and down said Road to Mount Crawford including Mount Crawford and thence down said Road to the Menonist Meeting House and from thence to the Town of Dayton including Dayton and from thence to the Beginning for the Town of Three Mouths and that Michael Kibler be appointed Captain of said Patrol with the following privates to wit John Jacob James Bailey Harrison Deakle Robert White Michael H Wise Adison Deakle and George R Gibbons who authorized to patrol the above District of Country in the manner directed by Law

Dover & Shipman & upon an Attachment order of Publication awarded against the absent Defendant & Continued

Tuleries adms & Valley Turnpike Company Continued

Howard & Amenhood Continued

Amenhood & Howard Continued

Staling & Gaily & Evans Continued

Weaver & Ahrens Continues for Defendant and on Motion of the Defendant it is ordered that this suit be dismissed at the Next Term unless security for the payment of such Cost and damages as may be awarded the Defendant, and also of the Fees which will become due from the Plaintiff to the Officers of this Court be given with the Clerk within Sixty days from this time

Thompson & Canada Payment and Offsetts plea General replication & Issue & Jury sworn to try the same to wit John A Hofs Abram Shoman Abm Samuel Empsmiller Abram Shoemaker Phelps Keenan Jacob May William Sandy John Looker P A Whitlock William Rolston Emanuel Grove & Phelps Keller Who did try the Issue joined for the Plaintiff upon their oaths found the sum of Fifty Seven Dollars & Eighty four Cents principal Damages with Legal interest thereon from July 18th 1850 the day said & the Court not being advised what Judgment to render took time until to Morrow to Consider of the same

Clarke v W.M. — Continued

Holands Exor v Bruffy — Continued for ansd

Maples v Same — same

Hopewell v Berry — Continued

Dunkle v Gelbaus — Continued

Pool v Lusk — Discharged

Coulter v Sheffler — Continued

Sansbaugh v Clere — Continued

Krabyer v same — Continued

Harpers hus v Green — Continued

Coulter v Sellars — Continued

Charles B Yanney v Naylor & — Continued

Naylor v Yanney — Continued

Coulter v Swanson — Continued

Same v Same — Continued

Same v Lee — discharged

Herring v Sheffler — Continued

Coulter v Wyant — Continued

Rader v Grove — Continued

Rockingham Turnpike Company v Adam Leap. The Commissioners appointed to ascertain what Damages ~~were sustained~~ the said Leap would sustain by the said Turnpike passing through his land returned their report into Court. No exceptions be taken to said report it is ordered that the same be affirmed

The Same v Harriet Effinger — The Same

The Same v George Oberaad — The Same

The Same v Elizabeth McGahey — The Same Same

The Same v Wells Bundy — The Same Same

The Same v Daniel Seedyhus — The Same

The Same v I.R. Stevens — The Same

The Same v John Rucks hers — The Same

The Same v Margaret Nicholas — The Same

The Same v Mathias Caikshers — The Same

The Same v Joseph Leap — The Same

The Same v I.I. Bent — The Same

The Same v Mary Scott — The Same

The Same v Benjamin Vanpelt — The Same

Geo. Nicholas v. Rockingham T. Company To have Commissioners to Value Land &c. No reason appearing to the Court it is ordered that George H. Chrisman John H. Hopkins Dennis Coffman John K. Berry & Abraham Hollowell any three or more of whom being first sworn be appointed Commissioners to go upon the Lands of the said Geo. Nicholas and Value the same as the Law directs as directed by Law and make report to the Court

Koogler Coleman v. Hinton & ors. on a Delivery Bond. Not prosecuted and Judgment of Execution awarded

Rockingham T. Company v. Penn upon a Note Continued for Defendant to shew Cause at the September Court why they should not be fined or attached according to Law for such their non Attendance

Ordered that the Court be adjourned until to Morrow Morning at 10 O'Clock

S. H. Lewis.

Wednesday the 18th August 1852

Present

Samuel H. Lewis (Presiding Justice) Michael H. Harris
Nason Barr John Burkholder & H. J. Workman Esqrs. Justices

On the Motion Daniel Keller and by Consent of the Counsel of the Court is ordered that he have Leave to transfer the Indentures binding Mary Jackson and John Jackson Free persons of Color to him To Silas Hinton the said Hinton agreeing to take them on the same terms they were bound to said Keller

Thompson v. Canada upon an Attachment This day came again the parties by their Attorneys and the Jury sworn for the trial of this Cause on Saturday Evening rendered a Verdict for the Plaintiff for the Debt in the Attachment mentioned and the Court not being advised

what Judgment to render both time until to day to consider of the same
on a upon consideration whereof it is Considered by the Court that the
Plaintiff recover against the said Defendant the sum of Fifty Seven
Dollars and Eighty Four Cents, Debt the amount found by the Jury to be
unpaid at the rate of Six per Cent per annum from the 17th day of July
1850 till paid and his Cost by him about his suit in that behalf expended
and it is ordered that the Sheriff make Sale of the Personal property
whereon Levy was laid by the Sheriff according to law pay over the
proceeds to the Plaintiff and render an account of Sales as directed
by Law, as to the real estate attached the Court now take no
order reserving for future Judgment the disposition thereof the
plaintiff retaining any lien which he may have thereby Virtue
of his attachment

Peter Noff & Silas Hunton vs John Andes upon a Notice to give Counter
Security Notice proved Mandamus until Recorder Court Kept

~~Peter Noff vs John Andes~~ The Same Same

Ordered that ~~Lew Shroman~~ Emanuel Roadcap be appointed Surveyor
of Precinct No 1 on the Pondleton Road in the room of Lew Shoemaker

Ordered that Abner Mayes be appointed Surveyor of Precinct No
on the Mapanville Road in the room of Jacob Nicholas

Carrihagen & Guardian of Joseph M'Kay

agst } In Chancery

Joseph M'Kay

On the Motion of the Plaintiff it is ordered that
B. F. Marly be appointed Guardian Ad litem for ~~John & Joseph M'Kay~~
Infant Children of Jeremiah & Ann M'Kay to defend the suit

On the Motion of Jonathan Pence it is ordered that he be appointed
Guardian for his Children Margaret A E Mary V & Rebecca E Pence
who thereupon entered into Bond with security in the penalty of
$500 Conditioned as the Law directs

Miller vs Harris Continued

Commonwealth v Gray — Continued

M'Donald & Gamon v Gaily — Continued

Rader for & Rader — Continued

Newman v Gaily — Continued

Young admrs v Hollis & Wife — Continued for the Plaintiff

Long for v Hook — Continued

Hannah Hinkle against whom a Summons was issued at April Court Last to shew cause why the report of the Viewers returned to said Court for a road from the Harrisburg & Waynesburg Spring Turnpike to the Ridge Road near St Michaels Church made on the Petition of Peter Wise & others should not be established agreeably to said report appeared in Court by her Counsel and prayed a writ of Adjured Summons to be directed to the Sheriff of this County to be issued on Wednesday the 8th of September next returnable then at September Court Next.

Moore Ho v Beaffey & Brother Judgment for the Plaintiff heretofore in the Suspending Bond & replevin by the Plaintiff & for their Costs by them about their suit in that behalf expended

Morrow admr &c v Yancey's Exrs Jury sworn to try the issue to wit, Isaac Knupp, Jesse Crapper, Philip Retsid, John Hoover, Peter Neff Jonathan Tuluvley, Francis Dever, Eli M Intire John Billheimer, Saml Hutchinson, Abraham Lewis Crapper and Philip Hollar Verdict in this Jury for the Plaintiff and assess his Damages to Twenty Four Dollars Damages therefore it is Considered by the Court that the Plaintiff recover against the said Defendants the said sum of $24 with interest from the 18th day of August 1852 till paid & his Costs by him about his suit in that behalf expended

Samuel Tuberville Plaintiff
agt
Michael S. Harris & others Defendants
In Chancery

This Cause came on to be heard this 18th day of August 1852. upon the bill exhibit & answer of the Guardian ad litem, and it appearing that more than one Month has elapsed since the filing of the bill and the proofs having been duly served more than one month, and the order of Publication having been duly executed & the adult Defendant failing to answer the bill of complainant is therefore taken for confessed as to them, the Court doth adjudge order and decree that Robert Gallaher Peter Roller & George Sherman who are hereby appointed Commissioners for that purpose do proceed to make partition of the land in the bill mentioned, and assign to the Plaintiff three Seventh of one Sixth of the land of which Adam Deberry died seized, designated in the bill as the Residue of his Estate embracing the land purchased of Edward Stevens James Smiley Philip Lindsey & George Rogers exclusive of so much of said tract as has been sold to John Greer, and has been assigned to the widow of said Adam Deberry, And the said Commissioners are required to lay off and assign the share of 3/7 of 1/6 by metes & boundaries agreeably to quantity & quality and adjoining the other land of the Plaintiff as in the opinion of said Commissioners that can be done without injury or injustice to the other parties; and make report to the Court at its next Term

Entered & Bond upon a Motion Dismissed and Continued

Rockingham & Company & Penn Continued
The Same & Wm S Miller Continued
The Same & Samuel Lamar Continued
The Same & Wm Richmond Continued
The Same & George Kayler Continued
The Same & B Peabody Continued
The Same & Elizabeth Nicholas Continued
The Same & Catharine Poole Continued
The Same & A C. Bryan Continued

S M & R Bowman v Treas Office Judgment set aside Payment Hearn to file a Special plea Genral replication & Issue Hartenried

Hardyshell v Epler Dismissed

Ordered that the order made at April Court last binding Philip Helsel Son of Philip Helsel the Pltf's Good be remanded and that the said Philip Helsel have the possession of the Son and the said Peter Good declare him up to the said Philip Helsel

Byrne for Pl v Manspeaker Continued

Smith Constable for the Lessee Robert Whitelaw vs Leigh & The said Whitelaw being dead that fact is ordered to be entered of Record & the Cause is Continued unless the Court

The Same v Nicholas & The Same

The Same v Leggett & The Same

Roller v Gadsby Continued

Hurley & v Vanpelt Continued

Clow v Bowman by Consent this suit is removed to the Circuit Court

Thompson v Canada Judgment for Plaintiff Cost

Blair v Bleigh Dismissed agreed

Peters adms v Harshbarger Continued by Consent

Ordered that the Court be adjourned until 9 O'Clock to Morrow Morning

S M Lewis

Thursday August 17th 1852

Present

Samuel M Lewis (Presiding Justice) Michael H Harris

Nassau Barr John Buckholder & H. T. Wartman } J. Justices

Harshbarger and Guardian v M Kay & Wife In Chancery On the Motion of the Plaintiffs B. F. Manly is appointed Guardian ad litem for the Infants Defendants to defend Petition sent for Hearing & Answer filed

Turner M Jackson Guardian &c others
vs
Ellen I. Jackson &c others
In Chy

This Cause came on to be heard this day of August 1832 on the bill, answer of the infants guardian and litem depositions replications thereto & exhibits. The Subpoena having been returned executed on the adults defendants they failing to appear & answer the bill is taken Confessed, On Consideration whereof the Court doth adjudge order & decree, The sale of the land in the bill mentioned on the following terms so much down as will be sufficient to defray the expenses of this suit & of the sale one third of the balance in sixty days after the day of Sale to bear interest from the day of Sale & the balance in four equal annual payments from the day of Sale & the Court doth further adjudge order and decree that Elwston A. Shands be & he is hereby appointed a Commissioner to make Sale of the said land on the time Specified & he is also directed to take good Security for the payment of the whole of the purchase money & retain the deed for the land until the whole of the purchase money be paid and as the several payments are collected to pay pay the money into Court or to the proper persons entitled thereto & make his report to this Court preparatory to a final decree & before the said Commissioner shall act under this decree he shall give bond & Security according to Law and advertise the Sale of the Land in some newspaper published in the Town of Harrisonburg Va for six weeks successively ——

Op

John Harshberger & Wife of Joseph McKay &c
Tobias Beam Wife of John McKay
vs
Isaac McKay, Jacob McKay & others
In Chancery

This Cause came on to be heard on this 19 day of August 1853. upon the bill and answer of all the defendants. the Exhibits the answer of the Guardian ad Litem and the argument of Counsel and the Court doth order adjudge and decree a sale of the land mentioned in the bill upon the following terms after giving 4 weeks notice by posting in the neighborhood of the Land & publication in one of the newspapers in the Town of Harrisonburg it shall be sold for one third in hand or at the option of the purchaser at 60 days interest being paid for that time & the remainder in two equal annual instalments the purchaser giving bond with good personal security & retaining a lien on the land as ultimate security. that the Commissioner shall pay over annually to Keziah McKay during her life time the interest on one fifth of the amount for which the land may sell, that Jacob Shickle be and he is hereby appointed a Commissioner to sell said land & to execute a deed for the same to the purchaser, and that he shall report his proceedings under this decree to this Court but the said Commissioner shall in no wise act under this decree until has first executed & left with the Clerk of this Court, bond with security in the penalty of $ 2.000

C/P

B F. H. G. W Kemper v Exors plea issue & Judgment confessed for the Debt in the Declaration mentioned & saving equity

Holbrook v The Same The Same

Lewis Adams v Executors The Same

Rose v Moffett The Same

Baughan v R C Mauck Office Judgment set aside Payment general replication and Issue Returned

E & M Almond v J. Mauck The Same

M Almond v R C Mauck The Same

Almond v Berry &c The Same

C Bruce Griffin & Thurk v Miller The Same

O Bruin Griffin & Harrison Officers vs Mellon Officio Judgment set aside pay ment & Spec Mandamus

Lowndes & Brothers vs Moore Adm The Same

J H Elles vs Huffman The Same

It being suggested to the Court that St Clair D Kelly one of the Com mittee of Thomas P Kelly an Insane person has departed this life that Ward M Coy the other Committee survives and that Jacob Remle one of the Securities in the Bond has departed this life the Court doth ord that the said Ward M Coy be summoned to appear here at the November Court next to shew cause why he should not give additional or Counter security or be removed from his office

Gerrish vs Crane Jury Sworn to try the issue to wit William Sandy Abel Gilbert Philip Leggett Philip Hebel John Looker Philip Empaugher William Webber Joseph Effinger William Smallwood John Moore Jonas Winchester & Henry Rees Verdict on the Jury find for the Defendant and Judgment accordingly

Capias for Com. R. Mogler Apl 25th 1853

Koogler vs Poole and others In Chancery

This cause came on to be heard on this day the 19th of August 1852 on the Bill of the Plaintiff and the exhibits filed thereto, and the Answers of the Guardian ad litem for the infants Defendants, and the Depositions of Michael Keller, and it appearing that more than thirty days have elapsed since the filing of the Bill the Bill is taken for confessed as to the adult Defendants. In consideration whereof the Court doth adjudge order and decree that William R Warren be appointed a Commissioner to receive the $20 in Cash which the said John R Koogler stands owes as part of the Contract, and make distribution thereof among the legal representatives of Richard Poole deceased according to the Statute of distributions or decents, and then to Transfer and convey by a Deed of Bargain and Sale with Special Warranty to John R Koogler the Lands described in the Pleadings & exhibits in this cause and that the said

Commissioners shall make report of his proceedings to this Court
in order to a final decree

Effinger v Sites & Offutt Judgment set aside payment General replication
& issue Awaiting

Switzer for Pl v Switzer The Same

Grafton Commissioner v Switzer & The Same

Kelly v Hunter The Same

Lambert Johnson & Co v Robles & Co The Same

Looker v Lookers Exors Continued for Plaintiff and it is ordered
that Joseph Boyers who was summoned as a Witness for the Plaintiff and
not attending altho Solemnly called & now came at this Court why he
should not be fined as altho ordered according to Law for such his non attendance

Mowry v Tuberville Jury sworn to try the issue to wit John G Effinger
John Cromer William Ralston Thomas Looker Samuel Hutchens
Isaac P Dillard William Hollis John Looker Benjamin H Ralston
Zachariah Cryler Lewis Taylor & Reuben Vanhuss retired from
the bar to consider of their Verdict and after some time returned
into Court and declared they could not agree whereupon they
were adjourned untill to Morrow Morning at 9 Oclock

Hagans v Mayfield This day came the parties by their attorneys and the
Defendant by his attorney withdrew his former plea Judgment is awarded
the Plaintiff for $137.32 cents Damages ~~with interest on $55~~ to be
discharged by the payment of $92.17 Cents with interest on $55 part
thereof from the 15th day of May 1850 till paid and his Costs by him
about his suit in that behalf expended.

Coakley admrs v Jackson plea mene and Judgment for $64 Cts
with interest from the 18th day of March 1852 till paid each party
to pay their own Costs

Switzer for Pl Collett's admrs Continued

A W & J G Brown v Peters Office Judgment set aside payment General replication & Issue Continued

Lendamood v Hordyshell Continued

Brown v Barby Continued

Owens Poor v Wright Continue

Money v Crawford upon a rule rule discharged

Same v Brown Same

Switzer vs Dickerson .. Continued

Blair vs McCall Same

Cooks adm^x vs Shawatter leave given Pl^ff to amend his declaration .. Continued

Bohrer vs Baily .. Continued

Heller vs Harris Same

On the Motion of Sebleton W Gamble Clerk of this Court Arthur St Clair Spraukle is admitted his Deputy who thereupon appeared in Court and took the usual oaths of Office prescribed by Law

Lang vs P Shawatter .. Continued

Same vs I Shawatter Ditto

Decourcey & Co vs Shipman & Roller Ditto

Way & Wilson v Soloman M Hunter Dismissed agreed

Shuey v Hanes Continued for Defendant

Arrman v Kupp Jury Sworn to try the issue Court William Sandy Abel Gibbons Philip Leggett John Looker Philip Empsmiller Isaac S Effinger John Moore Jonas Wingard Henry Kuci Henry Simmons Isaac Kemppf & Philip Heller and for reasons appearing to the Court the Jury were adjourned until to Morrow Morning

Thompson & Co v Stem Continued for Defendant Leave to file a Special plea

Dillard v Kerr Continued for Plaintiff

Ordered that the Court be adjourned until to Morrow Morning

S H Lewis

Friday
~~Wednesday~~ the 20th of August 1852

Present

Saml H Lewis Presiding Justice, Isaac Hardesty
Henry I Martman and John Burkholder } Associate Justices
Andrew Houck

Mowry v Tubaler The Jury impannelled and sworn for the trial of this cause on Yesterday appeared 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 they could not agree whereupon the said Jury were discharged and the cause continued until the Next Term

Ammon v Cupp The Jury impannelled and sworn for the trial of this cause on Yesterday appeared in Court agreeable to their adjournment and retired from the bar to Consider of their Verdict and upon their oaths do say for the Jury find for the Plaintiff and assess his Damages at $18 63 Cents with interest from the 28th day of August 1852 — file said ~~Judgment~~ and his Costs by him about his suit in that behalf expended The Court doth ~~order~~ direct to be entered on the record that ~~parties~~ the matter in controversy exceeds $20

Ordered that the Clerk of this Court give notice in the Newspapers published in Harrisonburg that this Court will set at the September Court for the trial of the ~~Appeal~~ Motion Docket

Cooke v Spitzer Continued
Stover v Arnold Continued
Ammon v Supervisors Judgment set aside Payment General Replication & Issue Continued

Shanklin & Bruffey v Catlett & admr plea non est & Judgment Confessed for the Debt in the Declaration mentioned & among equity

Kealy vs Shue Jury sworn to try the Issue to wit Jonathan Tubutee James H Brightman Philip Hetsel Abraham Shoemaker William Conrad Jacob Auman F L Moore Jacob Chandler John Auman John Dougherty James Teare Samuels Summons Verdict we the Jury find for the Plaintiff the Debt in the Declaration mentioned with interest from the 8th of November 1835 like paid Subject to a credit of $7.95 Cents paid April 26th 1837 & also for credit of $65.36 Cents paid 4th day of March 1845 and her costs by him about his suit in that behalf expended & Judgment accordingly

~~Canada vs Shute Jury sworn to try the Issue to wit,~~

Canada Inst vs Shute Writ of Enquiry set aside Not Guilty pladed Plea to plea a special plea General replication & Issue & Jury sworn to try the Issue to wit John Cronin Benjamin H Ralston George W Capp William Sandy Abel Gibbons Philip Leggett Joseph S Effinger John Moore Jonas Wingard Henry Simmons Isaac Knapp and William R Warren Verdict we the Jury find for the Plaintiff and assess the Damages at $22.50 Cents with interest from the 1st January 1837 till paid and her costs by her about her suit in that behalf expended

Samuel H Lewis (presiding Justice) Michael H Harris John Buckholder Nelson Bare Henry T Wartman ~~and~~ sworn Five days cause of as Justices at this present Court which is ordered to be entered of Record

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

S H Lewis.

Virginia To Wit:

At a Court held for the County of Rockingham on Third Monday in September 1852 (being the 20th day of said Month.

Present

Saml H Lewis, Robt C Mauck,
Daniel Harrison, John Bowyer & G. Justices
& John A Dice

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 31st day of of August (both days inclusive) and being 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 to be posted at the door of the Court house of said County. Which List is as follows To Wit:

A deed for Land from Jacob Fry & wife to Jacob Huffman
" " " " " Wm Roudabush & others to James G Maden
" " " " " John Andes & wife to E. T. H. Warren (In Trust for &c)
" " " " " Henry Hollingsworth & others to John Coulter
" " " " " David Ammentraut & wife to James Bolton
" " " " " John Manning & wife to John Sites
" " " " " John M. Long & wife to Samuel M. Dyson
" " " " " Wm Knupp to Wm H. Bayley (In Trust for &c)
" " " Land " John Begone & wife to John Kiger
" " " " " John Miller & others to William C. Kite
" " " " " John H. Thomas &c to Abraham Funk
" " " " " Levi Nave & wife to George Wilt
" " " " " Reuben Harrison's Exr. to Jacob Ouyler
" " " " " Elizabeth Fifer to John J. Rife
" " " " " Barnett Huffman's Exr to John Huffman
" " " " " Aug. Wetzman to William Fitzwater
" " " " " Same to Philip Heltzel
" " " " " Same to Nimrod Strawderman
" " " " " Gabriel Heatwole & Conrad Singer (Agreement)
" " " " " Wm G. Thompson to Allen Dever
" " " " " Allen Dever to Allen C. Bowman (In Trust for

A deed for Land from John Campbell & wife to William Lowry
" " " " " Jonathan Shafer & wife to John Mason
" " " PE " William Furry to E. A. Shands (In Trust for)
" " " Land " Wilhelm A. Koffe & wife to Wm H. Hamman (" " " ")
" " " " " Aug. Waterman to Levi Ritchie
" " " " " Same to Morgan Flick
" " " " " John A. Miller & wife to William K. Gaily
" " " " " Charles Taylor to Alvira Freeze

Settlements of the Estate Accounts of George Conrad deceased Henry Sinhart deceased Mary Acker deceased Lenapias Armentraut deceased and David Sipe deceased were returned into Court by the Clerk thereof, and having been filed in the Clerks office for the time prescribed by law were examined by the Court and ordered to be recorded,

Settlements of the Guardian accounts of John G Zinkle & Wesley Bear and John Kenny were returned into Court by the Clerk thereof, and having been filed in the Clerks office for the time prescribed by law, were examined by the Court and ordered to be recorded

On the Motion of John Zigler Jr, who made oath thereto and entered into Bond with security in the penalty of $1000 conditioned as the law directs (the security having Justified) Administration of all and singular the Goods and Chattles of Jackson Nave is granted him in due form and it is ordered that Samuel Coates Jackson Horn Noah Carrie & Michael Zigler or any three of them being first sworn do appraise the Estate of the said Jackson Nave and make report to the Court

On the Motion of John Zigler Jr who made oath thereto and entered into Bond with security in the penalty of $750 conditioned as the law directs (the Security having Justified) Administration de bonis non of all and singular the Goods and Chattles of Elias Shoemaker is granted him in due form

Ord On the Petition of George W Miller & others for a way for a road
Commencing at Jacob Blows School House on Kahia Creek and
terminating at the Valley road leading from Port Republic to Swaney
Cp mon Ed^c Beam as set forth in the petition and also a route from Blows
School House to Elk run Church it is ordered that N. I Kite I H Kite
and A Argabright be appointed Commissioners to View the said pro-
posed routes and make report of the Conveniences and inconveniences
attending the same to the Court

Ordered that Cyrus Young be appointed Surveyor of Precinct N^o
Cp 3 on the Middle River Gap Road in the Room of George W Effinger

Ordered that Reuben Swope be appointed Surveyor of Precinct N^o 4
Cp on Grattons Brooks Gap road in the room of Nicholas Hopkins

Ordered that Samuel Baugher Moses Sauser & Jacob Miller be
appointed Viewers to whom is committed the View of the Road
petitioned for in February last by C B Yancey & others from Williams
P Kite Dale Yard to Mossby Hollow & also report upon the alteration
of the road made on the petition of Garland T Gardner & others as set
forth in the petition and make report to the Court

On the Motion of Joshua Jennings It is ordered that he be appointed
a Committee for David Swope a person of unsound mind whereupon
the said Joshua Jennings appeared in Court and entered into
Bond with security in the penalty of $1000 Conditioned as the
Law directs (the securities in said Bond having Justified)

Catharine Nave Rebecca Nave Orphans of Jacob Nave deceased are 14
years of age Came into Court and made choice of Jackson Horn
as their Guardian and it is ordered that the said Jackson Horn
be appointed Guardian for Leanna Sampson Joseph H Mary
J & Elias Nave under 14 years of age and orphans of the said
Jacob Nave whereupon the said Jackson Horn Entered into
Bond into security in the penalty of $1000 Conditioned as

The Law directs the Securitys having Justified

On the Petition of George Kayle & Others for a way for a road Commencing at the Beaks Gap road at the present Forks in the road below the Poor House To the Rockingham Turnpike as set forth in said Petition it is ordered that John Sheets Daniel Eiler & Abraham Bird being first sworn do view the said Way so proposed and make report of the Convenience and inconvenience attending the same as well to the Public as to Individuals and make report to the Court

Mary Shumaker & Jacob Shumaker Orphans of Isaac Shumaker Deceased over 14 years of age came into Court and made choice of Jackson Horn as their Guardian and it is ordered that the said Jackson Horn be appointed Guardian for John Shumaker under 14 years of age orphan of the Isaac Shumaker whereupon the said Jackson Horn entered into Bond with security in the penalty of $1000 Condition as the Law directs the Securities having Justified

Ordered that Robert Hawkins be appointed Guardian for William Moss Isaiah Moss and Nancy Moss ~~who reside not~~ Orphans of Louis Moss Deceased who entered into Bond with security in the penalty of $1500 Condition as the Law directs the securities having Justified

On the Motion of Nancy Kyle and he having made oath thereto and entered into Bond with security in the penalty of $1500 Condition as the Law directs administration of all and singular the Goods and Chattles of Mary Ann Hunter Deceased is Granted he first giving the securitys in said Bond having Justified and it is ordered that Jonathan Peale William P Kyle & Daniel Eiler being first sworn do appraise the Estate of the said Mary Ann Hunter Deceased and make report to this Court

Robert C Thompson Exr ~ Philip Baker admr upon an appeal Docketed

Continued

Reuben Young admr ~ Samuel Bowman Same

R C Thompson Exr ~ Samuel Mullin Same

John R Koogler who was appointed a Commissioner to appear and allot the hands on the New Road Made on the Petition of Gabriel Heatwole & others returned his report into Court which was examined and ordered to be filed

Fountain M Dayton produced in Court a Commission from the Governor of Virginia under the Seal of the Commonwealth dated the day of August 1852 whereby he was appointed a Justice of the Peace for the said County of Rockingham to reside in his district and to hold his office for the Term of Four Years commencing on the 1st of August 1852 whereupon the said Fountain M Dayton took the usual oaths of Office prescribed by Law which is ordered to be entered of Record

A Report of the Commissioners appointed to appraise damages to Rebecca Bowman in the Land of her Husband Jacob Bowman was returned into Court and being examined by the Court is ordered to be recorded

On the Motion of William O Brien who wishes to obtain a License to practice Law it is ordered to be Certified that he has resided in this County of Rockingham for the Last Twelve Months and that he is a person of honest Demeanor and upwards of 21 years of age

Tutwiler admr v Valley T Company Continued

Wease v Allman Continued for Defendt

Clarke v Webb upon an Attachment Judgment a Replevin Bond Judgment awarded for $234 Debt to be discharged by the payment of $112 with interest from the 28th day of December 1847 the penalty of the Judgment accordingly

Howard v Armentrout Continued

Armentrout v Howard Continued

Sterling v Garber & Bear Continued

Nolands Exor v Bruffey Continued

Maphis v Bruffey Continued

Hopewell v Berry Continued

Devier v Gibbens Continued

Hanslanger v. Cline. Continued

Kelly's v Cline Continued

Samuel Maloy Orphan of John Maloy Deceased Over 14 years of age came into Court and made Choice of Davis McLaughlin as his Guardian who entered into Bond with Security in the penalty of $50 Conditioned as the Law directs

Combs v Sellars upon a recognizance Continued

Wise &c v Deakle Continued

Deakle v Wise Continued

Gainey v Naylor &c Continued

Naylor v Gainey &c Continued

Overseers Poor v Wright Continued

Rader v Crane Attachment awarded

On the Motion of Jacob Trumbo and he having made oath thereto and Entered into Bond with security in the penalty of $200 Conditioned as the Law directs (the security having Justified) administration of all and sp singular the Goods and Chattles of John Skelly Deceased is granted him in due form and it is ordered that John Baker Jacob Caplinger Wash Wiley and Philip Sowders or any three of them being first sworn do appraise the Estate of Wise and John Skelly Deceased and make report to the Court

R. T. Company v Pauley upon a Notice Continued for Defendant and it is ordered that John Penniman and Washington Blythe who were summoned to attend here this day as Witnesses for the Defendant and not appearing sp although Solemnly called it is ordered that they show cause at the Next Court why they should not be fined or attached according to Law for such their non attendance

The Same v Wm S Miller upon the report of the Commissioners by Consent report affirmed

The Same v George Nicholas Continued

Lowe v Rader Continued

Rockingham J. Company vs Wm Rehard this day came the parties by their attornies and the Court having heard a part of the Evidence for reasons appearing to the Court the cause is continued until to Morrow

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock

S. H. Lewis P.J.

Tuesday the 21st day of September 1852

Present

Samuel H Lewis President Daniel Harrison
John Bowyer & John A Lee & G Justices

Weaver vs Abram John Bowlar of this County came into Court and undertook for the Plaintiff that in case he shall be cast in this suit that he will pay the Plaintiff will pay and satisfy all Costs and Damages and all officers fees or that he the said Bowlar will do it for him

Samuel Wenger Plaintiff
and
Isabella Avey & others Defendants
In Chancery

This cause came on to be heard by Consent the 21st day of September 1852 upon the Bill exhibits answers of the adult Defendants and of the Guardian ad litem whereupon the argument of Counsel being heard, the Court doth adjudge order and decree that Solomon Garber Daniel Roadcap Joseph Coffman and Samuel Paul or any three of them who are appointed Commissioners for that purpose do proceed to make partition of the land devised in the Deed Exhibit A from Barnabarger & Wife to Anthony Shaulter and assign three fifths thereof by metes & Bounds according to quality & quantity to the Plaintiff and the remainder to the Defendants and make report to this Court at its next Term

William Rehard vs R J Company To have Ten Commissioners appointed to Value Land & For reason appearing to the Court it is ordered that George Herrman John A Hopkins Daniel Coffman John K Berry & Abraham Headwood any three or more of whom being first sworn be appointed Commissioners to go upon the land of the said Rehard through which the Rockingham Turnpike runs and Value the same in all respects as directed by Law and make report to the Court

John Armentrout Plaintiff
and
John Shultz Defendant
In Chancery

This Cause came on this 21st day of September 1852 in the County Court of Rockingham to be finally heard upon the Original bill exhibits replications and Depositions and was argued by Counsel upon Consideration whereof the Court doth adjudge order and decree that the Plat of partition filed in this cause Marked B shall be the partition of the said land between said Armentrout & Shultz The Fifty nine acres Four poles to John Shultz & the Fifty Eight acres three Roods & Four poles to John Armentrout and that said Armentrout shall have forever a gate way over Shultz Land leading from Armentrouts in the Meadows of Mr Miller and that the plat of partition be made by the Clerk of this Court It is further adjudged ordered and decreed that the Defendant John Shultz pay his proportion of the Costs of this Suit (which is one half) & that an execution shall issue therefor

R. J. Company vs Keyle Report of Commissioners affirmed
The Same vs Catharine Peale Confirmed
The Same vs Peals heirs same
The Same vs Bryan Confirmed
The Same vs Nicholas report affirmed
The Same vs Lannan same
Powell vs Jennings upon a rule rule discharged
same vs Doran Confirmed
same vs Miller Confirmed
same vs Huffman Confirmed

Rockingham Turnpike Company vs Coffman Continued for Defft

The Same vs Burner same

The Same vs C B Yancy same

The Same vs Madden Same

The Same vs Yancy Exors same

The Same vs Hughes same

The Same vs Wm B Yancy same

The Same vs Gilmer same

The Same vs Gibbons same

The Same vs Michael same

The Same vs Bell same

The Same vs Miller same

The Same vs R A Gilbert same

The Same vs Robinson same

Neff vs Ander Continued

Neff vs same same

Fulgle vs Beard same

Campbell vs Spangler same

Simons vs Hite dismissed

Neff vs Brock same

Beard vs Gilbert Continued for Plaintiff

Peters admr vs Michael Continued

Beard vs Johnson the Defendant Johnson being dead on the Motion of John Lupp it is ordered that the Estate of the said Johnson be committed to the Sheriff of this County to be by him administered according to Law and by Consent appeal ended in the name of the Sheriff Continued

On the Motion of Abraham & John Ander Administrators of Adam Ander Deceased it is ordered that Peter P Roomy be appointed a Commissioner to examine state and settle the Estate account of the said Adam Ander with the said Administrators and make report to the Court Wm H Yancy the County Commissioner being Counsel for the heirs of said Ander in a Chancery suit could not act as the Commissioner.

Catharine Yoush Administratrix Plaintiff
and
Henry L Wilson & Others Defendants
In Chancery

This Cause Came on again to be heard this 21st day of September 1852 upon the papers formerly read & upon the reports of Commissioner Smith & thereupon the Court being of Opinion that the estate of Catharine Yost is entitled by the Deed of Trust to a preference over the other Creditors of Wilson & it appearing to the Court from the Statement of Commissioner Smith that the amount realized from the sale under the Deed of trust is not sufficient to discharge the debt due from Wilson to Yosts Estate The Court doth therefore adjudge order & decree that Commissioner John W. Smith pay over to Henry Chrisman admr of Catharine Yost deceased the amount reported to be in his hands & that after payment thereout of the costs of this suit the balance be applied as a Credit on the bond of Wilson to Catharine Yost mentioned & secured in the Deed of Trust

Wm H Collett admr &c vs B F Solomon upon an Appeal

This day came the parties by their attorneys and for reasons appearing to the Court, it is considered by the Court that the Judgment rendered by the Defendant ~~Appellee~~ Justice of the peace of this County be reversed and annulled, and ~~that the Plaintiff~~ the Court proceeding to give such Judgment as the said Justice ought to have given therefore is considered by the Court that the Plaintiff recover against the said Defendant $6.25 Cents with interest from the 21st day of September 1851 till paid and his Costs expended in prosecuting his appeal aforesaid here

Memo Before the above Judgment by $4.58 Cents paid 1st February 1852

Thompson Bro vs Miller Continued for Defendant

On the Motion of Isaac Welsh a free man of Color and who has heretofore been regularly as such it is ordered that the Clerk of this Court issue to the said Isaac Welsh and furnish him a copy of the same.

Joseph S Effinger Plaintiff
agst
Henry C Wilson & others Defendants } Upon an Appeal upon Error before a Justice of the Peace

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 against the appellant his Costs in defending the appeal

Adam Hoidyshire Plaintiff
agst
R C Thompson Exr Defendant } Upon an Appeal from a Justice of the Peace

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 against the Appellant and Samuel Coates his security the amount of the said Judgment Together with Damages at the rate of 10 per Cent Ramannum from the 11th day of November 1851 till paid and their Costs by their attorney in defending said Appeal

A. G. Mauzey administrator Plaintiff
agst
Calhoun Gunn Defendant } Upon an Appeal from a Justice of the Peace

This day came the parties by their attorneys and the Court having heard the Evidence and inspected the record of the Judgment aforesaid It is considered by the Court that the same be reversed and annulled and the Court proceed to give such Judgment as the said Justice ought to have given Therefore it is considered by the Court appellant recover against the appellee $20.01 Cents with interest from the 11th day of December 1850 till paid and his Costs in prosecuting his appeal

Sepe v Roller Continued for Plaintiff

Thompson v Houdyshell Continued

Thompson Ha v Bakus adms Continued

Young adms v Bowman Continued

Effinger Wilson & The Plaintiff by his Counsel moved the Court to suspend the Judgment Entered in this Cause on to day for a limited time which motion was overruled by the Court to which Opinion of the Court the Plaintiff tendered a bill of exceptions which was signed and sealed as the law directs and ordered to be made a part of the record

Samuel H Lewis (presiding Justice) John Bowyer John A Davis and Daniel Harris in session Two days each at the present Court as Justices which is ordered to be entered of Record

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

S H Lewis P.J.

Virginia To Wit.

At a Court held for the County of Rockingham on the third Monday in October 1852 being the 18th day of said Month.

Present

Sam'l H Lewis (P.J.) Robert C Mauck & Justices

John Bowyer, Daniel Harris

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 31st day of September (both days inclusive) and being 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 to be posted at the door of the Court House of said County. Which List is as follows. To Wit,

A deed for 0 0 from William Furnay to S. M. Gambrill (In Trust for
" " " Same " John Swann & wife to Joseph Funk
" " " " " William A. Read & wife to Thomas N. Welch
" " " " " George A. Chrisman Exec to Daniel Good
" " " " " Alex^r Thomas & wife to Reuben N. Harrison
" " " " " Reuben Harrison's Exec to Livingston Johnson
" " " " " Adam W. Wiesler & wife to Andrew B. Frick
" " " " " Simon Bowman to Benj. D. Bowman
" " " " " Samuel M. Dixon to M. Harvey Essinger
" " " " " Daniel Mooman & wife to George Mooman
" " " " " John P. Rife & wife to Henry Emmitsburg
" " " " " Abraham Hauer to Algernon E. Gilmore
" " " " " Benj. Glovier Sen to Horatio N. Moody (In Trust
" " " Same " Morgan Whisler to Daniel Pennybacker
" " " " " Elias Sutherland to Same
(J. C. Robertson has this deed call for it)
" " " " " Henry Nicholas & wife to Albert F. Nicholas
" " " " " Alexander Thomas & wife to John Allen
" " " " " James Blain to Daniel Good
" " " " " Catharine Huffman to Elijah Huffman
" " " P W " Same to John Hedrick (In Trust
" " " Same " John C. F. Burkhardt to W. T. McGahey
(In Trust for H)
" " " L & W " Samuel Sandy to Joseph Early (In Trust

Settlements of the Estate accounts of Horace Lincoln dec^d Adam Crawshorn dec^d Peter Driver dec^d Barbara Alder dec^d David Harrison dec^d John Whitmore dec^d and Jacob Harshberger dec^d were returned into Court by the Clerk thereof and having been filed in the Clerk's office for the time prescribed by law were examined by the Court and ordered to be Recorded

Settlements of the Guardian accounts of Christian Fultz Jacob N. Cowan Anderson M. Newman, Daniel Huffman and George Rhodes were returned into Court

by the Clerk thereof, and having been filed in the Clerk's office for the time prescribed by Law, were examined by the Court and ordered to be recorded

Ordered that Charles Yancey be appointed Surveyor of Road Dist No 5 on the Staunton ~~and~~ road in the room of Robert A Marchs

On the motion of David Moore who made oath thereto and entered into bond with Security in the penalty of $7,500 Conditioned as the Law directs for administration of all and singular the goods and chattles of Balthazar Moore dec'd is granted him in due form, the Security having justified and it is Ordered that Daniel Driver, David Driver, Ward Clind & Solomon Bowman or any three of them being first sworn do appraise the Estate of the said Balthazar Moore dec'd & make report to Court

Ordered that the School districts in the County of Rockingham be re-established as heretofore laid off and that the School Commissioners now in Office be reappointed except that in District No 15 Peter S Roller be appointed, in the place of Adam Wise dec'd

Ordered that the Overseers of the Poor bind Francis M ~~Logsdon~~ aged 6 years on the 31st Jany 1852 and son of Sarah Ann Looker to Mark Strickler as the Law directs, to learn the business of a farmer, who is to pay to the said boy when he arrives of age $20 - and a freedom suit - the said Mark Strickler to give bond & security for the said sum of $20 - as directed by Law.

Ordered that Richard S Maupin be appointed Committee for Nancy Lincoln a person of unsound mind whereupon the said Richard S Maupin appeared in Court and entered into bond with

security in the penalty of $2.000 conditioned as the law directs, (the security having justified)

On the petition of Peter Fitch & others for a change in the road from New Haven to Harrisonburg (as set forth in said petition) it is ordered that George W Kemper Senr. Peter Fitch, John Munden, John F Lewis and Robert Evans, (any three of whom may act) be appointed Viewers to examine the proposed change & report to Court the advantages and disadvantages attending the same as well to the public as to individuals —

Sarah Ann Taylor Orphan of George Taylor & over 14 years of age came into Court & made choice of Stephen Rodeaph as her guardian, Whereupon the said Stephen Rodeaph appeared in Court & entered into bond with security in the penalty of $100 - Conditions as the law directs —

On the Petition of Wm Kiger & others for a way for a new road from New Haven to some point on the Rockingham Turnpike near Nichola's Tavern, It is ordered that Jacob Strayer, George W Kemper Jr, Peter Bowyer, Wm Kyger & Peter Miller (any three of whom may act) be appointed viewers to examine the way for said road & report to Court the advantages & disadvantages attending the same as well to the public as to individuals

A Writing purporting to be the Last will & Testament of Margaret Bayle dec. was presented in Court and proved by the oaths of Andrew Benton & P Koontz two of the evidences thereto & ordered to be recorded, And on the motion of Andrew Benton the Executor named in said will, who made oath thereto and entered into bond with security in the penalty of $5000 - conditioned

as the Law directs (the Security having justified) a Certificate is granted him for obtaining a probate thereof in due form — And it is ordered that Peter P Koontz, Eli A Koontz, George Rhodes, & George Manty or any three of them being first sworn do appraise the estate of the said Margaret Bagley & make report to Court

Ordered that the place of holding the Election in the Third district be changed from the house of Daniel Berky to Pleasant Run School House

Ordered that Samuel ~~Gordon~~ Gordon be appointed Guardian for Samuel Good & Ephraim Good who thereupon entered into bond with Security in the Penalty of $500 conditioned as the Law directs

A Report of Abram Manty a Commissioner appointed to allot hands on the road of which Reuben Sellers is Surveyor was returned into Court & ordered to be filed

A Writing purporting to be the Last Will & Testament of Francis E C Brack was presented in Court and proved by the oaths of the subscribing Witnesses thereto & ordered to be recorded

Peter Brick Sailor presented an account against the Commonwealth during the time of certain Prisoners which was allowed & ordered to be certified according to Law

Peter Brick Sailor presented in Court an account for diet & of Richard Logan, a lunatic which was examined by the Court & ordered to be certified according to Law, And it is further ordered to be certified as the opinion of the Court one dollar per day ~~was~~ is a fair compensation for the care of said Prisoner

On the motion of William N Hooke who made oath thereto and entered to bond with security in the Penalty of $5000 Conditioned as the law directs (the securities having justified) Administration of all and singular the goods & Chattles of ~~deceased~~ Robert Hooke dec'd is granted him in due form, and it is ordered that William Van Sear, George K Hamburgen Benjamin F Walker & Edward F Alstott or any three of them being first sworn do appraise the Estate of the said Robert Hooke dec'd & make report to Court

Anthony Bankhead in obedience to an order of the Circuit Court of this County, this day appeared in Court and entered into a new bond as guardian of Peter and Ann Eliza Keller orphans of Lewis Keller dec'd. Conditioned as the law directs, (the securities having justified)

Samuel Shank this day produced ~~credentials~~ evidence of his ordination, and also of his being in regular Communion with the Menonite Church, took the oath of allegiance to this Commonwealth & with Anthony Rhodes & Christian Brenneman his securities entered into and acknowledged a bond in the Penalty of $ 1500, conditioned as the law directs. Whereupon on his motion a testimonial is granted him in due form -

Catharine Koontz Pltff

vs

John Koontz's devisees Defts

In Chancery

On the motion of the Pltff by her attorney it is ordered that Lee Gamble be appointed Guardian ad litem for the infant defendants, to defend this suit for them

Jackson Horn Guard & Pltff
vs
Jacob Ware heirs & Defts
} In Chancery

On motion of the Pltff it is ordered that Wm Gambill be appointed guardian ad litem for the infant defendants, and that an order of publication be awarded as to Jonathan Ware

John Zigler Jr Guard & Pltff
vs
Jacob Ware heirs & Defts
} In Chancery

On motion of the Pltff it is ordered that Wm Gambill be appointed guardian ad litem for the infant defendants and that an order of publication be awarded against the absent defendants

On the Motion of John Sites, an injunction is granted him to stay all further proceedings of a judgment and award of execution of James M Stephens against him upon his entering into bond with security in double the amount of the debt Int & costs. —

Henry Ott Pltff
vs
Geo W Brown Deft
} Upon an attachment

Judgment awarded for $25.22½ cents with Int from 30th Sept 1852 & Costs — Summons the property levied on claimed by Robert Hutchins, thereupon said Hutchins having filed his petition in Court claiming the same

Robt C Mauck a justice of the Peace for the South district in this County having resigned and a vacancy thereby occurring the Court do order an election to be held in said district on the 2nd day of November next for the election of a justice of the Peace to fill said vacancy & that a writ of election issue therefor as directed by Law

Ordered that the Commissioners appointed in the case Rockingham Turnpike Co vs W Rickard & George Nicholas at August & September Courts last, meet on Wednesday week next on the lands of the said defendants to carry out the provisions of said order, and that they be authorized to adjourn from day to day

George W Eubytes Plff
vs
Robert R Beard & Dfts
In Chancery

This cause came on to be further heard this 18th day of October 1852, upon the bill exhibits the answers of the dfts John C Beard, Robert R Beard and James L Beard, the depositions of witnesses, the report of Comr Jones with the exceptions thereto and was argued by counsel, upon consideration whereof the Court is of opinion that the account & claims of Robert & James L Beard against the estate of James Beard dec'd for work and labour done and other services rendered the decedent ought to be decided by a Jury

It is therefore adjudged ordered & decreed that a jury be empannelled at the bar of this Court to try and decide the following issues. 1st Whether or not Robert R Beard & James L Beard or either of them are entitled to any compensation for work & labour and personal services rendered their father for five years prior to his death ~~the institution of this suit~~ 2d If they or either of them are entitled to any such compensation, what is the amount thereof

Saml A Lewis Ed. Robt C Marsh. John Boyer, & Hamner Harrison, each served the whole term of this Court

Ordered that the Court be adjourned until the third Monday in November next

S A Lewis. J

Virginia To Wit:

At a Court held for the County of Rockingham on the third Monday in November 1852. being the 15th day of said month:

Present

Saml H Lewis P J, John A Harris, Samuel Ruebush, Levi May, Benjamin Moore G. Justices

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 November (both days inclusive) and being 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 to be posted at the door of the Court house of said County.

Which List is as follows To Wit:

A deed for Land from Hugh Bouffy to John Smith

" " " " " Michael Baggé to Margaret Baggé

" " " " " Henry Terflinger wife to Harvey Ingle

" " " Land " Henry C. Shickle wife to John C. Sprinkle (Trust

" " " Land " Levi Kyle wife to Derrick Pennybacker

" " " " " E. Tiffin K. Warren to C. F. Ramsburger (Release

" " " " " John C. Walker to Same (Release

" " " Land " John M. Dunlap to Allan C. Bryan & (Trust

" " " Land " Robert Hauchins to George Fawcett

" " " " " Abraham Heatwole to Abraham B. Loper

" " " " " Wm H. Terflinger wife to Christian K. Swartz

" " " " " John [illegible] wife to Manasseh Marshall

" " Land " Ferdinand G. Way to John C Woodson (Trust

" " " Land " John Heaner wife to William Wolfong

" " " " " Jacob Nave's Admr to Henry Neff

" " " " " Andrew S. Lindsey to Peter Shickle

" " " " " John R. Rogler wife to John Mefferdsmith

" " " " " John C. Berry to George Hogan

" " " " " Christian Brunnaman to Joseph Wenger Sr.

" " " " " St Clair T. Deane to Beverly Powell (Release

A deed for Land from Samuel Sterling & wife to Otway C. Sterling
" " " " " John Shutts & wife to Wm. W. Carpenter
" " " " " Margaret Bazzle to Daniel Bazzle
" " " " " Wm. G. Thompson to Wm. McInturff
" " " " " Wm. C. Miller & wife to Branson Barrett
" " " " " Jacob Trumbo & wife to Isaac Riddle
" " " " " Levi Hess & wife to John Riddle
" " " " " Benj. D. Bauman & to Henry Shewalter
" " " " " Jacob Shantz to Samuel Weaver &
" " " " " Wm. G. Thompson to Wm. McInturff
Mathias Nersh Jr & others (Agreement)
" " " " " Andrew J. Hatfield & wife to John Winkle &
" " " " " Lydia Rice to Alex M. Givins
" " " " " John Chapman to Wm. R. Chapman
" " " " " Jacob K. Mauzy & wife to Morgan Layton
" " " " " Curtis Yates & others to Same
" " " " " David Nagy & wife to David Kalsinger
" " " Lot " Manassas Gap R.R. Co to M. W. Corcoran (Trust
" " " Land " John Patterson & others to Michael H. Harris
" " " " " Wm. Wendz & wife to Same
" " " " " Wm. Linebaugh to John T. Harris (Trust
" " " Lot " Wm. P. Hyle to Richard Clatterbuck (Loan
" " " Land " S. M. Hambill Com to Alex. McGilvray
" " " " " Alex. McGilvray & wife to Daniel M. Switzer

Settlements of the Estate Accounts of Catharine Wunder deceased & Elias Shoemaker deceased and John Bush deceased, were returned into Court by the Clerk thereof and having been filed in the Clerk's Office for the time prescribed by Law were examined by the Court and ordered to be recorded,

A Settlement of the Guardian Accounts of William H. Tams was returned into by the Clerk thereof, and having been filed in the Clerk's office for the time prescribed by Law, was examined by the Court and ordered to be recorded

Adam Rader (Foreman) Jacob Byrd, John S Meadwole, Samuel Long, Moran Coffman, Shem Meadwole, John Williamson, Henry Good, Jacob Reinder, Peter Miller, John Shoemaker Jr. Jacob Eatmon, Frederick Miller, William Leckie, John I Bent, William N Armstrong, John I Manly, John White, Joseph McMullen, Daniel Miller, & Abner Harrison, were sworn a grand Jury for this County, who receiving their Charge, and retired from the bar to consider of their presentments, and after some time returned into Court and made the following presentments to wit — An Indictment against Lewis Pew for gaming a true bill, An Indictment against James Peters for Gaming a true bill, An Indictment against John Triplett for Gaming a true bill, An Indictment against Preston Todd for an Assault & battery a true bill, 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 Court.

Cyrus Rhoades in obedience to an order of the Circuit Court of this County, this day appeared in Court and entered into & new bond with Security in the penalty of $1800 conditioned as the law directs as the guardian of Mary M Alder orphan of Michael Alder dec'd.

Comth vs Lewis Pew — On an Indictment
Same vs James Peters — Same
Same vs John Triplett — Same —

For reasons appearing to the Court & by consent of the attorney for the Comth — the above defendant confessed a Judgt for fine & cost in the above prosecutions

Joseph Burkholder ~~parentis~~ Road Commissioner of the Revenue for the County of Rockingham presents in Court Two several accounts against the Commonwealth amounting respectively to the sums of $150 and $1.12 cents which were examined by the Court & ordered to be signed & certified to the Auditor as directed by Law.

Jesse Burkholder assistant for Joseph Burkholder Commissioner of the Revenue for Rockingham presents an account against the Commonwealth for the sum of $45 - which was examined by the Court & ordered to be signed & certified to the Auditor as directed by Law.

John S. Thomas assistant for Joseph Burkholder Commissioner of the Revenue for Rockingham County presents an account against the Commonwealth for $49.33⅓ cents which was examined by the Court & ordered to be signed & certified to the Auditor as directed by Law.

On motion of Wm G Thompson who made oath thereto and entered into bond with security in the penalty of $4000 - conditioned as the law directs (the security having justified) Administration of all & singular the goods & chattles of Andrew Knopp dec'd is granted him in due form. And it is ordered that John Cline (Marsh) Daniel Driver, Solomon Bowman & David Bowman or any three of them being first sworn do appraise the Estate of the said Andrew Knopp dec'd & make report to Court.

On the motion of Christena Crouchorn it is ordered that a summons be issued against George Crouchorn (returnable to next Court) to shew cause why he shall not be removed as guardian of John William, George L, Elizabeth C & Adam A Crouchorn infants of Adam Crouchorn dec'd and the said Christena Crouchorn.

On the motion of Harriet G Effinger it is ordered that she have permission to let her fence remain

in its present portion on the road of which Wm Ekeard is Surveyor, until the further order of the Court

On the motion of John Ritchie who made oath thereto and entered into bond with security in the penalty of $1000- conditioned as the law directs (the security having justified) Administration of all and singular the goods & Chattles of Magdalen Fawley dec'd is granted him in due form - And it is ordered that Andrew Turner, Michael Ritchie, Jacob Turner Jr & Jacob Turner Sen'r or any three of them being first sworn do appraise the Estate of the said Magdalen Fawley dec'd & make report to Court

On the Motion of Remain Irvine Adm'r with the will annexed of Harriet S Irvine, It is ordered that Josiah S Roller, David Garber, Peter Wise & John Miller or any three of them being first sworn do appraise the Estate of the said Harriet S Irvine & make report to Court

~~Commonwealth vs Bridges Capt Confessed for costs~~

On the motion of Josiah Roller, who made oath thereto and entered into bond with security in the penalty of $3000- conditioned as the law directs (the security having justified) Administration of all and singular the goods & Chattles of Maria Burgess dec'd is granted him in due form - And it is ordered that Robert Grattan, John A Herring, M A Harris & F M Irvine or any three of them being first sworn do appraise the Estate of the said Maria Burgess dec'd & make report to Court

Comth vs Powell - Capt Confessed for costs -

Same

Judg'm Pro upon the Attachment

The Constable having returned upon the Attachment issued on one Set of Carpet and other property summoned and Attachment and the Defendant failing to appear and replevy the same altho solemnly called Judgment is awarded the Plaintiff for $91.60 Cents with interest from the 7th day of October 1852 till paid Costs and it is ordered that the Sheriff make sale of the property so attached ~~and condemned~~ upon and pay the proceeds thereof to the Plaintiff in discharge of this Judgment Memo the above Judgment is credited to a credit of $35.50 Cents paid the 14th day of October 1852

On the Petition of Jacob Bear, Thomas K Miller & Joseph H Kite, for the establishment of a road, Commencing at the intersection of the Swift Run Gap road with the Rockingham Turnpike near the Elk Run Church & thence to the mouth of the Lane on the South side of Thos K Miller's Farm, & thence by Kite's Blacksmiths shop to Conrad's Store, embracing also that portion of the Sickford road lying between Kite's Blacksmith Shop and the Middle of the River at the Sickford" It is ordered that Joseph H Conrad Adam Bear & Edd T Hughes be appointed viewers to examine the way for said road & report the advantages and disadvantages attending the same as well to individuals as to the public -

Conrad H Kite Commissioner of the Revenue for the County of Rockingham presented an account against the Commonwealth for $200, which was examined by the Court and ordered to be copied & certified to the Auditor as directed by law

Ordered that Henry H Maynard be appointed guardian for his daughter Harriet A Maynard. Whereupon the said Henry H Maynard appeared in Court & entered into bond with Security in the Penalty of $1000 - Conditioned as the law directs (the security having qualified)

~~Testamentary~~ purporting to be the last will and Testament of James Newman dec'd was presented in Court and proved by the oaths of the subscribers thereto and ordered to be recorded — The executor and executrix named in said will appeared in Court & refused to qualify — And on the Motion of Peter Paul who made oath thereto and entered into bond with security in the penalty of $2500 - conditioned as the law directs (the securities having justified) Administration with the will annexed is granted them on the estate of the said James Newman - and it is ordered that Jacob Dundore, Simon Harmon, John S Funkhouser & James Crawford or any three of them being first sworn do appraise the Estate of the said James Newman and make report to Court

Dismissed

Comtte vs McCoy as Committee of Francis Kutsky — On a rule to give Comtte security — docketed & Continued —

Report of the Viewers for a way for a road made on the Petition of George W Miller & was returned into Court by the Viewers thereof and there being no exceptions to the said report the same was affirmed

Samuel S Lewis Presiding Justice John A Herring Samuel Rumbold Levi May & Benjamin Hoover seven of the present Court as Justices

Ordered that the Court be adjourned until to Morrow Morning at 10 O'Clock

S S Lewis P J

Tuesday November 16th 1852

Present

Samuel H Lewis P.J. Lew May Benjamin } G. Justices
Hoon Samuel Reubush, Wm. T. Carpenter

Jackson Guardian &c
and
Ellen J. Jackson & others } In Chancery

This Cause Came on again to be heard this 16th day of Nov 1852. upon the papers formerly read in this & the report of E. A. Shands who was by this Court appointed a Commissioner to Sell the Land in the Bill mentioned & was argued by Counsel, on Consideration whereof the Court doth Confirm the Sale of the said Land as made by Com. E. A. Shands to Geo. W. Effinger and doth further adjudge order & decree that said Commissioner pay out after deducting expenses of Sale &c. to Turner M. Jackson Guardian of the infants of T. M & Mary Jackson dec'd one eleventh part of the down payment & one eleventh part of the deferred payments when Collected. To the Guardian of Austin Coakley's Children a like Sum. To Sarah Manning in her own right a like Sum & to her as the Widow of Robert Manning a like Sum they having purchased Daniel Coakley's interest with her funds. To Saml. Fansler a like Sum he having purchased Dietrick's & wifes interest To Danl. Wine a like he having purchased J. Coakley's int To R. W. Corbin & John M. O'Bannon or their assigns a like Sum they having purchased Saml. Coakley's interest To William Coakley a like Sum. To Henry Cromer Guardian of Danl Cromer infant of H. & Susan Cromer dec'd a like Sum To Elizabeth Coakley a like Sum & To James Black & Francis his wife a like Sum & that said Com. E. A. Shands make a deed for said Land to George W. Effinger & file it with the papers in this Cause which said deed may be withdrawn to be recorded when the whole of the Purchase money is paid

Smiths Heirs
vs
Smiths Exrs
} In Chancery

This Cause came on again to be heard this 18th day of November 1852 upon the papers heretofore read whereupon the Court doth order & decree that the titles of John W. G. Smith Daniel Smith & Herring Chrisman Trustee for Maria Antoinette Sams to the portions of the land in Bill & proceedings mentioned as laid off to them severally by John A. Herring John Allebaugh & Robert M. Kyle the Commissioners appointed for that purpose under a former order in this Cause be & the same is hereby Confirmed to them. And the Court doth further decree that the Report of the said Commissioners filed in this Cause with the plat annexed thereto be recorded in the Office of the Clerk of the County Court of Rockingham County.

A Regster of George Peters a Freeman of Color was presented in Court and being compared with the said George Peters and found duly made a Copy thereof is ordered to be furnished him according to Law

Effinger vs Mauck & Upon a Notice on a Delivery Bond Notice proved & Judgment and execution awarded

Helsley Guardian vs Lee & same

Kempers Ex vs Randal same

William R Strickler Constable presented two accounts against the Commonwealth which were examined by Court and ordered to be signed & certified to the Auditor in the manner directed by Law

Ordered that the following School Commissioners be appointed for the County of Rockingham to wit Dan'l Harrison for District No 3 in the room of Wm G Harrison resigned — Wm G Blakemore ~~in the room of~~ for District No 16 in the room of James Davis resigned — Henry Neff for District No 22 in the room of Wm G Thompson resigned — Winfield Mauzy in the District No 9 in the room of Joseph Leake resigned

David S Jones &c Plffs
vs
I B Yost &c Dfts
In Chancery

This cause came on to be heard this 16th day of November 1852 upon the papers formerly read in the cause and it appearing to the Court that there is no Commissioner to collect & receive the money due upon the bonds taken for the sale of the property in the Bill and proceedings mentioned, It is therefore adjudged ordered and decreed by the Court, that Crawford C Strayer be appointed a Special Commissioner to collect and receive the amount of said bonds - & before acting he is to give bond with Jacob Strayer & Erasmus Coffman as his securities in the sum of Ten Thousand dollars for the faithful discharge of his office -.

Wm G Stevens, (who was on the 15th day of November 1852, by the Board of School Commissioners in and for the County of Rockingham, appointed Superintendant of Schools for the said County of Rock for the year commencing the 1st Jany 1853) appeared in Court and entered into bond with security in the penalty of $3000 - conditioned as the law directs - (the security having justified) which bond was acknowledged by the parties thereto & ordered to be certified in the manner directed by Law

A writing purporting to be the Last Will & Testament of John Warren was this day presented in Court & proved by the oaths of George H Chrisman & Joseph Burkholder two of the subscribing witnesses as ordered to be recorded, and on the motion of Harriet Warren the Executrix therein named who made oath thereto, and entered into bond with security in the penalty of $16000 - conditioned as the law directs (the securities having justified) a Certificate is granted her for obtaining a Probate thereof in due form -

A writing purporting to be the Last Will & Testament of Catharine Parrett dec^d was presented in Court & proved by the oaths of John Brown Jr & George W Brown two of the Witnesses thereto & ordered to be recorded (Jno Brown Sen^r & Jun^r fees)

Isaac Kaysayer who stands Charged with Maliciously Stabbing Patrick Canty and who was recognized to appear at this Court to answer the same appeared in Court in discharge of his recognizance and was set to the bar in Custody of the Sheriff and being thereof arraigned plead Not Guilty and thereupon Sundry Witnesses were sworn to wit Patrick Canty Thomas Hanaran Neal Logan Patrick Hanaran & Noah Flesh and the Court having heard the Evidence and arguments of Counsel and having Considered all the Circumstances of the Case are of the Opinion that the said Isaac Kaysayer is guilty of the Offence whereof he stands charged and for the same is triable in the Circuit Court of Rockingham County Whereupon the said Isaac Kaysayer was committed to the Jail of the said Circuit Court there to remain until discharged by due course of Law

Benjamin Storey Sen^r Maj, Samuel Rutherford & Wm W Carpenter, were on duty each at the present Term

Ordered that the Court be adjourned until half past ten O Clock to Morrow

S Wharton P J

Wednesday the 17th day of November 1852

Present

Samuel H Lewis P.J. Benjamin Nixon
William W Carpenter F Milton Ervine Comm. G. Sentures
Andrew Houck —

Samuel R Griffith this day produced credentials of his ordination, and also of his being in regular Communion of the Methodist Episcopal Church, took the oaths required by law and with Franklin Penrod & Alexander McElroy as his securities, entered into and acknowledged a bond, in the penalty of $1500 — Condioned as the law directs: Whereupon on his motion, a testimonial is granted him in due form —

On the Petition of Allan C Bryan, praying for the "closing the part of the public road known as the Old Furnace road, from the point, where it enters the said Bryan land in approaching Harrisonburg to the intersection with the Rockingham Turnpike road" It is ordered that Henry B Hamburgh, Franklin Penrod & William A Conrad be appointed Commissioners to view the road named in the petition & to report to Court upon the propriety of granting the prayer of the Petitioners —

A Report of the viewers made on the Petition of George Keyser & others for a way for a road from a Point near the Poor House to the Rockingham Turnpike (as set forth in said Petition) was returned into Court, and the road established, and it is ordered that Anthony Hoffman be appointed Surveyor of said road & the Gang Keyser be appointed Commissioner to allot hands to said road & report to Court

Charles B Yancey & Thos Pebleaves }
agst } For a way for a road through the
Samuel C Naylor } Land of said Naylor

By Court the said Road is established agreable to the report of the Viewers heretofore returned upon Condition that said Pebleaves pay to Samuel C Naylor $15 Damages & his Costs and said Pebleaves shall also pay to said Naylor the Costs of the Writ of Adquad Damnum and upon these doings so said Writ shall be dismissed

Wood vs Howard upon a Notice Dismissed at the Plaintiffs Cost & Judgment for Defendant Costs

A Settlement of the Estate accounts of Mathias Kesler deceased was returned into Court by the Clerk thereof and having been filed in the Clerks Office for the term provided by Law was examined by the Court and ordered to be recorded

Courtis vs Gordan upon An Indictment for reasons appearing to the Court the said Indictment be quashed

The Commonwealth vs Moses Hinton Defendant

This day came the attorney for the Commonwealth and thereupon the Defendant being brought into Court by the Sheriff of this County In Obedience to the writ of Capias this day awarded against the said Defendant and to the Sheriff directed, and nothing being offered or alledged by the said Defendant in delay of Judgment it is Considered by the Court that the Commonwealth recover against the said Defendant $30 and her Costs by her about her prosecution in that behalf expended. Mem: In consideration of the distressed condition of the family of the defendant & for other reasons the Court dispenses with the imprisonment of the Defendant under ordinary circumstances would have been apply followed

Courtis vs Sorrels 2 Cases Capias awarded

Same vs Mullenax Same

Same vs Rains Continued & rule for Security for Costs against Christian Hoover the prosecutor

Comtte vs Rue — Continued quashed
same vs Dyer — same quashed

Samuel Elmes Guardian &c Plaintiff.
agst
Elizabeth Clemons &c Defendants
In Chancery.

On the Motion of the Plaintiff in the above Cause and it appearing to the Court that Elizabeth Perry late Elizabeth Clemons Widow of Peter Clemons the husband heretofore in this Cause relinquished her right to the interest on the money which by the decree was directed to be kept at interest and the interest paid over to her annually during her life the Court doth therefore order that Samuel Elmes Commissioner pay over the principal of said sum to William G Thompson the Administrator of Peter Clemons dec'd for the payment of debts of said decedent & to distribute the same according to Law.

Comtte vs Hicks — quashed
Comtte vs Estep — Continued
Comtte vs Terrell — N Sums
same vs Herring — Continued
same vs Gray — Continued Rule vs Long &c
same vs Nieuwenden — Continued Rule vs Wilcox &c
same vs Wisel Continued & Attachment issued &c
same vs Looker Continued Rule vs Wilcox &c
same vs Wisel Continued
same vs Phelps Continued
same vs Nary Continued
same vs Looker & Continued Rule agst Wilcox &c
same vs Brightman Continued
same vs Vangant & Dismissed
same vs Nieuwenden Continued
same vs Nicholas Continued
same vs Dean Continued.
same vs Smith Continued

Comth v Brown Judgment Confessed for Costs
same v Wm Boyers Continued
same v M Harris N G & Issue Continued
same v Jones Continued
same v Grau Discontinued
same v Perkey Judgment granted

A writing purporting to be the Last Will & Testament of Henry Meyers dec'd was again presented in Court and on the motion of William R Warren, who made oath thereto and entered into bond with security in the penalty of $50.000 — conditioned as the law directs (the securities having justified) Administration of said decedents non with the will annexed is granted him on the Estate of the said Henry Meyers dec'd in due form —

Comth v Dunlap & Continued for Deft
Comth v Faucett Continued & rule v Witness &c
Comth v Frame & Continued
Comth v Reedy. Continued & rule agst Witness &c
Comth Sandy Continued & rule agst Witness &c
Comth v Gaily Continued
Comth v Sandsman Continued
Comth v Barly Continued
Comth v Longly Continued
Comth v Sherry 2 Cases Judgment Confessed for Costs
Comth v Penn Judgment Confessed for Costs
Comth v Krabyl Judgment Confessed for Costs
Comth v Coakley N G & Issue Continued
Comth v Knabb N Sums awarded &c
Comth v Helms N G & Issue Continued
Comth v Harris N Sums awarded &c
Comth v Harris & N Sums awarded &c
Comth v & Perkey N Sums awarded &c.
Comth v J R Miller N Sums awarded &c
Comth v May Continued

Tulenders admrs v Valley T Company Continued
Howard & v Annenbroick & Continued
Annenbroick v Howard & Continued
Sterling v Garby 2 Cases / Continued
Shonallies & v Smith Continued
Nolands Extor v Bruffey Judgment pro confesso
Maples v Same Same
Hopewell & v Berry Dismissed & Judgment for Defts Costs
Hankle v Gibbons Continue
Combs v Shofflets upon a rule Continued
Same v Swansin (same) Continue
Same v Same Continued
Same v Webster Continue
Herring v Shofflets Continued
Combs v Wyant & Dismissed

Samuel H Lewis P.J. Benjamin Horn, & M Irwin Andrew Hon E Wm W Carpenter each sworn during the present day –

Ordered that the Court be adjourned until to morrow morning at 10 Oclock

S H Lewis

Thursday the 18th day of November 1852

Present

Samuel H Lewis P.J. Williams W Carpenter
F.W Irwin, Andrew B Houck } 4 Justices

John Zigler Jr Admr with the will annexed of Jacob Nave dec'd Plff
against
The Heirs & Heirs of Jacob Nave dec'd Defts } In Chancery

Jackson Horn Guard of the infant heirs of Jacob Nave dec'd Plff
against
The Heirs heirs of Jacob Nave deceased Defts } In Chancery

Then causes came on to be heard together this 18th day of November 1852 upon the bill exhibits, answers of the adult defendants & the guardian ad litems of the infant defendants & replications, Whereupon the argument of Counsel being heard, and this Court being satisfied from the change in the situation of the family of Jacob Ware since his death, that the interest of the estate requires a sale of the Tract of land, designated in his will as "my plantation on the river" at a date prior to the period prescribed by the will, this Court doth therefor adjudge order and decree, that John Bigler Jr Admr with the will annexed of said Jacob Ware do proceed to sell said tract of land at such time and manner & on such terms as he in his judgment may deem best for the interest of the estate — And this Court being further of opinion that the testator labored under a mistake of his legal rights, in regard to the title to one undivided fifth of his plantation on the river, when his will was executed, and this Court being further of opinion, that the tract will sell to better advantage by being sold entire than divided, and that the interest of the infant heirs, will be promoted by a sale of the ~~whole~~ ~~tract will be promoted by a sale of~~ the undivided entire ~~fifth of the infant heirs will be promoted~~ of one fifth in the tract and that the shares in said fifth are less than $300 each this Court doth therefor further adjudge order and decree that said John Bigler Jr who is hereby appointed a Commissioner for that purpose do make sale of the one undivided fifth together with the other four fifths as directed by this decree, but before said Commissioner receives any money under this decree, he shall execute a bond in the Clerks Office of this Court in the penalty of $3000 with good security, and make report to this Court

Eli Burns Pltf
vs
Mary Wyant & Defts } In Chancery

By consent leave given to file the answer to Frederick Wyant, which was accordingly filed —

On the motion of Morgan Bush & Co It is ordered that the Estate of Peter Myers dec'd be committed to the Sheriff of this County to be administered according to law.

John Gehan a native of the County of Kerry in Ireland in the Kingdom of Great Britain this day declared on oath ~~his intention~~ that it is bona fide his intention to become a citizen of the United States, and to renounce forever, all allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty, whatever, and particularly to Victoria Queen of Great Britain &

Beam v Barley Dismissed at Defendants Cost & Judgment for ~~Plaintiff~~ Cost

Kyle v Moore Dismissed

~~Hall~~ Alexander ~~Brayton~~ v Mauck Dismissed

Mann Alexander v Mauck Dismissed

Black v Black & Offner Judgment set aside payment general replication & Issue Continued

Holbrook v Harris Offner Judgment set aside payment & Appeals General replication & Issue Continued

Isaac Hardesty who was this day appointed a General Receiver of this Court appeared in Court and entered an Official Bond in the penalty of $10.000 with Allen C Bryan and Franklin Penn as sureties and took the usual oaths of Office prescribed by Law

Peachy Shultz Orphan of Jacob Shultz dec'd and grandson of Adam Shultz dec'd. came into Court & made choice of Joseph Cromer as his guardian, whereupon the said Joseph Cromer appeared in Court & entered into bond with security in the penalty of $500 - Conditioned as the Law directs (the security having justified)

Isaac Hardesty who was this day appointed agent for the County Court of Rockingham appeared in Court and executed a bond in the penalty of $3000 with Erasmus Coffman & Lillister M Gamble as his securities - which bond was acknowledged by the parties thereto and ordered to be recorded -

Shirley v Harris — Continued for Defendants
Mellick v Harris — Continued
Pearson v Webb
Hawpe's heirs v Grant — Continued
Combs v Sellars — Continued
Wise & v Double — Continued
Dove v Shepman — Continued
Overton Poor v Wright — Continued
Price admrs v Hansbarger Continued
Samuel H Lewis P.J. & M Irvine William W Carpenter and Andrew Houck each same one day during the present Court

Ordered that the Court be adjourned until to Morrow Morning at 10 Oclock

S H Lewis P.J

Friday the 19th November 1852

Present.
Sam'l H Lewis P.J. Andrew Houck
Wm W Carpenter & J M Irvine — Gentlemen

John Berry a Garnishee summoned in the Attachment of Rhodes v Kline and Hansbarger use v Cline appears and being duly sworn answers as follows I bought all M B Cline's Land in Rockingham County including Mill property & Town Lot in Edom for the price of Fourteen Thousand Dollars $14000 - to be paid down and $1000 per annum without interest, I received a deed to which is of record - I executed notes for the deferred payments not filling up, as for the payee, but filled up as to the amounts, I delivered them to said Cline, I paid him $1000 - of the first or cash payment by giving up to him his note to me for $1000 - executed some years before upon which Interest had been paid and taking up one of mine

The other $5000 - of the cash payment was to be settled with Robert Gray, I giving notes to Cline at that time of $1000 each also in blank as to the payee, which it was understood were to be given by Cline to Mr Gray, on his debt and I was to pay Gray, I am indebted to said Cline in no other mode, or for no other property or purchases made by me of him, unless upon a settlement of accounts between ~~him~~ him & myself in which I acted as his agent & kept both sides of the account I should fall in debt, which I do not think will be the fact, but that he will fall in my debt - I have no property of any kind, whatsoever nor any notes account or claims of any description whatsoever in my hands or subject to my control, in which said Cline has any interest, nor had I when the attachment & summons was served upon me, nor have I since that time disposed the estate of said Cline in my hands, or made any disposition whatsoever of any such effects, claims &c. I have not acquired any claims against Cline except a large one from Robert Gray for which I executed a deed of Trust to him the date not now recollected, but the record will shew, the claims of Gray against Cline were not taken up by me from Mr Gray until some time afterwards, and two bonds one assigned to me by John Hall for Mary Kyle on the 7th of January 1852 & the other to David Kyle Sen. assigned Jan. 6th 1852 the balance on the first being about $500 - at the time of the assignment and on the other about $1020 - which notes are filed herewith. I cannot state whether I acquired the Kyle notes before the summons on the attachment or after ~~the~~ the dates will shew. I cannot state at what time of the day I acquired the note to David Kyle Sen - I was to collect the rent of Bridges falling due June 1852 for Cline, I expected to charge myself with the rent and give him credit & settle when we made a settlement, and the same as to Tittle due Sept 1852 - In relation to the acquisition of the note of David Kyle Sen I added that I had agreed to take it up and give my own note by a verbal ~~agreement~~ arrangement with A Kyle this ~~day~~ several days before the assignment ~~of~~ but it was not consummated until afterwards viz the date of the assignment either by the execution & delivery of my note or the assignment & delivery of the Kyle note to me, All the notes given Cline for the purchase bear date on the same day viz Dec. 29 1851. The six notes for the first payment are all payable on demand for $1000 each, One I took up ~~at once~~ as stated before, the other 5 I left with Cline. I do not know what was the character of the notes given by me, whether single bills promissory notes or negotiable bills I only know they were different

from them usually executed here upon the purchase of lands and different from any I had ever seen. I am sued on one of them in the Circuit Court of this County by Levi I Funk, Harris Dingus has one, and I have three which I now file, Mr Kratzer has one of the due notes and not due, Wm G Thompson has two or three of them not due, My brother Henry Beery and Henry Wenger have two or three of these notes, I know not where the others are - I think all the notes given were blank as far as the name of the payee and were all drawn alike. In explanation of what is stated above I now on the morning of the 18th in continuance of my preceding answers made on the 17th after a nights reflection & after a partial examination say that the agreement with Cline at the time of the purchase was that Cline was to receive the rents of his property up to June 1st 1852 and was to pay the interest on the 1st payment of $6000. from Dec. 29th 1851 to June 1st 1852 rents accruing after that time I was to receive & pay any subsequent interest on the $6000- of the first payment - I now further state that I had a waggon of Cline's in my possession, which I have since sold, some time this summer at the sum of $60.00 which was its full value - In further explanation I now say that Cline is indebted to me from $400 to $700, this is at the present time but was not the case on Jany 5th 1852, as I have paid some debts for him since, the amount not now recollected, though at that date he was somewhat in debt to me - The due notes of $5000- were at the time of agreement with Cline not to be paid in Baltimore but in Rockingham County, it being understood that they were to go to Rob Gray if his debt was so much, it turned out it was larger by $250 or there about, the other notes viz $8000- were to be filled up as to the payees by Cline to his creditors there was no understanding that they were to be paid in Baltimore or in Maryland - Nothing was said when I was to pay them, except that he had authority to fill up for his creditors, I understood most of his creditors lived in Rockingham County Virginia, to whom I was to pay the notes as they fell due - Whereupon it was ordered by the Court that the said John Beery (garnishee as aforesaid) be required to give bond ~~in the Clerks~~ with sufficient security in the Clerks Office of this Court payable to Isaac Vanderty, general receiver in the penalty of $5000 - Conditioned as the law directs

Hamberger ads of A.S. Hopkins

vs

Michael B Cline

It appearing to the Court that the writ sued out in this case was returned "No Inhabitant" and was entered by the Clerk abated, under the impression that such return authorized such abatement without reference to the fact that the jurisdiction of the Court attached from the attachment sued out & returned executed, and it further appearing to the Court that there was an order of publication duly executed and filed, and the attachment duly ~~executed~~ docketed & continued, and garnishees examined, and the Court being of opinion that such abatement was not authorized by the facts and the law, and the said Michael B Cline now appearing by Counsel and waiving any objection to such irregular abatement and confessing Judgment for the sum of $400. with legal interest thereon from January 2d 1848 and the costs of this suit subject to a credit of $24.00 Feby 26th 1849 and of $25- Feby 18th 1850 - Therefore it is considered by the Court that the Plaintiff recover against the said Michael B Cline the said sum of $400 - with interest thereon ~~to be computed~~ from the said 2nd January 1848 till paid and his costs by him in this behalf expended, subject to a credit of $24 Feby 26th 1849 and of $25. Feby 18th 1850 - And it further appearing that the garnishees examined at Feby Term 1852, have admitted a liability upon them & the Court them directed them to retain the amounts disclosed by them to be due, until the further order of Court, the Court now directs that said garnishees except Harvey Smith pay severally the amounts due by them to Isaac Hardesty the Receiver of the Court, or execute & file bonds with sufficient security in the papers of this cause, payable to said Hardesty in a penalty of double the amount due by them conditioned to pay the amounts due by them with Interest when & where the Court shall require & the Court doth direct the Sheriff of this County to sell according to law the Livery & carpeting of M B Cline in the hands of J Settle & pay the proceeds to the Plff and also that Harvey Smith pay to Plff the sum of $65- with Interest from April 1st 1852

for L.C.B.

Christian Kratzer
agst
Michael B Cline
} Upon an Attachment

The Plaintiff in this cause having submitted a motion to the Court (Mr B Cline being present by Counsel contesting the same) asking the Court to set aside the office dismissal of the Common Law suit as irregular and illegal pending the same,

The defendant by his counsel submitted a motion to the Court to quash the attachment in this case, which motion was overruled by the Court; to which opinion of the Court the defendant by his counsel excepts and tenders his bill of exceptions which was received, signed & sealed by the Court, and ordered to be made a part of the record in this cause.

Christian Kratzer
"
Michael B Cline
}

It appearing to the Court that the writ issued out in this cause was returned "No Inhabitant" and was entered by the Clerk abated under the impression that such return authorized such abatement, without reference to the fact that the jurisdiction of the Court attached from the suing out and return of the attachment executed, and it further appearing to the Court that there was an order of publication duly executed filed & the attachment duly docketed & continued & garnishees examined, upon motion of Plff the said Michael B Cline being present by his attorney and contesting the same

It is ordered by the Court that such abatement of the Common law writ in this cause, and dismissal thereof of the Clerk in the Office be set aside, the Court being of opinion that such abatement & dismission was not authorized by the law and the facts in this cause, and upon further motion the said Cline being still present & attorney & contesting the same, the Court doth reinstate the cause upon the docket, directing the Clerk to mature the cause for Judgment in the usual & regular

mode considering the attachment order of publication as the mode of serving the process in conformity with the act of Assembly, unless the Dft now pleads which he has liberty to do —

Rockingham J. Common Pleas
vs
Franklin Penn Deft } upon a Notice

The Same — Wm S Miller Same
The Same — Andrew Coffman Same
The Same — Williams M Burner Same
The Same — C B Gainey Same
The Same — Madan Same
The Same — Gainey Bros Same
The Same — Hughes Same
The Same — Wm B Gainey Same
The Same — Gilmore Same
The Same — John Gibbons Same
The Same — Michael Same
The Same — Bull Same
The Same — R A Gibbons Same
The Same — Robison Same

On Motion of the Plaintiff by Counsel, and by Consent of the Defendants by Counsel these causes are removed to the Current Court of this County to be tried at its next Term — And it is agreed by the Plaintiffs Counsel that the Defendants by consenting to the removal of these causes shall not be prejudiced in any Objection that they may think proper to raise in said Court to entertaining these causes in the mode & upon the Notices now filed and grant a Judgment for the Plaintiff — and that the Defendants may by Counsel raise the question of the Jurisdiction of the Court in said Current Court freely as they might have raised it in this Court had the causes not been removed and to avail themselves to the same extent

William Rebecca v R F Company The Commissioners appointed to assess the Damages in this Cause returned their report into Court which was affirmed by the Court and Judgment awarded for $562 the amount of Damages assessed by the said Commissioners to said Rebecca and for his Costs by him expended subject to the Credit Claimed by the Company

George Nicholas v The Same Judgment awarded for $60 the Damages assessed by the Commissioners for his Costs expended Subject to Credit

Rockingham R. Company v Catharine Peale Continued
The Same v A C Bryan Same
The Same v B Peale heirs Same
Raan v Grove Same
Penn v Horan upon a rule Same
Same v Miller Same
Same v Huffman Same
Same v Blythe Same
Same v Penniman Same
Neff v Anders Same
Same v Same Same
Dierkle v Wright Same

Daniel S Jones Admr Pltff
agst
I B Yost & Deft } In Chancery

This Cause came on again to be heard on Friday 19th of November and it appearing that Herring Chrisman the Special Commissioner heretofore acting in this Cause had not executed any conveyance of the property sold. It is therefore adjudged ordered and decreed that C. C. Strayer the Special Commissioner appointed during this term of the Court to execute proper deeds upon such sale of real estate of Wm Yost Decd be empowered to execute all necessary deeds and conveyances & transfer such title to the purchasers of such Estate at said sale heretofore made which is vested in the heirs to said Estate upon the purchasers complying with

with all the requisites of the sale and the payment of the first installment with the interest arising from the sale of any portion or parcel of such estate

Young adms vs Hollis & Wife Jury sworn to try the issue joined Thomas Swanson John Anders Charles Chandler Geo. Logan Charles Burnett Alexander McGilvery Alfred Fisher Williams Jones Jr. & William Jones Sr. Jacob Barley & David M Huffman John Armentrout Verdict we the Jury find for the Plaintiff and assess his Damages To $98.42 Cents with interest from the 19th day of November 1852 till paid Costs

Newman vs Garley — Continued
McDonald Comm on fact vs Garley — Continued
Rader for Use vs Wingfield — Continued
Long for Use vs Hooker — Continued
Looker vs Looker Exr — Continued

Byrne for Use vs Maupin Jury sworn to try the issue joined William Richard Jacob M Effinger John G Effinger Isaac Knupp Harvey Summers William Rodeheffer Charles Smith Jacob Bear William Galehouse William Jones Christian Newman & Robert C Thompson & not agreeing on their Verdict were duly discharged

Mowry vs Fulwiler — Continued
Smith Const vs Cruglen — Dismissed
Same vs Nicholas — Same
Same vs Liggett — Same
Swetzer vs Catlett Adms — Continued
Roller vs Garley — Same
Finley vs VanPelt — Same

On the motion of Geo W Kemper late Sheriff of this County and the production of satisfactory evidence that John W G Smith had been erroneously assessed with a Lawyers license of $500 for the year 1851 and that Livingston Brown had also been erroneously assessed with a Lawyers license of $500 for the year 1851 and it appearing to this Court that the said erroneous assessments have been paid into the Treasury by the said Sheriff and that he has never collected them from the persons to whom they are assessed, It is ordered by the Court that the same be refunded to the said Sheriff. And it is further ordered to be certified that when the above application was made the Attorney for the Commonwealth appeared and defended the same.

On the motion of Abraham S Byrd Sheriff of Rockingham County and the production of satisfactory evidence that Sylvanus A Byrd had been erroneously assessed with a Lawyers License of $4.80 cents for the year 1852, that John McPherson had been erroneously assessed with a Lawyers License of $4.80 cents for the year 1852 and that Henry M Berman had been erroneously assessed with a Skaltion license of $10.00 for the year 1852, and it appearing to the Court that the said erroneous assessments have been paid into the Treasury by the said Sheriff and that he has never collected them, It is ordered by the Court that the same be refunded to the said Sheriff. And it is further ordered to be certified that when the above application was made the attorney for the Commonwealth appeared in Court and defended the same.

Blair vs Bligh — Continued
Same vs McCall — Same
Price's Adm vs Harshberger — Same
Effinger vs Setter's — Plea rain Assumpsit Confession of debt in declaration
mentioned Saving equity
Baugher vs Mauck — Same
Snitzer vs Snitzer — Same
Rinehart vs Berry — Same
Kellog vs Laird — Same

O'Brien Griffin & Frick vs Miller ... plea and bystanders
for the debt in declaration mentioned saving equity
O'Brien Griffin & Hanson vs Same ... Same
Lambert Jones & Co vs Potter & Co ... Same
Gallaher Cow. vs Seltzer ... Same
Alex & Jas Brown vs Peters ... Same
B F Lincoln & Bro vs Moore & Co ... Continued
J T Ellis vs Huffman ... Same.
Ammon vs Sipe ... Same

Catharine Koontz ... Plff
against
The heirs & devisees of Jno Koontz dec'd ... Defts
} In Chancery

This cause came on to be heard this 19th day of November 1852 upon the bill, exhibits, the answer of Henry Lookenbaugh and of the guardian ad litem for the idiot and infant defendants and replication, and it appearing that more than thirty days have elapsed since the service of the subpoena upon Samuel Brown & wife, and they having failed to answer, the bill is taken for confessed as to them, whereupon the argument of Counsel being heard & the Court being of opinion that the estate of the testator John Koontz is not legally chargeable with the support of the idiot Joseph Koontz beyond the provisions of his will, and Catharine Koontz the Plaintiff, having thereupon accepted the provisions of the will and undertaken the burthen of his support as a condition to entitle her to Josephs share of one fifth in the testators land, in addition to her own share of a fifth. The Court doth therefore adjudge ordered & decreed that David Flook, Daniel Harrison & John I Bowman who are hereby appointed Commissioners for that purpose having been first sworn fairly and impartially to discharge the duties imposed upon them by this decree to the best of their judgment, skill & understanding shall proceed to make partition of the tract of land occupied by the testator previous to his death, known as his home tract and assign by metes and bounds two fifths thereof

to Christena Brown, adjoining the two foregoing shares, if in the opinion of the Commissioners that can be done without injustice to the other parties, one fifth to the infant defendants, children of Hannah Cowan, and one fifth to the defendant Mary Looker agreeably to quantity & quality, and make report of their proceedings to this Court

Coffmans Exr vs Sites &c. Affirmed set aside Plff Gen Issue & Cont
Cooks Admr vs Shoemaker — Continued

Bohrer vs Gailey — W E set aside N A & Issue & Jury sworn to try the issue to Wit:- Tayre Manspin, Robert C Mauck, John Kingree, William Miller, William A Manspin, Giles Dever, Christopher Keyser, [illegible] Marty, William Moore, John Kenny Jr, Henry Ott & George Brenner - Verdict "We the Jury find for the Plaintiff and assess his damages at $85.31 with interest from the 22nd April 1850 till paid". Samuel H Lewis P.J. Andrew Houck & William W Carpenter & F M Irvine Esqrs attended one day as Justices Ordered that the Court be adjourned until to morrow morning at 10 Oclock-

S H Lewis P.J.

Saturday the 30th day of November 1852

Present

Samuel H Lewis P.J. F M Irvine
Andrew Houck & Wm W Carpenter Esqrs Justices

Jd & S Mott — Plff
vs
Geo. W Brown — Deft
} Upon an attachment

On the motion of the Plff It is ordered that the Constable be directed to sell the Brown Mare, & other property & monies of the attachment levied on, — on a credit of 60 days. taking bond & security for the same, and return the same and hold the proceeds subject to the further order of the Court

Dellard vs Kyser Jury sworn to try the issue to wit L. & Grier Neal Logan Williams & Bradshaw Abel Gibbon Thomas Donovan Williams & Maupin John Hoff Williams Moore Abram Shultz D. H Brown John Wellon & John Kyger, Verdict "We the Jury find for the Plaintiff & assess his damages at Sixty six dollars Fifty cents" Memo on the trial of this Cause Two Bills of Exceptions was taken to the opinion of the Court which was signed & Seald & ordered to be made a part of the Record

David Sipes Committee Plaintiff

vs

Noah Sipes Defendants

In Chancery

On the Motion of the Plaintiff Sebastian W Gamble is appointed Guardian ad litem for David Sipes a Insane person in the Defendants Suit

Lindamood vs Hondyshell Continued

Longfoot vs P Shanallas Continued

same vs J. Shanallas Continued

Mc anny Lafferado & Co vs Shipman & Rollin Continued

Looker vs Spriggs Continued

Spriggs vs Hukins on Continued

Cooks admrs vs Shanallas Continued

Shanklin & Beuffy vs Cottell & admrs plea non assumpsit & Judgment for the Plff on the Declaration mentioned & Settlement Costs & any equity

Stevens vs Neale Writ of Enquiry set aside & Non assumpsit & Issue Continued

Ammon vs Sipes Writ of Enquiry set aside Non assumpsit Leave to file a special plea & Issue Continued for Sept

Pearson & Wife vs White Writ of Enquiry set aside Not Guilty and leave to file a special plea & Issue Continued

Cromer vs Rader Continued & Sept

Peters vs Leedy Continued

I. L. McPhail & Brothers vs Moore &c Writ of Enquiry set aside
Non assumpsit & Issue Continued

Byrd vs Maupin The Jury empannelled and sworn for the trial
of this Cause on Tuesday came into Court agreable to their adjournment and returned
from the bar to Consider of their Verdict and after some time returned
into Court and declared they could not agree Whereupon by consent
the said Jury were discharged and the Cause is continued untill
the Next Court

David Sipes Committee Plff
vs
Noah Sipes Defts
In Chancery

The bill in this cause being filed this 20th day
of November 1852 and coming on to be heard the same day by
consent of parties upon the bill, answer of W. Gamble guardian ad
litem for said Sipes a Lunatic, now appointed by the Court / Replication
thereto, answer of Noah Sipes the other defendant / Replication thereto.
Whereupon the Court by Consent doth adjudge order ordain decree that
Comr. Tams, do state, settle and adjust the partnership accounts
of David & Noah Sipes, ascertaining the outstanding liabilities
& assets of said partnership also what debts have been paid by either
or both partners, that he also ascertain, the personal property of said
partnership, any disposition thereof heretofore made & by whom, &
the value thereof, and what is still on hand, in whose hands and
of what value, the real estate held jointly or in partnership & its
value, the profits of both real and personal estate, since the lunacy
of David Sipes & by whom received & what charges should be proper
for the care and management of said property, the liabilities of
both David & Noah Sipes, jointly, for real estate & also of David solely if
there be any, also the outstanding debts & assets of the said David
Sipes solely, whether a sale of the real estate of both partners should
be requisite & proper or not for the payment of the partnership, whether
a sale of the interest of David Sipes in the land is necessary or not
for the payment of his debts and if not whether such

sale shall be promotive of his interest, Said Commissioner in preparing such Statements, shall report to the Court all such matters as either party shall require or may deem pertinent - He shall summon all parties interested and the creditors of Daniel Noah Sipe jointly & of Daniel Sipe solely before him for the purpose of carrying out this decree, by publication in the Rockingham Register for 4 weeks in lieu of a personal service, if necessary the Comr shall examine said Noah Sipe under oath

On motion of Robert McKyle, It is ordered that Thomas A Turk do appear before this Court at its next Term and shew cause if any he can why the Court shall not order a sale of the Wheat Corn upon by Thomas McDaniel Dept Sh for Geo W Kemper Sh'ff to satisfy a distrips warrant issued out by said R McKyle for rent, against the goods & Chattels of Adam Long in July 1857 which was claimed by said Thomas A Turk & the sale thereof suspended & a suspending bond given by him August 8th 1857 with Geo Saufley security, and that a copy of this order be served on said Thomas A Turk

R C Thompson & Co vs Joseph Sterne — W E set aside N A & Infancy (plead) Gen'l rep as to plea of N A & Infancy & offsets & Special rep of necessaries as to plea of Infancy - to which plea of Infancy & Gen'l rep & issue & Continued for Deft —

Eudaley vs Bean & — Continued

~~Hobbs vs Perkins Adm'r~~ — ~~Continued~~

Fries vs McDermid — Continued

Cammack vs Barley — Cont'd

Gallehugh vs Perkins Adm'r W E set aside N A & issue & Jury Sworn to try the issue to wit Otho Rodgers, Christopher Keyser, Philip Holler, Tyre Branson, George Logan,

Robert C Mauck, S. M. Bowman, Daniel Trupe, Isaac Knopp, Sam'l Johnson, George Brenner & Isaiah F Mary Verdict. We the Jury find for the Plff $500 - damages with Interest from 20th day of November 1852 till paid & Inst accordingly

R & S M Bowman v. Trupe — Continued

S & Lewis P.J. A Houck. Wm Carpenter & F M Irvine - each serve the whole of the present day

Ordered that the Court be adjourned until the third Monday in December next

S M Lewis P.J.

Virginia To Wit

At a Court held for the County of Rockingham on the Third Monday in November 1852, being the 20th day of said Month.

Present

S M Lewis, P.J. Wm B Yancey, John Burkholder, J A Herring — Gent. Justices

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 31st day of December (both days inclusive) and being 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 to be posted at the door of the Court House of said County.

Which List is as follows: To Wit:-

A deed for Land from Thomas Chapman to Morgan Chapman

" " " " " Same to Peter S. Roller (Trust

" " " Land " Jacob Fultz to James B. McGill (Trust

A deed for Land from Aug Waterman to Jacob Fultz
" " " " " Geo. W. Cooper & wife to Mahala Miller
" " " " " Abra. Airhart & wife to Jacob Airhart
" " " " " Wm. Cummins to Gideon B. Bud
" " " " " John Hentaw & others to Geo. W. Effinger
" " " " " Robert Holland to Samuel Emswiller
" " " " " Philip Bible & wife to Abraham Funk
" " " " " James M. Rhodes to Emanuel Rhodes
" " " " " Jacob Sipe Senr to John F. Lewis (Trust)
" " " " " James Taylor & wife to John Knapp
" " " " " Jane Bubins admr to Wm. Gallihugh
" " " " " John Smiths & wife to Wm. Pickering
" " " " " Reuben Sellars & others to John Soutter Senr
" " " " " John J. Whitzel & wife to Charles Fridley
" " " " " Henry Munger to Geo. W. Miller (In Trust)
" " " " " Emanuel A. Whitzel to Jno. A. Hartmann (Trust
" " " Land " Mary Ann Wise to Adam Wise
" " " " " Geo. Kiser & wife to Josiah S. Boller
" " " " " Thomas Logan to Allen C. Bryan (Trust
" " " " " Abra. D. Bowers to Washington Spitzer (Trust

Settlements of the Estate Accounts of Jacob Mantz decd, Catharene Gast decd, Daniel Smith decd, Jacob Mayers decd, Rosetta Poindexter decd, Martin Shawalter decd, Daniel Tusing decd, Jacob Runcle decd, Christian Garber decd, Henry S. Pitney decd, John Gordon decd Joseph Byerly decd, John Wampler decd, John Hoover decd, Were returned into Court by the Clerk thereof and having been filed in the Clerks office for the prescribed by Law were examined by the Court and ordered to be Recorded.

Settlements of the Guardians Accounts of Eli Andes, Daniel Driver and John G. Biddle were returned into Court by the Clerk thereof and having been filed in

the Clerk's Office for the time prescribed by Law. were examined by the Court and ordered to be recorded.

A Settlement of the Accounts of Wm. B. Speed Curator of Wm. Rice decd. was returned into Court by the Clerk thereof and having been filed in the Clerk's Office for the time prescribed by Law was examined by the Court and ordered to be recorded.

Jacob Rush produced in Court a Commission from the Governor of Virginia under the Great Seal of the Commonwealth dated the 4th day of December 1852 whereon he is appointed a Justice of the Peace for the said County to reside in his district No 1 in said County and to hold his Office until the 1st day of August 1856, whereupon the said Jacob Rush took the several oaths of Office prescribed by Law which is ordered to be entered of record

Smith vs Miller - On a Recognizance - Rockbridge Continued

Ordered that Richard P Fletcher, Wm G. Thompson and Charles Lewis Senr. be appointed Commissioners in Chancery to state accounts for this Court, whereupon Richard P Fletcher & Wm G Thompson of the said Commissioners appeared in Court & took the several oaths of Office required by Law, which is ordered to be entered of record

Ordered that James H Dever be appointed Surveyor of Precinct No 1 on the North Mountain Road in the room of Hugh Dever resigned

Peter Wise &c Plffs
vs
Julia Ann & Matilda Burgess Dfts
} In Chancery

Ordered that E Coffman be appointed guardian ad litem for the infant defendants to defend this suit for them

Peter Wise &c Plff
v
Julia Ann & Mahlon Burgess Defts
In Chancery

This cause came on to be finally heard this 20th day of December 1852 upon the bill answers exhibits depositions of witnesses the argument of Counsel & the Court are of opinion that the slaves mentioned in said bill should be partitioned, and it doth order adjudge and decree a partition of said slaves, equally among the heirs of Samuel Burgess dec'd, permitting Plaintiffs Wise & Roller not to account for the issue of their slaves since they got them into possession, but charging them with the value of the slaves, at the time they obtained possession of them without interest, and for this purpose the Court doth appoint, John A Herring, W H Harris, Robt Grattan & M F Irwin or any two of them Commissioners to make said partition of said slaves, which Commissioners may act in conjunction with them or any one of them appointed for that purpose by the Circuit Court & said Commissioners shall report the proceedings had under this decree

On the motion of Geo O Conrad it is ordered that he have leave to construct a drain from the cellar of his house to the spring branch ~~& to point near the~~ through the ground subject to the control of this Court - provided the same can be done without injury to the said ground

A writing purporting to be the last will & Testament of Jacob Sipe dec'd, was returned into Court & proved by the oaths of the witnesses thereto and ordered to be recorded

On the motion of Christena Crouchhorn & for reasons appearing to to the Court. It is ordered that George Crouchhorn (Guardian of John William, George L, Elizabeth C, & Adam A Crouchhorn infants of Adam Crouchhorn dec'd) be removed from the said guardianship, And that Christena Crouchhorn be appointed guardian for the said infants, whereupon the said Christena Crouchhorn appeared in Court & entered into bond with security in the penalty of $600 — conditioned as the law directs — (the security having justified as to their sobriety)

Ordered that William D Smith be appointed Guardian of John Wm Smith, Woodford Smith, & Charles Smith orphans of John Smith dec'd. Whereupon the said Wm D Smith appeared in Court & entered into bond with security in the penalty of $300 Conditioned as the law directs — (the security having justified)

Patrick Hagan a native of the County of Kerry Ireland in the Kingdom of Great Britain, & William Cotter a native of Tipperary County Ireland in the Kingdom of Great Britain, each appeared in Court & severally declared on oath that it is their bona fide intention to become citizens of the United States, and to renounce forever all allegiance & fidelity to any foreign Prince, Potentate State or Sovereignty whatever and particularly to Victoria Queen of Great Britain &c

A writing purporting to be Last will & Testament of David Beard was presented in Court and proved by the oaths of Charles C Spears & Jacob Brenneman & ordered to be recorded, and On motion of Silas Beard the executor named in said will, who made oath thereto and entered into bond with ~~the~~ penalty of $7000 — Conditioned as the law directs, (the said will not requiring security) a certificate is granted him for obtaining a probat thereof in due form And it is ordered that Samuel Zigler, Henry Berry, Peter Brenneman & Abm Brenneman or any three of them being first sworn do appraise the Estate of the said David Beard dec'd & make report to Court

A writing purporting to be the Last will & Testament of Henry Pulse Senr. was produced in Court by the Executor named in said will for Probat. & it being suggested to the Court that there would probably be a contest in relation thereto, On Motion of Wm H Rutherford It is ordered that the said Motion be docketed & Continued

Ordered that the Overseers of the Poor bind Philip Ritchie son Stephan of Isaac Ritchie dec'd to Jacob May until he arrives at the age of 18 years, as the Law directs. the said Jacob May to pay the said boy $100 – when his term of service expires

On the Motion of Allen W Brown who made oath thereto and entered into bond with security in the penalty of $500 – conditioned as the Law directs (the surety having justified) Administration of all and singular the goods & Chattels of Anna Wright is granted him in due form and it is ordered that James C Williams, John Williamson, Lewis Dunkle & Augustus Rice or any three of them being first sworn do appraise the estate of the said Anna Wright & make report to Court

Ordered that Jacob Yeast be appointed Committee for Christina Purkey a person of unsound mind, whereupon the said Jacob Yeast appeared in Court & entered into bond with security in the penalty of $600 – conditioned as the Law directs. (the surety having justified)

A Report of the viewers made on the Petition of Wm Kemper & others for a change in the Hay & Port Republic road was returned into Court & the proposed change ordered to be established agreeably to said Report

S H Lewis Esq. Wm B Yancey, Jno Burk Shedd & Jno A Herring each served during the sitting of the Court

On the Motion of J Marshall McCue Guardian of Virginia B. Mary W. and Jouette Smith orphans of Abraham Smith dec'd he is allowed by this Court who appointed him such guardian to resign his said Trust and the Court doth further order that the said guardian settle his guardian accounts with a Commissioner of this Court and that he deliver and pay all the estate & money in his hands or with which he is chargeable to those entitled to receive it -

A report of views made on the Petition of Alex Bryan for closing a part of the Public road known as the old Furnace road, and the said petitioner is allowed to close said road agreeably to the petition on condition that he open a public road on his land leading from the old Furnace road to intersect the Rockingham Turnpike & that the A B Williams Verger, Franklin Reed & W A Conrad, be appointed Comrs to report to Court when the new road is properly opened -

A Deed of renunciation from Catharine E Kirtley (widow of St Clair D Kirtley dec'd) from under hand & Seal renouncing the provisions made for her in the will of her late husband St Clair D Kirtley dec'd was returned into Court & ordered to be recorded

Ordered that Jacob Huffman Sen be appointed Surveyor of Precinct No on the North Mountain road in the room of Isaac Nave -

On the Motion of Thomas A Gilmer & he having made oath thereto & entered into bond with Security in the Penalty of $ 500 Conditions as the law directs, Administration of all and Singular the goods & Chattels of Anderson McGahey is granted him in due form -

Ordered that the Court be adjourned until the third Monday in January next

S H Lewis P J

Virginia To Wit:

At a Court held for Rockingham County on the third Monday in January 1853 being the 17th day of said Month.

Present

Samuel H Lewis P J, Wm Magruder, B Yancey, Jno A Herring, J Reubush & Justices

A List of Deeds and other writings admitted to Record in the Clerk's Office of the County Court of Rockingham from the first to the 31st day of December (both days inclusive) and being 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 to be posted, at the door of the Court House of said County.

Which is as follows:- To Wit:

A deed for Land from Robert B. Jennings to Fountain S. Utz &c
Braithwaite & Seminary Company Contract
" " " " " David Wise & wife to Mary Hunter
" " " P.N. " Mary C. Sifton to Wm J. Sifton (Trust)
" " " Land " Zachariah Engler to Wm C. Stevens
" " " " " David Rau & wife to Sirano P. Kendall.
" " " " " Michael A Berry to George Hogan
" " " " " Christian Bauserman Sr. to Daniel & Abram Koontz.
" " " " " Geo. F. Funkhauser to Robert Sims Jr (Trust)
" " " " " Wm Swecker & wife to Wm Fletcher
" " " " " Jackson Mauzy & wife to Madison Mauzy
" " " " " Wm M. Mauzy & wife to Same.
" " " " " Christian Funk Sen to Philip Bible
" " " " " John Bible & wife to Same
" " " " " Eli H. Koontz to Jacob Rhodes
" " " " " Jacob Barley to Cyrus Rhodes (Trust)
" " " " " Cyrus Rhodes Comr. to Jacob Barley.

A deed for Land from Jacob Rhodes & wife to Cyprus Rhodes
" " " " " John M. & Barnum &c to Conrad Sanger Jun
" " " " " Zachariah Crigler to George A. Conrad
" " " " " John H. Bear & wife to Soloman P. Rupert.
" " " " " Jacob Manger & wife to Ezekiel Sauls
" " " P.P. " John B. Shelly & wife to Samuel Shaum (Trust)
" " " Land " Samuel Slusser & wife to John S. Rodgers
" " " " " Franklin Pence & wife to Crawford C. Stranger
" " " " " Peter Miller to Philip Keller
" " " " " John Williamson (Trustee) to Harvey Dinkle
" " " P.P. " Zachariah Crigler to W. Gambill (Trust)
" " " Land " Philip Liggett & wife to Wm H. Sams
" " " " " Wm H. Sams & wife to Franklin Pence

A Settlement of the Estate Accounts of Margaret Eiler was returned into Court by the Clerk thereof, and having been filed in the Clerk's Office for the time prescribed by Law, was examined by the Court and ordered to be recorded

Philip Keller, Admr of George Rodgers &c
vs
Margaret Rodgers & others
In Chancery

On motion of the plaintiff in this cause it is ordered that this Case be referred to Commissioner Richard A. Fletcher, to take an account of the State of the personal assets, and said Commissioner is required to notify the Creditors by a publication in the Rockingham Register four weeks to exhibit their claims before him, and he is required to make a report, Showing the Condition of the assets and the liabilities of the estate, It is further ordered that Settleton W. Gambill be appointed guardian ad litem of the infant defendants.

Alpheus Dove Admr of Nimrod Dove Plff
against
Diana Dove & others Defts
In Chancery.

On motion of the plaintiff in the above case it is ordered that Commissioner Richard P. Fletcher proceed to take an account of the Condition of the personal effects of the estate of Simmons Dove dec'd. and the amounts of the debts and liabilities, and that he give notice by publication in the Rockingham Register for four weeks of the time and place of taking said account to all the Creditors an opportunity of exhibiting & proving debts & claims, & make report to this Court. It is further ordered that Littleton W. Gambill be appointed guardian ad litem for the infant defendants.

Richard K. Austin Plaintiff

against

The widow and Heirs of Richard Austin dec'd Defts

In Chancery

to the

This Cause came on finally heard this 17th day of January 1853 upon the papers heretofore filed, the proceedings heretofore had, and the report of Commissioners George W. Kemper, George Sawfley & F. M. Layton, to which no exception is taken, and the same is hereby confirmed and ordered to be recorded, The Court being of opinion that an inaccuracy exists in the decree rendered in this Cause at November Term 1851 as regards the proportions to which the defendants were entitled in the estate, but not in the partition as made by the report of the Commissioners, who have made partition and allotments agreeably to the rights of the parties. The Court doth further adjudge & order that the plaintiff recover from the defendants John K. Austin, two Sevenths of the fee and Costs of this suit including the expenses of partition, one Seventh thereof from the defendants Elizabeth Wood, one Seventh from the guardian of Thomas Wood's Children to be paid out of any money of his wards in his hands, and one Seventh from each of the defendants Samuel M & Elias Austin.

A Register of John Amos a free man of Color was returned into Court by the Clerk thereof and being compared with the said John Amos and found duly made a Copy thereof is ordered to be forthwith recorded

Jonathan Miller

Ordered that ~~Bernard Kisling~~ be appointed Surveyor of Precinct No 1 on the road called Rushes mill road in the room of ~~Daniel~~ Miller

A Certificate of the due qualification of Charles Lewis Sen as a Commissioner in Chancery for taking accounts was this day returned into Court & ordered to file.

JP

S W Gamble, Clerk of this Court, presents an account in the Commonwealth for examining the Court Books & for attending an examining Court, which was examined & ordered to be certified to the Auditor as directed by Law

JP

Erasmus Coffman late Clerk of this Court presents an account against the County for attending sundry Examining Courts which was examined & ordered to be certified to the Auditor as directed by Law

JP

Ordered that Peter S Roller be appointed Guardian of Julia Ann Burgess and Matilda Jane Burgess orphans of Samuel Burgess dec'd Whereupon the said Peter S Roller appeared in Court and enters into bond with security in the penalty of $15000 — conditioned as the law directs — (the surety having justified)

JP

On the motion of Moses Tusing. It is ordered to be certified that satisfactory evidence was adduced in Court to prove that Moses Tusing, Samuel Tusing, Mary Ann Mills wife of Samuel Mills, Elizabeth Tusing, Rebecca Tusing & Lydia Tusing of Rockingham County Virginia and Elias Tusing of Illinois, are the heirs and only heirs at law of Daniel Tusing dec'd the Warrantee in a bounty land Warrant No 36.376 all over the age of 21 years, and that he left no widow

On the motion of Abraham S Byrd Sheriff of Rockingham County, It is ordered that John Gordan be permitted to qualify as his ~~guardian~~ Deputy — Whereupon the said John Gordan appeared in Court and took the several oaths of Office required by Law — which is ordered to be entered of record

A writing purporting to be last will & Testament of Jacob Sipe dec'd was again presented in Court — And on the motion of Thos K Hansbrough, who made oath thereto and entered into bond with security in the penalty of $7.500 - Conditioned as the Law directs (the said having previously qualified) Administration with the will annexed is granted him on the Estate of the said Jacob Sipe in due form —

And It is ordered that John F Lewis, G. Raines, Robert Burke & Sam'l Royer or any three of them being first Sworn do appraise the Estate of the said Jacob Sipe & make report to Court

Conrad H Kuto who was duly elected a Commissioner of the Revenue for the First District of Rockingham County for the term of two years from the 1st day of February 1853 appeared in Court & took the several oaths prescribed by law, and entered into bond with security in the Penalty of $1000 - Conditions as the Law directs, which bond was acknowledged by the parties thereto & ordered to be recorded and Certified to the Auditor as directed by Law

Jacob Weast who was appointed at the December Term 1852 a Committee for Christena Perkey, appeared in Court and agreed that the order appointing him said Committee should be rescinded - Whereupon It is ordered by the Court that said order be rescinded, - And thereupon the said Jacob Weast moved the Court for a judgment for costs incurred in consequence of the motion of S and C Perkey to remove him as her

Committee, which motion was ordered to be docketed and Continued —

Adelene, George A. and Emanuel Sellers over 14 years of age and infant Children of Emanuel Sellers dec'd. in writing, acknowledged before Squire of the Peace - Nominated Wm B Yancey as their Guardian, Whereupon it was ordered that the said Wm B Yancey be appointed Guardian for the said infants - And the said Wm B. Yancey appeared in Court and entered into bond with security in the Penalty of $ 5000 - conditioned as the Law directs — (the Security having justified)

A writing purporting to be last will & Testament of Henry Pulse dec'd was again presented in Court & proved by the oaths of Henry Wenger and Abraham Geil two of the witnesses thereto & ordered to be recorded — And on Motion of Henry Pulse the Executor named in said will who made oath thereto and entered into bond with security in the penalty of $ 10.000 - conditioned as the Law directs. (the Security having justified) a certificate is granted him for obtaining a probate thereof in due form — And it is ordered that Emanuel Rodes, Jesse Ralston, John K Beery & Reuben Kingrea or any three of them being first sworn do appraise the estate of the said Henry Pulse & make report to Court

Present

Dan'l St Sevier P.J. Benj Hoover, Abram T Nadiman
Isaac Thomas, Wm B Yancey, John Buckholder
Jno A Herring, S Rudesill, Huffman, Justices
Archd Hopkins Jr.

Ordered that James C Williams, be appointed guardian for his children, Martha Ann, Lucy Jane Williams infants and grand Children of Robt Hoole dec'd, whereupon the said James C Williams appeared in Court & entered into bond with security in the Penalty of $ 4000 - conditioned as the Law directs, the Security having justified

Ordered that Lucy Coakley be appointed Guardian of Caroline, Maria, William & Peachy R Coakley orphans of Austin Coakley dec'd - Whereupon the said Lucy Coakley appeared in Court and entered into bond with Security in the penalty of $100 - Conditioned as the law directs - (the Security having justified)

On the motion of Nicholas G Jones, It is ordered that he have leave to transfer the unexpired term of his Ordinary License to Robert C Mauck

It appearing that there is no Coroner in office for the County of Rockingham - the Court proceeded to nominate two persons pending whereon one of whom the Governor may appoint Coroner - Whereupon the names of the justices present being polled they voted as follows (for John R Pleckler) Henry D Wartman, Wm B Yancey, Jno Burkholder, John A Herring, Saml Rachford Reuben Huffman, Archd Hopkins Jr. (7) for Nelson Sprinkle, S A Lewis, Benjamin Hoover, Isaac Thomas (3) - Whereupon It is ordered that the said John R Pleckler, and Nelson Sprinkle be nominated to the Governor as such two persons for the office of Coroner as aforesaid,

Copies sent to Governor Holliday 20th January 1863

Henry Kisling
vs
Gerard T Hopkins Admr of A G Mauzy dec'd

} Upon a motion to execute a new bond with new Security as Admr. of said A G Mauzy dec'd

This day Gerard T Hopkins Admr of A G Mauzy dec'd. personally appeared in Court and acknowledged that he had received reasonable notice in writing from Henry Kisling one of his securities in his bond as Administrator of A G Mauzy dec'd. that he would apply to said Court for an order requiring him to execute a new bond with new security as Administrator of Abert G Mauzy dec'd and in the event of his failure to give such new bond that his powers as Administrator of said Estate should be revoked. Whereupon the Court ordered that said

Administrator to give the ~~further~~ bond & security required — and the said Administrator being still in Court and acknowledging notice of said order refused to give such new bond & security — Whereupon the Court revoked & annulled his powers as Administrator of said A. G. Mauzy dec'd

On the motion of Edward F. Williams who made oath thereto and entered into bond with security in the Penalty of $10.000 conditioned as the law directs (the Sureties having justified) Administration de bonis non, is granted him in due form on the estate of Albert G. Mauzy dec'd —

Lucy M. Hooke (over 14 years of age) an orphan Robert Hooke dec'd came into Court made choice of Wm. W. Hooke as her guardian, Whereupon the said Wm. W. Hooke appeared in Court and entered into bond with security in the penalty of $1000 — conditioned as the law directs (the surety having justified)

On the Petition of Charles Weaver for the establishment of a road from the Town of New Haven to his mill — It is ordered that Jacob Strayer, Charles Lewis Sen. Peter Fitch & Geo W. Kemper Sen. be appointed viewers to examine the way for said road as set forth in said petition any three of whom may act who being first sworn, shall report to Court the advantages and disadvantages attending the same as well to the public as to individuals

On the Motion of Nancy Very a free negro and the surrender of his former Register — It is ordered that the Clerk Reregister him in the Clerks Office as directed by law

On the Motion of Wm. W. Hooke & others adult heirs of Robert Hooke dec'd It is ordered that Joseph Mauzy, Wm. VanLear Michael J. Moyer & Jesse & Joseph Altaffer any three of whom may act be appointed Commissioners to assign dower & make partition of the real estate of Robert Hooke dec'd among his heirs & make report to Court

A writing purporting to be the Last will & Testament of George Rimyer dec. was presented in Court and proved by the oaths of the Subscribers thereto & ordered to be recorded

On the Motion of Robert McKyle who shewed to the Court that in the year 1851 he had sued out a warrant of distress for rent against the goods & Chattles of Adam Long from Samuel Shacklett a justice of the Peace of Rockingham County, which warrant of distress was levied in said County upon two hundred and forty five sheafs of wheat, One dun horse, and one bay horse, in or about the Month of July 1851, as the property of said Adam Long the sale of which wheat was suspended at the instance of Thomas A Funk of Augusta, who claimed the same who gave a suspending bond as the Law requires with George Sawley his security on the 8th August 1851 — It is ordered that the said Thomas A Funk be Summoned to appear here on the 1st day of Next Term of this Court in order that the right & title to said wheat may be determined, and that the Sheriff make sale of said wheat in the same manner as if the sale was made under a fieri facias & pay the proceeds to the Receiver of this Court.

Adam Shoualter &c

vs } Whereas Petition for a Change of a road

William C Smith }

The Report of the Viewers in this case having been returned in favour of the Prayer of the Petitioners and objections having been made & the Case having been Docketed in the Names of Adam Shoualter & against William C Smith the motion came on for hearing this 17th day of January 1853 upon the evidence offered as well in behalf of the Petitioners as the parties objecting and the Court being of Opinion

that the Prayer of Petitioners is reasonable do therefore establish the Change agreeable to the views of the Jurors upon Landrum that the Petitioners put the Change in good repair and on the Motion of the said William C Smith an appeal is granted upon his entering into bond with security in the penalty of One hundred Dollars in the Clerks office within Sixty days

Samuel H Lewis P.J. William B Gamey John A Herring & Reuben Nash sworn during the present Court

Ordered that the Court be adjourned until the Thursday in February Next

J H Lewis P.J.

Virginia to wit:

At a special Session of the County Court of Rockingham held on 26th day of January 1853 for the examination of Richard Jarel, charged with felony - "in this that he did on the "10th day of January 1853 in the said County feloniously and illegally "seize, take and secrete Jane Huffman from John Huffman a child "under twenty one years of age, and the daughter of the said John "Huffman, who is entitled to the Custody of the person of said child"

Present

Samuel H Lewis, Andrew Hewitt,
Henry J Workman, Milton Irvine, Justices
Archibald Hopkins Junr

The prisoner was led to the bar in the Custody of the Sheriff and thereupon Sundry Witnesses were sworn to wit John Huffman Abraham Newcomer James Glavis Thomas Loohes William K Gatley were sworn and examined and the prisoner being fully heard in his defence the Court upon consideration whereof are of the opinion that the Prisoner is not guilty and that he be discharged

Ordered that the Court be adjourned

J H Lewis

Samuel H Lewis P.J. Andrew Hewitt Henry J Workman Milton Irvine & Archibald Hopkins Justices

Virginia To Wit:

At a Court held for Rockingham County on the Third Monday in February 1853. being the 21st day of said Month.

Present

Samuel H Lewis P.J. Chas G Sterling & John G Brown Jackson Hall Gent. Justices.

A List of deeds and other writings admitted to record in the Clerks Office of the Court of Rockingham County from the first to the 31st day January 1853. (both days inclusive) and being 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 to be posted, at the door of the Court House of said County. Which list is as follows To Wit:

A deed for land from Williams Coffman & wife To Michael Seathrew &c.
" " " " " Thomas Samplins & wife To John Kline
" " " " " Aug Wetzman to Isaac Snyder
" " " " " Jesse Young & wife to Saml C. Hagle
" " " " " Saml M. Austin & wife To Richard H. Austin
" " " " " Philip Wash & wife to John Werner
" " " " " Jacob Beam & wife To Daniel Thomas
" " " P of " Geo. W. Moore & Co to S. McGaubill (Inv Trust
" " " Deed " Noah Whitman & wife To Benj. Kinsin
" " " P of " James H. Whitman to John T. Harris (Trust)
" " " " " Elizabeth Hoover to Mary C. Harris (Gift)
" " " Deed " John Dinkle to Same (Gift)
" " " P of " Mosis Miller To Joseph Byrd (Trust)
" " " Deed " Joseph Shutts & wife to Strother Shutts
" " " " " Jacob N. Bouffy & wife To Daniel Huffman &c
" " " " " Nicholas Niger & wife to John Smith
" " " " " Harvey Dinkle & wife To Allen H. Brown
" " " " " James Alexander & wife To Stephen J. Fox
" " " " " James M. Wright & wife to Daniel Price
" " " " " Daniel Falls To Saml R. Allebaugh (Trust)
" " " " " James M. Estes & wife to Jackson Hoover.

A deed for Land from Saml. A. Huffman & wife to John A. Fishback
" " " " " Same To Filey F. Shirk
" " " " " Hiram W. Switzer & wife To James Alexander
" " " " " Daniel Huddle & wife To Benj. F. Sinclair
" " " " " Harvey Pirtle & wife To Daniel Sink
" " " " " Addison Harper & wife To Ulrich Willig
" " " " " Joseph Miller & wife To Jacob Shickle
" " " " " Jacob Miller & wife To Joseph Miller
" " " Pd " Daniel Brewer To John W. G. Smith (Trust)
" " " Land " Nelson Spindle & wife To Albert E. Gay
" " " Lot Pd " Robert C. Mauck & wife To Jno. C. Woodson (Trust)
" " " Land " Jacob Hight & others To Jacob A. Pitchell
" " " " " Alg. S. Gray To John E. Mapes
" " " " " Daniel Sink To Daniel McLaughlin
" " " Pd " M. G. Kearney To W. L. Kearney (Loan)
" " " " " Daniel N. Husband To Allen C. Bryan (Trust)
" " " Land " Sol. Miller & wife To Thos. N. Hannahegan (Trust)
" " " " " A. C. Bryan Comr To Henry Berry
" " " " " Henry Berry to Jno. C. Woodson (Trust)
" " " Pd " Wm C. Miller To Saml Miller Jr. (Trust)
" " " Land " Reuben N. Harrison & wife To Wm M. Long.
" " " " " Wm McFarland & wife To James Gaither
" " " " " Elizabeth Switzer To Levi Huddle
" " " " " Harvey F. Smith To Christian Shoemaker

Settlements of the Estate accounts of Emanuel Sipe dcsd Barbara Miller dcsd, James Laird dcsd. and John Nicholas dcsd. were returned into Court by the Clerk Thereof and having been filed in the Clerks Office for the Time prescribed by Law were examined by the Court and ordered To be recorded

Settlements of the Guardian accounts of Jacob Ammon. Henry Neff and John G. Pirtle were returned into Court by the Clerk Thereof, and having been filed

in the Clerks Office for the Time prescribed by Law upon examined by the and ordered to be recorded

Select a Byrd upon a Notice Docketed Continued until to Morrow

William A Conrad Foreman, Simon S Harman Jacob Lineweaver Abraham Shelmote Jesse Ralston Lyons Rhodes Joseph Fultz Christian Seitz Abraham Harris in Philip Holsinger Reuben Moore Emanuel Swearingen John I. Bouts Adam Leap Charles R Rust George Ireland & George W Seitz Sr. two 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 from the following to wit into Court and not being able to finish the business before them were adjourned until to Morrow Morning at 10 Oclock

Adeson C Black Plff
agst
John W Dunlap Deft } Upon a Note for Money paid by the said Black as security to Jonathan Speck

The Defendant having legal notice of this Motion and not appearing at this solemnly called Judgment is awarded the Plaintiff for $87.22 Cents Debt with interest from the 21st day of January 1853 and 5 per Cent Damages till paid & Costs

(S) A Writing purporting to be the Last Will and Testament of Catharine Hill Deceased was presented in Court and was proved by the oaths of the Witnesses thereto and ordered to be recorded and On the Motion of Isaac Hill and he having made oath thereto and entered into bond with security in the penalty of $600 Condition as the Law directs the Security having justified Administration of all & Singular the Goods and Chattles with the will annexed of the said Catharine Hill is granted him in due form and it is ordered that Nathan Hartsock Samuel Weis Levi Jacob Teepell and Peter Acker or any three of them being first sworn do appraise the Estate of the said Catharine Hill and make report to the Court

On the Petition of John Mason & others for a way for a road Commencing at John Shavers and leading in a westerly direction as set forth in the Petition it is ordered that George Beamer John I Bowman Jacob A Melchell & Jacob Neff or any three of them being first sworn do view the way so proposed and make report to the Court of the Convenience attending the same as well to the public as to individuals

On the Motion of Jacob & Henry Miller Executors of Henry Miller deceased it is ordered that Joseph Mawyer be appointed a Commissioner to appraise sale and settle the Estate accounts of the said Henry Miller with the said Executors and make report to the Court

A Writing purporting to be the last will and Testament of George Myers deceased who made oath thereto and entered into bond with security in the penalty of $1000 & condition as the Law directs was again presented in Court and as the Motion of Peter Wise Administration with the will annexed of the said George Myers deceased is granted him it due form

On the Petition of David G Gilmore & others for a way for a road Beginning at a public road leading from the Town of Harrisburg to the Pondleton Line as set forth in the Petition it is ordered that Benjamin D Bowman John H Hunkle and Simon Bowman & Simon Hannas or any three of them being first sworn do view the way so proposed and make report to the Court of the Convenience and inconvenience attending the same as well to the public as to individuals

On the Motion of Christian Hartman and he having made oath thereto and entered into bond with security in the penalty of $1000 & condition as the Law directs the security having justified Administration of all and singular the Goods and Chattles of Henry Hartman deceased is granted him in due form and it is ordered that Samuel Flory Samuel Good Isaac Long & John Yount ingranted them in due form

S Ordered that Benjamin Hoover be appointed Guardian for Alexander Amanda Robena Michael John Ellen Knepp orphans of Andrew Knepp deceased under 14 years of age who thereupon entered into bond with security in the penalty of $2000 Condition as the Law directs the security having Justified

S On the Motion of James M Loffland and he having made oath thereto and entered into bond with security in the penalty of $4000 Condition as the Law directs the security having Justified Administration of all and singular the Goods and Chattles of Margaret Loffland deceased is granted him in due form and it is ordered that David Armentrout Philip Cole Reuben S Harman & Peter Neff or any three of them being first sworn do appraise the Estate of the said Margaret Loffland and make report to the Court

Canada v Neff upon a Motion Docketed Continued

Canada v Swanson upon the Attachment Dissolved

S On the Motion of Adam Peter Sr and he having made oath thereto and entered into bond with security in the penalty of Six hundred Dollars Condition as the Law directs the security having Justified Administration of all and singular the Goods and Chattles of James G Peter deceased is granted him in due form and it is ordered that David Wise Andrew Lago and John Braun being first sworn do appraise the Estate of the said James G Peter and make report to the Court

S On the Motion of Thomas A Lamb and he having made oath thereto and entered into bond with security in the penalty of $250 Condition as the Law directs the security having Justified Administration of all and singular the Goods and Chattles of Emanuel Price deceased is granted him in due form and it is ordered that Pleasant A Clarke John Sherts Cyrus Surly & Jackson Rhodes or any three of them being first sworn do appraise the Estate of the said Thomas A Lamb and make report to the Court

David M'Kay who has been heretofore summoned to appear before this Court and shew cause why the appointment of said David M'Kay & of St Clair Kelly now deceased as Committee of the person and Estate of Frances Kelly a person of unsound mind shall not be set aside & new Bond & Security be given this day appeared and for reasons satisfactory to the Court it is ordered that the said appointment be set aside the said M'Kay consenting thereto and thereupon it is ordered that the said David M'Kay be appointed sole Committee of the person & Estate of the said Frances O Kelly a person of unsound mind as aforesaid and thereupon he appeared in Court and entered into and acknowledged bond with Joseph H Conrad & Henry Miller his securities in the penalty of $3000 Condemned as the Law directs the security having Justified and it is further ordered that the said M'Kay pay the cost of the proceedings out of the Estate of the said Frances O Kelly

5 On the Motion of John F Lewis and he having made oath thereto and entered into bond with security in the penalty of $800 Condemned as the Law directs the security having Justified administration of all and singular the Goods and Chattles of Sammue Raus deceased is granted him in due form and it is ordered

8 On the Motion of John F Lewis and he having made oath thereto and entered into bond with security in the penalty of $800 Condemned as the Law directs the security having Justified Administration of all and singular the Goods & Chattles of Mary Rayner deceased is granted him in due form

On the Motion of George Teshler it is ordered to be Certified that that satisfactory evidence was adduced in Court to prove that said George Teshler was over the age of Twenty One years on the 12th of November 1852 which is ordered to be Certified

A Report of the Veuers for a way for a road made on the Petition of Charles Wean & others was returned into Court by the Veuers thereof and there being no exceptions to the said report it is ordered that the said Road be established agreeable to their said Report

Registers of Isaac Thomas and William Holly free men of Colour was returned into Court by the Clerk thereof and being compared with the said Isaac Thomas and William Holly and found duly made Copies thereof are ordered to be furnished them according to Law

On the Motion of Samuel Shreve and he having made oath thereto and entered into bond with Security in the penalty of $500 Conditioned as the Law directs the Security having Justified administration of all and singular the Goods and Chattles of Franklin Horn deceased is granted him accordingly and it is ordered that Joseph Coffman Isaac Wright Abraham S Williams & Henry Burtner being first sworn do appraise the Estate of the said Franklin Horn deceased and make report to the Court

Court is Read upon a Recognizance Docketed and Continued until Wednesday Next

Samuel H Lewis P J Olney & Sterling John G Brown & Jackson Horn each attended one day at this Present Term

Ordered that the Court be adjourned until 10 to Morrow Morning at half past Ten O Clock

S H Lewis P J

Tuesday the 22d day of February 1853

Present

Samuel H Lewis P J Olney & Sterling
John G Brown & Jackson Horn } J. Justices

Constable Sowels Capias amended
" " Same " Same
" " Mellberger " Same

Comth vs Eslep Jury sworn to try the issue Joint John P Beach Robt M Kyle Lewis Tate John G Healmoole George W Effinger Benjamin N Ralston James Black Henry M Sofland Smith Sofland David Eiler Daniel Coathly & John Byrd - Verdict we the Jury find the Defendant Guilty and assess his amercement to Six Dollars It is ordered that Capias be awarded against the said Defendant for the said fine Hoste Hobson the Judgment of the Court

Ordered that Richard H Gambell be appointed Guardian for Virginia B Smith orphan of Abraham Smith Decd who thereupon entered into Bond with Security in the penalty of $12000 Condition as the Law directs the Securities having Justified

Ordered that David H Gambell be appointed Guardian for Henry I Smith & Mary W Smith orphans of Abraham Smith Decd who thereupon entered into Bond with Securities the penalty of $33000 Condition as the Law directs the Securities having Justified

On the Motion of the heirs of Andrew Knepp it is ordered that Daniel Drace David Hoover & John W Klein be appointed Commissioners to assign To Elizabeth Knepp Widow of the said Andrew Knepp her dower in the Lands of her deceased Husband and make report to the Court

Comth vs Necessaries Jury Sworn to try the issue to wit John Hann John Rice Daniel Thomas Abraham Boyer Noah Spitzer William C Smith Andrew Helms John Andes Edward Peal Henry Good Austin Blackaby & Robt A Gray Verdict Defendant Guilty and Judgment accordingly

Comth vs Webb Continued

Same vs Same Continued

Same vs Phelps Continued

Same vs Hare Continued

Same vs Bryan Continued

The Grand Jury sworn for this County on Saturday appeared appeared in Court agreeable to their adjournment and retired from the bar to examine of their presentments and after same time returned into Court and made the following An Indictment against Abram W Switzer for An assault and Battery A True Bill An Indictment against Leonard Whipple for an Assault and Battery A True Bill An Indictment against George Lilley & Albert Sugler for retailing ardent Spirits without a License A True Bill An Indictment against George Lilley & Albert Sugler for retailing ardent Spirits without a License A True Bill An Indictment against George Lilley and Albert Sugler for retailing ardent Spirits without a License A True Bill An Indictment against George Lilley & Albert Sugler for retailing ardent Spirits without a License A True Bill An Indictment against George Lilley & Albert Sugler for retailing Ardent Spirits without a License A True Bill An Indictment against William Perry McCall for Selling Ardent Spirits to a Slave without a written permission from his Master A True Bill An Indictment against Calvin Pettington for retailing ardent Spirits by retail without a License to keep an Ordinary A True Bill and the said Grand Jury having no further business before them they were discharged and it is ordered that Summons be awarded against the aforesaid several Defendants to Answer the said Indictments returnable here at the Next Court

Comitto vs	Nesemander	Continued
Same vs	Nicholas	same
same vs	Moses	same
same vs	Smith	same
same vs	Glover	same
same vs	Jones	same
same vs	May Venue against the Witness	same
same vs	Hamm &	Discharged
same vs	Elizabeth Reedy	Continued
same vs	Landsman	Continued
same vs	Sandy	Continued
same vs	Farley Continued for Defendant	

Comitte on Barley Inny Swore to by the oaths to wit Lewis Teter John G Healwoole George W Effinger Benjamin A Ralston James Black Henry M Lofland Smith Lofland Wm Ellis Daniel Coakley John Byrd John Hawn & William Smallwood and having heard the ordrs & argument 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 they were adjourned until 9 o Morrow Morning at 10 Oclock

Samuel H Lewis (P.J.) Clowney C Sterling John G Brown & Jackson Horn each served one day during the present Term

Ordered that the Court be adjourned until 9 o Morrow Morning at 10 Oclock

S H Lewis P.J.

Wednesday the 23d day of February 1853.

Present

Samuel H Lewis (P.J.) Clowney C Sterling
John G Brown & Jackson Horn Esqrs G Justices

On the Petition of Enos Keagle & others for a change in the Public road which leads from Keagle Town to the old Furnace and past the old Furnace Between Smiths Creek and the Mountains & known as the old Furnace road the proposed change to be made at the End of said Road as set forth in the Petition & ordered that Abraham Byrd Robert Cox and Philip Cooke being first sworn do appoint Commissioners to View the Change so proposed and make report of the Convenience & inconveniences attending the same to the Court as well to the public as to individuals

On the Petition of Gabriel Hallwoode & others for a way for a road Commencing at John Sangers orchard thence through the Lands of John Hitchcock thence through the lands of Comrade Sanger & Jacob Sanger thence through the lands belonging to the widow Stoner thence through the lands of

of John Allbaugh thence thro the lands & Peal woods thence upon the line between the lands of John Allbaugh and Anthony Huffman thence along an old road thro the lands of Anthony Huffman thence thro the lands of Gabriel Peal woods to Price Rolehead road as set forth in the petition it is ordered that Stephen Road sop Daniel Road sop Solomon Garber being first sworn to appoint Commissioners to View the way so proposed and make report of the Convenience and inconveniences attending the same to the Court as well to the Public as to individuals

Comth vs Jonas Reed upon a recognizance as the Father of a Base Born Child of Betsy Fogle The Defendant appeared in Court in discharge of his recognizance and the Court having heard the Evidence and defendants counsel are of the Opinion that the said Jonas Reed is not the Father of the said Bastard Child and that the said recognizance be discharged

Comth vs Rains Discharge and Judgment against Christian Hoover the Prosecutor for Defendant

Same vs Terrel Not Guilty awarded

Same vs Gray Confessed and ~~rendered~~ Stand committed agt Writ

Same vs Herring Discharged

Same vs Knabe Not Guilty awarded

Same vs Miller Capias awarded

Same vs Madison Glover Not Guilty awarded,

Same vs Glover & Ag't Not Guilty

Same vs Perkey Not Guilty awarded

Same vs Todd, abates by return

Comth vs Barley The Jury impannelled and sworn for the trial of this Cause on Yesterday appeared in Court agreeable to their adjournment and returned from the bar to Consider of their Verdict and after some time returned into Court and declared they could not agree whereupon by Consent the said Jury were discharged & the Cause Continued under the rule of Court

Cooks Adms v Shoualter Continued for Defendant

Comth v Webster Capias awarded

Comth v Swanson upon a rule rule discharged

Same v Same Same

Same v Brown Same

Comth v William Looker Jury sworn to try the issue to wit Peter Randabush William Funk John Howard Calvin Keyle Herod Homan James Chapman Jacob Roller Jacob Acker John Andes Hance Hoover Christopher F Hamsbarger & Asbury Rhodes Verdict in of the Jury find the Defendant Guilty and assess his amusement To Five Dollars & Judgment accordingly

Comth v Looker Jury sworn to try the issue to wit Lewis Layton Andrew Clater John Reed Jacob Wiast Henry M Dorman Henry Lenhaure Robert Alison William Shoualter Reuben Allaffer George Keyle & Abraham Leedy & Andrew Gentry Verdict Defendant Not Guilty

Comth v Bowyer Jury Sworn to try the issue Wont Peter Randabush William Funk John Howard Calvin Keyle Herod Homan James Chapman Jacob Acker John Andes Jonas Reed Hans Stover Christopher F Hamsbarger & Asbury Rhodes Verdict Defendant Guilty and assess his amusement to One Cent & Judgment accordingly

Comth v Winship & Jury Sworn to try the issue to wit Lewis Layton Andrew Clater Andrew Gentry John Reed Jacob Roller Jacob Wiast Henry Lenhaure Robert Allison Reuben Allaffer George Keyle Abraham Leedy & John W Houston Verdict Defendant Guilty and assess their amusement to $20 & Judgment accordingly

Comtte v Longley — Continued
Comtte v Haunts — Continued
Comtte v Coakley Continued & rule expt the Wines
same v Idelus — Continue
Tabulars admrs Valley Turnpike Co — Continued
Howard & v Annenhaut — Continued
Annenhaut v Howard & — Continued
Sterling v Gaily & Cass — Continued
Hinkle v Gibbons — Continued
Comtte v Sheffield upon a rule — rule discharged
Harpers heirs v Gruis — Continued
Comtte v Sellars — Dismissed
Wise & v Hinkle — Continued
Howe v Shepherd
Gainey & v Naylor — Continued
Naylor v Gainey & — Continued
Commrs Poor v Wright — Dismissed
Herring v Sheffield upon a rule rule discharged
Paine v Horan upon a rule rule discharged
same v Mellis — same
same v Huffman — same
same v Blythe — same
same v Pearman — same
Comtte v Beach — same
Hinkle v Wise & — Continued

Rockingham Turnpike v Catharine Peale report of Commissioners set aside And on the Motion of the said Catharine Peale it is ordered that George H Chrisman John H Hopkins Daniel Huffman John K Berry and Abraham Heatwole or any three of them being first sworn be appointed Commissioners to go upon the Lands of the said Catharine Peale through which the Rockingham Turnpike runs and Value the same in all respects as directed by Law and make report to this Court

Rockingham Turnpike v B Peale heirs report of Commissioners set aside and on the Motion of the heirs of the said Benjamin Peale it is ordered

that George H Chrisman John H Hopkins Daniel Coffman John K Bean and Abraham Heatwole or any three of them being first sworn be appointed Commissioners to go upon the lands of the said Hess therein described the Rockingham Surveyor as one Value the same in all respects as directed by Law and make report to the Court

Kyle & Turke Continued

Thompson & Canada Continued for Deft and leave to file a special plea in Sixty Days from the date hereof

Canada & Thompson Continued for the Plaintiff

Samuel H Lewis (P J) Henry C Sterling Jackson Horn and John G Brown each attended One Day at the present Term

Ordered that the Court be adjourned until to Morrow Morning at 10 Oclock

S H Lewis

Thursday February 24th 1853

Present

Saml H Lewis (P J) H C Sterling } J. Justices
J G Brown & Jackson Horn }

William Shawalter & Plff
against
John Shawalter's widow & heirs Defts } In Chancery

It appearing that this Cause has not been regularly set for hearing as to the defendants who have not answered and that more than the requisite period has elapsed since the Service of process on them, and they still failing to appear and answer the bill it is ordered that the same be taken for Confessed as to them and the Cause proceed as to them and the said Cause came on to be finally heard on the papers formerly read & the decretal order made in this Cause on the 15th of December 1851 and was argued

by Counsel: whereupon on Consideration and by Consent of parties, it is adjudged, ordered & decreed That the report of the Commissioners heretofore made in this Cause in regard to the partition of the dower land as Concurred in & reported and by Joseph D. Mauzy, Daniel Wise Two of the Commissioners who were appointed to and The same is hereby Confirmed and adopted, there being No exception thereto — and it is ordered That the parties To whom parts of said dower, Lands have been assigned hold and enjoy their respective Lots & parcels in Severalty Subject to the dower right of the widow — The said report as to the partition of the said Land having been hereto= fore Confirmed & adopted

Rader v Grove — Continued

Neff v Ames — Continued

Same v Same — Continued

Combs v Bowns upon a rule — Continued

Same v Burnside — Continued

Price admrs v Hamsbaugh Mermaster at Defendants Costs & Judgment for the Plaintiff Costs

Combs v Dunlap & The ~~Court~~ Judgment & Verdict heretofore in this Cause on Tuesday for reasons appearing to the Court is set aside & New trial awarded

Rodgers v Clerc upon an Attachment for Dft. The Defendant by his Counsel filed a plea of payment and a Special plea of Set off To which pleas the Plaintiff replyed generally & Issue is thereupon Joined and the Cause is Continued

A Register of Williams Peters a Man of Color was presented in Court by the Clerk thereof and being Compared with the said William Peters and found duly made a Copy thereof is ordered to be furnished him according to Law

J. Forlow v Seitz The Defendant appears in Court and confesses a Judgment for the Debt Interest Costs saving equity

M. Dowell & Gorman for Pl v Gaily Continued

Rader for Pl v Wingfield Continued

Long for Pl v Hoobe Continued

Seitzer v Catlett Adams Continued

Roller v Gaily Continued

George & Isaac Fridley v Vanpelt Continued

Bland v Blagh Continued

Sams v M Call Continued

Lindamood v Houdashell Continued

Greensey Safread & Co v Chapman & Roller Continued

Loohes v Spitzer Continued

Seitzer &c. Ushers on Continued & leave to file a special plea

Pearson & Wife v White Continued for Plaintiffs

Phelps Dever & Office Judgment Set aside payment & Issue & Continued

Sells v Dove dismissed

Harrison v Reed dismissed

Mauck & Jones v Dever dismissed

Perkey v Weast upon a Notice for cause appearing to the Court it is ordered that the said Notice be dismissed & that the Defendant recover against the Plaintiff his Costs by him about his defence in that behalf expended

Peters v Lindy Continued for Defendant

Stuart v Mayo & Co Office Judgment Set aside payment & Issued & Continued

Byrd v Maupin The Defendant for further plea pleads a special plea to which plea the Plaintiff replied generally & Issue & thereupon Jonas & Jury sworn to try the Issues to wit John A White James Chapman John Cook Samuel Baker Thomas Swanson John Andes Jacob Weast William Minnick Robert Alison Philip Keller Jacob Minnick & Martin Shank Verdict we the Jury find for the Plaintiff the Debt in the Declaration mentioned with Interest thereon from the 9th day of November 1847 deducting Credit of $30 paid the 1st November 1847 & $10 paid Dec 25th 1848 and find against the Defendant on the special plea of set off & Judgment accordingly whereupon the Defendant by his Counsel moves the Court to set aside the Verdict and for reasons appearing to the said Verdict is not as to the Law & the real agreement Illness on the Trial of this Cause a bill of exceptions was taken by the Plff Counsel to the opinion of the Court which is signed Sealed & ordered to be made a part of the Record

Mowry v Tubwater Dismissed agreed

Baylor - Jones Office Judgment set aside payment General replication & Issue Hereford

Long v Peter Shonalter Non suit awarded without Damages & Judgment for Defendants Costs

Same v John Shonalter Same

Samuel H Lewis (P J) Mowry & Sterling John G Brown Jackson Horn each attended One Day at this Present Term

Ordered that the Court be adjourned until to Morrow Morning at 10 O Clock

S H Lewis J

Friday the 25 day of February 1853

Present

Samuel H Lewis (P J) Mowry & Sterling

John G Brown & Jackson Horn } J. Justices

On the Motion of Henry T Wartmans and he having made oath thereto and entered into bond with surety in the penalty of $600 Condition as the Law directs the surety having Justified Administration of all and singular the Goods and Chattles of Webster M Laughlin is granted him in due form and it is ordered that St Clair Ryle George Mellis John R Peebles and William M Wartmans or any three of them being first sworn do appraise the Estate of the said Webster M Laughlin and make report to the Court

Sherry v Harris plea Issue & Judgment Confessed for the Debt in the Declaration mentioned with interest Costs saving equity

A Writing purporting to be the Last Will and Testament of John Meuth was presented in Court and on the Motion of Adam Lear the same is ordered to be docketed and on the Motion Jacob Meuth it is ordered that he be made party to defend the same

Cammack v Barly Writ of Enquiry set aside ~~The defendant for further pleas than the short~~ plea General replication & Issue ~~folio, special plea but that the Plaintiff replies generally~~ ~~upon which issues are joined~~ & Jury sworn to wit John S Thompson Isaac Knupp St Clair Kyle Daniel Hurly Thomas Logan Sr Francis L Moore John W West Silvus Sellars James Roodrap Lewis Rhiard William Smallwood & John A Hop Verdict We the Jury find for the Defendant & Judgment accordingly

Koontz v Koontz heirs In Chancery Report of Commissioners returned and exceptions filed thereto

John R Pleasants produced in Court a Commission from the Governor of Virginia whereunto he is appointed Escrow of this County who thereupon Entered into bond with security in the penalty of $10.000 conditioned as the Law directs and took the several oaths of Office prescribed by Law the Securities thereon having Justified

Miller v Harris plea non & Judgment confessed for the Deft in the Bill as to the relief mentioned with interest Costs saving his equity

Stevens v Mcneale Continued for Defendant

Amman v Sepe Depts Death suggested and by consent Sur-rejoinder against Thomas K Hamstraugh Administrator of said Sepe & Continued

S & M Ott v Hounheis upon an Attachment Continued

Stickel v ~~Stickel~~ & In Chancery In the County Court

This Cause came on to be heard this 25 day of February 1853 upon the Bill answer & Exhibits Whereupon being argued by Counsel the Court doth order adjudge & decree, that the funds which the Plaintiff George W Stickel by decree of this Court on the 20th of May 1850, was directed to hold as Guardian of the Infants

Defendants in this suit, shall be subject to the Sep Estate of the said George W Stuckel & it is further ordered & decreed that the said George W Stuckel Guardian as aforesaid shall hold the whole fund free of all interest during his natural life, to be paid to his said Wards without interest after his death & It is further ordered & decreed that the said George W Stuckel shall execute a bond with security approved by this Clerk of this Court in and amount double to the fund assumed by him to be filed in the Clerks office of this Court And it is further ordered that the Plff George W Stuckel pay the costs of this suit

Taylor & Kerr vs Way & Nicholas Writ of Enquiry set aside New a pumpsit General replication & Issue Continued

Thomas H Charles Ellis vs Huffman Continued

Amman vs Jacob Sepe The Defendant being dead that fact is ordered to be entered of Record & by Consent this suit is revived against Thomas K Harnsberger administrator of said Sepe & the cause is continued

Lenolins Brothers vs Moore & Co Dismissed

S M & R Bowman vs Freeze The Defendant for further plea filed a special plea To which the Plaintiff replied generally and issue is thereupon joined and a Jury Sworn to try the issues to wit John Huffman James Black Samuel Barley John M Spurgeon Christian Hartman Garrett King Christian Newmander John Andes Joseph Williams Williams Swisher Joseph Cramer & Robert Toliver Verdict on the Jury find for the Plaintiff the sum of $[illegible] with interest from the first of January 1852 till paid subject to the following credits of $10 the 16th June 52 & 2.25 Cents March & 1852 & Twelve Dollar & Eighty five Cents July 14th 1852 & Judgment accordingly and a Rule on Motion of the Defendant for reasons appearing to the Court the Verdict rendered in this case is set aside & New trial awarded

Freeze vs McDonough Writ of Enquiry set aside Covenants performed & Special plea General replication & Issue & Jury sworn to try the issues to wit John S Thompson Isaac Krupp St Clair Kyle Thomas L Moore John W West Silas Sellars Lewis Rohrer Thomas Logan Williams Smallwood Daniel P Ragan Jonette Harry & Christian Summers Verdict for the Jury find that the Defendant have not performed their Covenants with the Plaintiff but have broken the same & assess the Plaintiffs damages to Eighteen Dollars with interest from the 1st day of January 1852 till paid & all the costs of this suit to be paid without Costs

G. L. McPhail & Brothers vs Moore Ho Judgment confessed for $1688 18 Cents Damages with interest from the 1st day of May 1853 till paid & Costs with a stay of Execution for Thirty Days

Plaquemine
Newman & Bailey Judgment confessed for $72.34 Cents Damages with interest from the 25 day of February 1853 till paid & Costs

Samuel H Lewis P.J. Olcott & Sterling John G Brown & Jackson Howe Each attended One day at the present Court

Ordered that the Court be adjourned until 10 O'Clock Monday Morning

S. H. Lewis

Saturday the 26th day of February 1853

Present

Samuel H Lewis (J P) Olcott & Sterling
John G Brown & Jackson Howe } Esqrs. Justices

Kroyler Plff
vs
Poole et al Dfts } In Chancery

Wm R Warren Com. returned into Court a report in this cause which was examined, confirmed & ordered to be filed

Sipes Committee Plff
vs
Sipes Dfts } In Chancery

It appearing to the satisfaction of the Court that since the institution of the prior decree herein, that the Lunatic has been restored to his mind and discharged from the Asylum, whereby the reference to the Commissioner of the Court has been rendered unnecessary and has not been carried into effect, the Court doth

now decree and order that said decree be set aside and that Complainant recover of Defts one moiety of the Costs of this suit up to the present term and the Court doth further order, that One of the Comrs of this Court do state an account of the transactions of said Committee, including all expenses to which he may have been subjected, and any remuneration to which he may be entitled, and Report to this Court to the Comrs in order to a final disposition of all matters connected with his duties as such Committee, his appointment as such Committee being now rescinded, unless said costs and paid in 30 days Leave is given to issue out a process Ex. therefor -

John Looker Plff
vs
Margaret Looker Com. Dfts } Petition &c

It is ordered that a Summons issue against the Plaintiff to shew cause if any he can why the award of Sam. St. Lewis, John D. Fitts & Isaac Marderly which has been returned to Court, shall not be entered as the judgment of the Court

Coffman Exr vs Sites & plea waived & Issue Confessed for debt in Declaration mentioned & Costs - Same, equity

Hobbrook vs Harris — Continued

R. C. Thompson & Co vs Steine - The Plff by his counsel filed a general replication &c necessary to the Defts plea of infancy & upon his exemption period - & Jury sworn to try the issues to Wit - William Smallwood, Benjamin Miller, Francis L Moore, George A Conrad, John W West - Charles Burnett, William M K Warman,

Samuel P Ragan, George Logan Senr John M Sprinkle, Peter Balentine & Martin Bushholder Instr agreeing in their Verdict were discharged & the Cause Continued until the Next Court and on the Motion of the Plaintiff Leave is given them to amend their declaration within Thirty days from the date hereof

Crane v Rader Continued for Plaintiff

Black v Black. Continued

Hanlon v Chapman W E set aside & A General Demurrer Leave to file a special plea Continued

On the Motion of Allen W Brown Administrator of Anna Wright deceased and Satisfactory evidence having been exhibited to the Court It is ordered to be Certified that the said Anna Wright was a pensioner of the United States at the rate of Eighty Dollars per annum that she was a resident of the County of Rockingham and died therein on the 10th day of December 1852 and that she left Eight Children whose names are William Russel Jefferson Polly Lucy Milly Nancy & Harriet

Rhodes & Burly v Dovell W E set aside & A & Spice Continued Samuel A Lewis (P.I.) Conway & Sterling John G Brown and Jackson Horn each attended one day during the present Term

Ordered that the Court be adjourned until Monday Morning at 9 O Clock

S H Lewis

Monday the 28 day of February 1853

Present

Samuel H Lewis (P.J.) Otoway C Sterling
Jackson Howe Esqrs & Justices

Hugh Lowe v James C Shepman & Michael Mullin In Case and upon an attachment returned executed It appearing to the Court that the Summons issued out against the Defendants in this Cause was returned no Inhabitants and was entered by the Clerk abated - on account of the Defendants non residence without reference to the fact that the Insolvent of the Court attached from the issuing out & return of the Attachment executed and it appearing to the Court that there was an order of publication in the Cause duly granted & the attachment duly dissolved and it is ordered that the abatement and discontinuance of the Common Law Summons and suit in the Clerks office be set aside and the Court doth reinstate the Case upon the Docket during the Clerk to make the Case for Judgment in the usual mode - regarding the attachment and order of Publication as the mode of serving proofs

Beard & v Executor Jury sworn to try the issues to wit Jacob Beard Neal Logan St Clair Kyle James H Brightman Francis L Moore Joseph Bond George Roadcap Joab Neely I Marshall Lewis Robert Jones Andrew I Campbell & Williams Grimsley and by Consent James H Brightman one of this Jury was discharged and David P Rogan sworn as a Juror in the room of the said James H Brightman and having heard the Evidence were adjourned until to Morrow Morning at 9 Oclock

Samuel H Lewis (P.J.) Otoway C Sterling & Jackson Howe each attended one day at the present Term

Ordered that the Court be adjourned until to Morrow Morning at 9 Oclock

S W Lewis

Tuesday the First Day of March 1853

Present

Samuel H Lewis (P J) Abraham C Stribling
and Jackson Horn Esqrs Justices

Penn v Barley Continued

Cushing Heo v Bruffey Continued

Beard & c Entered The Jury impannelled & Sworn for the trial of this Cause on Yesterday appeared in Court agreable to their adjournment and having heard the Argument of Counsel retired from the bar to Consider of their Verdict and after some time returned into Court upon oath do say We the Jury find upon the issues Joined that Robert S R Beard & James L Beard are each entitled to the sum of Seventy five Dollars annually for the five years preceding the 18th of August 1851 with interest from this date whereupon the Plaintiff by his Counsel releases to the Defendant Ten Months and Nine days of the amount of time found by the Jury which is ordered to be entered to the County Court of Chancery

Samuel H Lewis (P J) Abraham C Stribling & Jackson Horn each attended one day at the present Court

Ordered that the Court be adjourned untill the Third Monday in March Next

S H Lewis

Virginia To Wit

At a Court held for Rockingham County on the third Monday [illegible] March 1853 being the 21st day of said Month.

Present

Samuel H Lewis P.J. Peter P Roman & G Justices

Reuben Huffman

A List of Deeds and other writings admitted to record in the Clerks Office of the Court of Rockingham County from the first to the 28th day of February 1853 (both days inclusive) and being 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 to be posted at the door of the Court House of said County, which List is As follows.

A Deed for Land from John Wine & wife to Susanna Rudy
" " " " " Wm H. Perry & wife to Wm F. Malone &c
" " " " " Joseph Mauzy & wife to Arthur J. C. Dade
" " " " " Nimrod Strawderman & wife to Wm F. Tyndall
" " " " " Jacob Whitman & wife to David Kinsphing
" " " " " A.B. Irick & wife to Adam M. Pleasker
" " " " " Daniel Crist to S.G. Lewis (Trust)
" " " " " John Blein to A.C. Bryan (Trust)
" " " " " Geo Mayhenneth to J.F.W. Liggett (Trust
" " " Land " Wm H. Tarplinger & wife Robt B. Cook &c.
" " " Land " Henry C Sipe to Allen C. Bryan (Trust)
" " " " " Allen C Bryan (Trustee) to John Shawalter
" " " " " Geo K. Gilman & wife Wm B. Carpenter
" " " " " Edward Jones to Geo. W. Mauzy
" " " " " Adam C. Bear to Caroline V. Long
" " " " " John R. Koogler & wife John Lawman
" " " " " James A. Whitman to Thos A. Gilman (Trust)
" " " " " Geo. W. Moore &c to S.M. Gamble (Trust
" " " Land " Adam W. Switzer &c to Henry B. Jones
" " " " " Joseph Good & wife to Jacob Miller
" " " " " Geo. Sherman & wife to Henry B. Jones

A deed for Land from James M. Soffland & wife to Christian Foltz

" " " " " Geo. Seitz Sen'r & wife to Henry Hinkle

" " " " " Adam W. Rickert & wife to Geo. Imland

" " " " " Alex Anderson (Trustee) to Marion M. Sibert

" " " " " Jacob Miller & others to John Holland

" " " " " Isaac Ramier & others to Jacob Nipple

" " " " " Adam Detrick's Exr to ~~John~~ Hinkle Sen'r

" " " " " John A. Hoffmann & wife John Whitzil

" " " " " Geo. F. Funkhauser &c. to Rob. Sims Jr. (Trust)

" " " " " Peter S. Roller & others to John M. Smith

" " " " " Robert Powell & wife to Wm L. McDaniel

" " " " " David Shirley & wife to Abraham Shroff Sr

" " " " " John Ammentraut & wife to James Bottom

" " " " " John Price ~~& wife~~ to Simon Whitzil

" " " " " John Mongold to W. J. Newham (Trust)

" " " Same " Samuel Price & wife to Samuel Nagle

" " " " " Conrad Price & wife to Sam'l A. Spreinkle

" " " " " Richard Winfield to Addison Harper

" " " " " John D. Winfield & to Same

" " " " " John Kline to David Young

" " " " " Henry Shultz to Augustine Ammentraut &c

" " " " " Franklin Price & wife to Henry Baker

" " " " " Amanda Nagle to Jessamus Young

Settlements of the Estate accounts of Henry Mathiny dec'd Amanias Ammentraut dec'd. Abraham Sinclair dec'd. Soloman R. Mesenly dec'd, ~~Joseph~~ Miller dec'd Albert G. Mauzy dec'd was returned into Court by the Clerk thereof and having been filed in the Clerk's Office for the Time prescribed by Law were examined by the Court and ordered to be Recorded

A Settlement of the guardian accounts of Joseph W. Miller was returned into Court by the Clerk thereof and having been filed in the Clerk's Office for the Time prescribed by Law was examined by the Court and ordered to be Recorded

Fulk
agst
Custer

In Chancery

This Cause Came on to be heard this 21st day of March 1853. upon the bill and answer of George Custer. The bill having been filed more than one month & the defendants Adam Bible, Adam Keplinger & the heirs of said Adam Keplinger having failed to answer the same is taken as confessed as to them and the argument of Counsel being heard, whereupon the Court doth order adjudge & decree a partition of Lands in the bill mentioned and the Court doth further direct that the shares of the parties shall each be laid off in a body if it can be conveniently done — but the Court doth invest in the Commissioners the right to divide said Lands as to them shall seem most equitable and just between all the parties and as far as they can without injustice to any, consult the wishes of the parties and to carry this decree into execution, the Court doth order adjudge & decree that J. J. Bowman, Jonathan Aubrey, Saml Spindler, Isaac Ritchie, and Saml Miller, or any three of them be & they are hereby appointed Commissioners for the purposes aforesaid who shall report to this Court the proceedings had under this decree,

On the Motion of Zachariah Rains and he having made oath thereto and entered into Bond with Security in the penalty of $8000 Condition as the Law directs the Sheriff having Instituted administration of all and singular the Goods and Chattles of James Rains deceased is granted him in due form and it is ordered that Saml Strayer Richard P Fletcher Jr. Charles H Lewis and Joseph Hansbarger or any three of them being first sworn do appraise the Estate of the said James Rains deceased and make report to the Court

A writing purporting to be the Last Will & Testament of Christian Nause Sen. was produced in Court for probat, and it appearing to the Court that Peter Paulin & Philip Parrot two of the attesting Witnesses to the same are unable from sickness & infirmity to attend the Court. On Motion of Christian Nauce Jr the executor therein named a Commission is awarded to be directed to any person authorized by law to take depositions in other cases, authorizing him to take and certify the attestation of the said Witnesses

On the Motion of Michael Noonan who made oath thereto and entered into bond with Security in the Penalty of $2000 - Conditioned as the law directs (the Securities having justified) Administration of all and singular the goods & Chattles & Dorcas S Lincoln is granted him in due form and it is ordered that George Shafer, Dellit Coffman Peter Acker & John Miller or any three of them being first Sworn do appraise the Estate of the said Dorcas S Lincoln & make report to Court

On the Motion of the President & Directors of the Rockingham Turnpike Company It is ordered that Derick Pennybacker, Madison Moore & Dellit Coffman be appointed Commissioners to receive the 4th 5th 6th 7th 8th & 9th Sections of the Rockingham Turnpike for the purpose of allowing said Company to erect toll gates and charge toll on their road, according to the general Turnpike law -

S S Lewis P. P. Koontz & Reuben Huffman have each attended one day the present term -

Ordered that the Court be adjourned until to morrow morning at 10½ o Clock -

S S Lewis

Tuesday the 22d of March 1853

Present

Samuel H Lewis (P.J.) Peter P Roody
and Reuben Huffman } & J. Justices

Ordered that Thomas Ware be appointed Surveyor of Precinct No 1 on the New Road from Spring Creek Meeting House To Cups Road

Ordered that Isaac Clark be appointed Surveyor of Precinct No 1 on the Clarks Road in the room of John Clark deceased

Henry Bare Plaintiff
agst
George Hoffman & others Defendants } In Chancery

This Cause came on to be heard by Consent this 22d day of March 1853 Upon the bill exhibit and answers of the Defendants whereupon the argument of Counsel being heard & the Court being of Opinion that partition of the land in the bill mentioned is proper The Court doth therefore adjudge order and decree that George H Chrisman Archibald Ralston and John H Hopkins who are appointed Commissioners for that purpose do proceed to make partition of said Tract known as the Graves land into three equal shares equably to quantity and quality by metes and bounds and assign one third to the Plaintiff one third to the Defendant Margaret Ann Eves and that said Commissioners shall assign the Plaintiffs share adjoining the land of Joseph Hunter if no third Judgment that can be done without injustice to the Defendants And said Commissioners are required to make report to this Court at its next Term

On the Motion of Henry L Bare ~~Plaintiff~~ having made oath thereto and entered into bond with security in the penalty of $4000 Condicioned as the Law directs this county hath granted Letters of Administration of all and singular the Goods and Chattles of Abraham Bare deceased is granted him in due form and it is ordered that Henry Pile Emanuel Rhodes Benjamin H Ralston & William

Rutherford or any three of them being first sworn do appraise the Estate of the said Abraham Berry deceased and make report to the Court

George Conrad vs Mr Inlock Keagle Upon an award Bond Pleaded Herein and it is ordered that Summons be awarded against the said Mr Inlock Keagle to shew Cause why the award of the Arbitrators returned should not be made the Judgment of the Court returnable here at May Court Next Postage on Summ 16

A Report of the Viewers for a way for a road made on the Petition of Enos Keagle & others was returned into Court by the Viewers thereof and it is ordered that George Keagle & Charles Nicholas through whose land the said road runs be summoned to shew Cause at April Court next why the said road should not be established agreable to the said report

Joseph N Conrad who was appointed a Commissioner to apprise lands on the road made on the Petition of Charles B Tanney & others through the lands of Samuel Naylor and which road was established at the November Court 1852 Upon Condition that the Petitioners pay to the said Naylor the sum of $15 and he Costs in defending said Petition should the Costs of said Naylors Writ of Adquod Damnum returned his report into Court which was examined and returned by the Court and it is further ordered that the said Writ of Adquod Damnum be discharged the parties having Complied with the order made at the November Court 1852

Ordered that Joseph N Conrad be appointed a Commissioner to apprise lands to make as the new road established at November Court 1852 made on the Petition of George W Miller & others leading from Blors school House to the Valley road near Col Bears the said Commissioners stating in his report from what roads or plantations they were taken from and make report to the Court

On the Motion of Christian Newcomer and he having made oath thereto and entered into Bond with security in the penalty of $1200 Conditioned as the Law directs the Securities having Justified Administration of all and singular the Goods and Chattles of Christian Newcomer deceased is granted him in due form and it is ordered that Reuben Rengree Henry Wenger Henry Berry & John H Berry or any three of them being first sworn do appraise the Estate of the said Christian Newcomer and make report to the Court

On the Motion of Gales Dever It is ordered that the Sheriff of this County take into his custody the Estate of Reuben Yount deceased and Administer the same according to Law and it is ordered that Benjamin F Fishback John Shuckpenny John M Cloud and Daniel Bowman or any three of them being first sworn do appraise the Estate of the said Reuben Yount deceased and make report to the Court

Entered on Bond In Chancery Without deciding any question in this Cause it is referred to a Commissioner of this Court to state & adjust the accounts of the Administrator of James Bond deceased with said Estate & report the amount of the assets & liabilities of said Estate to this Court at its next Term

Ordered that Simon Harmon John H Funkhouser & John Sibert be appointed Commissioners to examine whether the New Road made on the Petition of Adam Shoemaker & and whether the same ought to be erased of the hands of the Petitioners and make report to the Court

Ordered that the Clerk of this Court give notice in the Newspapers published in Harrisonburg that this Court will set at the April Court for the trial of the Appeal Motion & Chancery Docket

A Writing purporting to be the Last Will and Testament of John Minnick bearing date the 27th day of September 1852 was this day again produced in Court by Adam Lucas

Joel Mench appeared and offered the Proof of the said Will whereupon divers Witnesses were sworn and examined, sundry Depositions and the parties aforesaid by their Counsel fully heard, Whereupon it is the Opinion of the Court that the said John Mench deceased at the time of executing the writing aforesaid dated 27th day of September 1852 was of sound mind and disposing memory and that he was under no undue influence and Wm G Thompson Henry Neff and William Andes Witnesses to said Writing having Testified in Court that the said John Mench signed and published the same in their presence as and for his last Will and Testament and they subscribed their names as Witnesses thereto in the presence of the said Testator and in the presence of each other and at his request and that the said Testator was of sound sense and memory It is ordered that the said writing of the 27th September 1852 be recorded as the last Will and Testament of the said John Mench deceased

Whereas at a meeting of a large number of the Citizens of the County of Rockingham held on the 21st day of March 1853 the following resolution was adopted Viz —

"Resolved in public meeting of the Citizens of "Rockingham County held at March Court 1853. That the "County Court be requested to make an order at the "present Court to take the sense of the voters of said County "on the following proposition to Wit — Shall the "County Court of Rockingham be authorized to subscribe "for Three thousand shares of the Capital stock of "the Manassa Gap Rail-road Company, so soon as the "Court shall be satisfied that a sum of money has "been otherwise raised by the said Company, which "together with the sum to be subscribed by the County "of Rockingham shall be sufficient to complete said "road to Harrisonburg. — The said Court to be

authorized to borrow on the credit of the County One hundred and fifty thousand dollars to pay for said shares; and to levy on the taxable property of said County a sum of money which with the dividends that may be received from said Company shall be sufficient to pay the interest thereon for ten years from the time of subscribing for said shares; And after the expiration of these ten years to levy annually a sum of money which with the dividends, that may be received shall be sufficient to pay the interest and extinguish the principal in ten years more, unless the Court in the mean time shall have extinguished the debt by the sale of the stock which it shall be authorized to do if the stock can be sold at par, but if the stock shall not be sold within the first ten years it shall then be converted into private stock for the benefit of those who have paid the taxes. The said subscription on the part of said County to be made upon the condition that responsible private individuals of the County shall have subscribed for One thousand shares of said stock either previously or at the time of subscribing by the Court.

And if individuals shall subscribe for less than One thousand shares then the Court shall subscribe three shares for each share subscribed by individuals".

It is therefore ordered by the Court that in conformity with the provisions of the Acts of Assembly on that subject, that the Sheriff and Commissioners of Election appointed to superintend the election of members for the House of Delegates for this County shall open a poll on the day which has been or may be fixed by the General Assembly for the election of Members of the General Assembly of Virginia, and take the sense

of the voters of this County on the question whether the Court on behalf of this County shall subscribe to the Stock of the Manassa Gap Rail Road Company, a sum not exceeding One hundred and fifty thousand dollars upon the terms and conditions recited in the foregoing resolutions, And that the following question, be submitted by the Sheriff & Commissioners of Election to the voters, voting on that occasion --

Are you willing or not that a subscription of One hundred and fifty thousand dollars shall be made by the County Court of Rockingham on the behalf of the County to the Capital Stock of the Manassa Gap Rail road company, upon the terms & Conditions recited in the resolution adopted by a public meeting of the Citizens of Rockingham County held on the 28th day of March 1853 which resolution is spread upon the record in connexion with the order of the County Court of Rockingham directing the present election to be held --

S H Lewis P.J. & P Koontz & R Huffman each sworn during the present day

Ordered that the Court be adjourned until the 3d Monday in April next --

S H Lewis

Virginia To Wit:

At a Court held for Rockingham County in the third Monday in April 1853 being the 18th day of said Month.

Present

S. H. Lewis P. J. Peter P. County
Jas. G. Heller & Reuben Huffman } G. Justices

A List of Deeds and other writings admitted to Record in the Clerk's Office of the Court of Rockingham County from the 1st to the 31st day of March 1853 both days inclusive and being returned into Court by the Clerk thereof and being examined by the Court, was ordered to be entered on the Minutes and a fair list to be posted at the door of the Court of said County. Which List is as follows.

A Deed	for Land	from	Wm. R. Long & wife	to Abra. Burkholder
"	"	"	Jno. S. Effinger & wife	to Franklin Price
"	"	"	Same	to E. E. Strayer
"	"	"	Wm. P. Kuring & wife	to John Smith
"	"	"	John Pale & wife	to Geo. W. Keckley
"	"	"	Benj. F. Bunger & wife	to Danl. Kettzel
"	"	"	John Dinkle & wife	to Abra. Grady
"	"	"	Ambrose Grady & wife	to Sal. Kauffman
"	"	Lease	Josh. M. Crawford & wife	to Jno. W. G. Smith (Trust)
"	"	Same	Alg. S. Gray	to St. Clair Detamore.
"	"	"	Peter M. D. Hatfield	to Philip J. Wagner.
"	"	"	Henry Kahn & wife	to Benj. F. Kemper
"	"	Deed	Geo. W. Whitzel	to Jno. W. G. Smith (Trust)
"	"	Do	Philip Ammentrout	to S. H. Gamble (Trust)
"	"	Same	John Vantrump & wife	to John Mason
"	"	Lease	Danl. N. Jailor & wife	to Mary E. Yancey (M. E.)
"	"	Same	Edt. F. Williams & wife	to Jno. E. Mosby
"	"	"	S. H. Gamble Clerk	to Joseph Dove
"	"	"	Jos. E. Braithwaite & wife	Harriet Harman
"	"	Deed	Jno. Brown Sen.	to Jno. W. G. Smith (Trust)
"	"	Do	Geo. W. Brown	to Same (Trust)

A deed	Sar Land	from Robt Simon Sen.	to Geo. F. Funkhauser
"	"	"	Ed. Dwyer & others to Samuel Lang
"	"	P.P.	John Tarplinger to Ed. Doherty / Bill of S.
"	"	S. & P.P.	William Bradley to Daniel S. Young (Tenant)
"	"	Same	Rich. Kingree & wife to Joseph Williams
"	"	"	H. Shank & Sen. & wife to Jacob Shank Jun
"	"	"	Saml. Shumaker to Mich. H. Harris
"	"	"	Jacob Trumbo & wife to Samuel Shank
"	"	"	Same to Abra. Baumanman
"	"	"	Jacob T. Berry & wife to John Berry & C.
"	"	"	Saml. E. Lang & wife to Peter Rhodes
"	"	"	Daniel Bazzle to Margaret Bazzle
"	"	"	Augustine Ammentraut & to Andrew Kenton
"	"	"	John B. Lindsey & wife to Felix T. Shultz
"	"	"	Jno. Sockerson & wife to Samuel Bowman
"	"	"	H. Gamble Trustee & to R. N. Harrison & Wilson
"	"	"	D. H. Gamble " " to Same (Same
"	"	"	Joseph Funk to John Swank
"	"	"	Wm. H. Sams Trustee to Giles Dwyer & C.
"	"	"	John Swank & wife to Henry Good
"	"	"	Chas. W. Pollard & wife to Jno. McClaugh
"	"	P.P.	Catharine Sipe to Jno. F. Lewis / Tenant
"	"	Same	Reuben Dove & to Addison Harper
"	"	"	Wm. Fitzwater & wife to Same
"	"	"	Christian Stratzer & wife to Fred. Killyard &
"	"	"	Same to Reuben Moore
"	"	"	Gideon Shirley & wife to Daniel Garber.
"	"	"	Simpson Frazier & wife to Geo. Fawcett
"	"	"	Geo. Hagen to Same.
"	"	"	Jno. D. Winfield & to Catharine Rockafellow
"	"	"	Aaron Miller to John Miller & C.
"	"	"	John Tarplinger & to Henry Hyde
"	"	"	Archd. Hoffmire Sen. to Thos. G. Hoffmire (Lease)
"	"	"	Jno. H. Ralston & to Same (Lease)
"	"	"	Saml. Shacklett & wife to Hy. Shacklett.

Deed for Land from David Funk & wife to Sam'l Shacklett

" " " " " Wm H. Jams Trustee to Same.

" " " " " Franklin Pence to Isaac Hardesty

" " " " " Joseph S. Effinger to John E. Mason.

Settlements of the Estate accounts of John Leedy dec'd, Joseph Billheimer dec'd. Priscilla Frankum dec'd Absalom Coffman dec'd. George Baumman dec'd John Statler dec'd Solomon Garber dec'd. and Henry Moyers, dec'd. were returned into Court by the Clerk thereof, and having filed in the Clerk's Office for the time prescribed by Law, were examined by the Court and ordered to be Recorded.

A Writing purporting to be the Last will and Testament of Christian Hann Deceased returned into Court together with the Commissioners Certificate for taking the affirmations of the Witnesses thereto, and the Subscribers under the hand and seal of Jackson Horn a Justice of the peace for the County of Rockingham of the Execution of said Commission and thereupon the said Certificate being seen and inspected by this Court, it is ordered that the said writing be recorded

On Motion of the Attorney for the Commonwealth it is ordered that the Jailor of this Court do release from his Custody Thomas Gully a person now confined in the Jail of this County

Abraham Smith and John Kenney Securities for William H Jams Administrator debonis non with the will annexed of Martin Cramer Deceased in a bond penalty on the 15th day of July 1850 in this County Court of Rockingham County by the said Jams as said Administrator & the said Smith & Kenney as his securities to the Commonwealth of Virginia in the penalty of $5000 conditioned according to Law did by their motion in writing dated the 29th March 1853 and which was appended from thereto

day before this Court by delivering to him in person a Copy thereof and he moved that on the first day of this June County Court 1853 for the said County of Rockingham that they would cause the said Court to order him to give before said Court a new Bond in such penalty and with such security as the said Court in its wisdom might deem proper to require and the said James Administrator as aforesaid being solemnly called and not appearing it is ordered that the said James as administrator as aforesaid give before this Court on the first day of the May Term 1853 a new bond in the penalty of $3000 with sufficient securities thereon

Virlatia Rogers & Elizabeth Rogers orphans of William Rogers deceased came into Court and chose Isaac Mesplede as their Guardian who thereupon entered into Bond with security in the penalty of $200 Condemned as the Law directs the security having justified.

Marlin Burkholder this day produced Credentials of his ordination and also of his being in regular Communion of the Mennonites Church took the oaths required by Law and with Samuel Weaver and David Harman as his securities entered into an acknowledged bond in the penalty of $1500 Condemned as the Law directs whereupon he moved a Certificate be granted him in due form

Jones & Wife in Smith & Wife in Chancery

This Cause came on again to be heard this 18th day of June 1853 upon the Bill answers Exhibits & Proofs and was argued by Counsel the Court doth adjudge order and decree that C. C. Thayer the special Commissioner for the Collection of the bonds make distribution of the same as they are collected among the distributees and Widow and it is further ordered & decreed that the Executrix of Daniel Jones deceased & D. S. Jones

having released all her interests whatever legal or equitable in the Estate of Sarah Hart deceased to her said Husband W S Jones that the said Special Commissioner C C Thayer shall allow the said Jones a Credit on such bonds as he may have executed to Commissioner Chrisman equal in amount to the interests released by her as aforesaid Credits however only to be made for the amounts immediately due to said Wife and as they fall due

A Report of the Commissioners appointed to lay off and assign to the Widow of Robert Hooks deceased her dower in the lands of her deceased Husband was this day submitted into Court and examined Ordered to be recorded

Ordered that all the acting Magistrates in this County be summoned to appear here at May Court next for the purpose of taking into consideration of Granting Licenses to retail ardent Spirits in this County and also for the purpose of

On the Motion of Isaac Robbins and he having made oath & entered into bond with security in the penalty of $2000 Conditioned as the Law directs he is duly Qualified Administrator of all and singular the Goods and Chattles of Henry Robbins deceased is granted him in due form and it is ordered that Hardy Rhodes Frederick Rhodes John Snoops & Adams Thornton or any three of them being first sworn do appraise the Estate of the said Henry Robbins and make report to this Court

Henry Barr — George Heffner Wife &c Ira Chauncy

This cause came on to be further heard this 18th day of April 1853 upon the papers heretofore read and the proceedings heretofore had and the report of Commissioners Chrisman Ralston Hopkins to which no exceptions have been taken the same is confirmed and the report and accompanying plat are hereby ordered to be recorded The Court doth further adjudge order & decree that the Defendant Margaret Ann Ewen & the

Defendant George Ewers Jeffries costs pay to the plaintiffs one third of the costs expended in the premises of this suit

Ordered that Abraham Glosh be appointed Guardian of Mary Cool orphan of John Catharine Cool under 14 years of age who entered into bond with security in the penalty of $200 Con ditions as the Law directs the securities having Justified

Copia for J. Raynes

On the Motion of Tasharah Rains Administrator of James Raynes deceased and the Court having satisfactory evidence in the premises it is ordered to be certified that James Raynes who was the certificate person entitled to an invalid pension issued from the Department of the Interior on the first day of April One thousand eight hundred and fifty two by which the said Raynes was entitled to Eight Dollars per month payable semi annually on the 4th of March and fourth of September last on the 6th day of February 1853 that at the March Term of this Court for this present year Tasharah Raynes was duly qualified as administrator of the said James Raynes It is further certified that the said James Raynes aforesaid did not leave a widow.

On the Petition of George Nicholas for a Change or alteration in the public Road leading from Harrisonburg to Smiths Town Gap as set forth in the petition it is ordered that Christian Kagy Samuel Eannan John Lewis & Jacob Shaver any three of whom being first sworn do view the said Alteration and make report of the convenience and inconveniences attending the same as well to the public as to individuals and make report to the Court

Ordered that Samuel Shank Jr. be appointed Overseer of Precinct No 2 on the East Valley road in the room of Abraham Wine Bowman

Ordered that Robt Graham and Michael H Harris Esqrs be and are hereby appointed the agents of this Court to subscribe the amount held by the County of Rockingham in the Bridge at Port Republic to the Capital Stock of the Brown Gap Turnpike Company under the provisions of the 3rd Section of the act of the General Assembly incorporating said Company and that the same Gentlemen are hereby appointed proxies to represent the interests of the said County in the general meeting of said Company

Ordered that Joseph Miller be appointed Guardian for Henry S Matheny and Sarah E Matheny under 14 years of age and orphans of Henry Matheny dec'd and who entered into Bond with security in the penalty of $2000 Conditioned as the Law directs whereupon having qualified

James B McGill produced a Court a Commission from the Governor whereby he was appointed a Notary public in this County appeared entered into Bond with St Clair Kyle his security in the penalty of $500 Conditioned as the Law directs and took the several oaths of office prescribed by Law which is ordered to be recorded

On the Motion of Giles Henry and he having made oath thereto and entered into Bond with security in the penalty of $1500 Conditioned as the Law directs the securities having qualified Administration of all and singular the Goods and Chattels of Peter Paul dec'd is granted him in due form and it is ordered that John Miller William Miller Levi Ruby and Jacob Switzer or any three of them being first sworn do appraise the Estate of the said Peter Paul dec'd and make report to the Court

Samuel H Lewis P.I. Jacob Miller Peter P Koontz and Reuben Harshman Esqrs came and attended one day at the present Term

Henry S Soule an Infant Child of Isaac Soule and Grand Child of Henry Smith deceased over 14 years of age came into Court and made Choice of Augustus Rose as his Guardian who entered into bond with security in the penalty of $2000 Conditioned as the Law directs the security having Justified

Ordered that the Court be adjourned until to Morrow Morning at 10 Oclock

S H Lewis

Tuesday the 19th day of April 1853

Present

Samuel H Lewis P J Reuben Huffman
Peter P Koontz Michael A Sowers } Gent Justices
Fountain M Layton

Ordered that Elections be held on the fourth Thursday in May Next being the 26th day of said month at the several places appointed by Law for holding elections in this County for the purpose of electing One proper Viva person to represent the district Composed of the Counties of Rockingham Rockbridge Augusta Highland Pendleton Hardy Shenandoah & Bath and three proper Viva persons to represent this County in the Next General Assembly of Virginia and One Commissioner for this district for a member of the Board of Public Works, and that the persons hereinafter named be appointed Commissioners to superintend the Elections at the several places of Elections hereinafter named To wit First District at the Store House of Joseph H Conrad Joseph Mayers William Smith Seneca B Jennings A S Wolf & Thomas K Miller and at Mt Pahagnalle in the same District Joseph Mauzy Peter Miller Henry Kisling Jacob Reed & Jas A Brennan Second District at Talens Store Jacob Yount Isaac Long Jacob Shaver J Boyd Charles S Wear and at Port Republic in the same District James O Bruce Robert W Palmer Charles Lewis Sr George W Kemper & Joseph C Harnsberger Third District Mount Crawford William H Perry P A Clarke Peter Roller Peter S Roller & Peter Byerly and at Byerly in the same District Peter Byerly Abram C Coffman B F Heishberger Reuben Huffman and A P Huffman

The Fourth District at Budgenales Allen W Brown George R Gibbons James B McGee Thomas Stamble Sr Stamble Jr Wm Williams and at Osborns in the same district Wm C Smith John Vigar Thos Hazlewood David N Hinton & John A Doris The Fifth District at Gordans Store Joseph Buckholder David R Hopkins David Bean John Sibert & Archibald Hopkins Jr & and at Bowmans Mill in the same District C C Spears Jas A Miller John Buckholder Michael Bowman & Silas Hinton The Sixth District at Harrisburg Isaac Hardesty Joseph T Rohr Charles W Gray St Clair Hyle and William M Warhman and at Keyletons in the same District George Keyle A Heffman Elijah Hendley Jonathan Peale and George Hosler The Seventh District at Sharplesburg Jacob Newman Jacob Rhodes John Harrison George Rhodes & William W Carpenter and at Hintons Mill in the same District Cyrus Rhodes Jacob Barley Peter Hinton James Bolton and Daniel Harrison The Eighth District Smithville John Zigler John Brenner William G Thompson Marlin Gaston & Anderson Moffett and at the Mennonite School House in the same District Richard Wingfield George Rader Daniel Coffman Richard S Manspeaker Jacob A Hilsbeck & The Ninth District at the Store House of Samuel R Sprinkle Samuel Miller Williams Store Samuel R Sprinkle George W Fickey (D) & Jacob Hawley and at Willey Staceys the same District Philip Sowders James Dove Reuben Dove Jacob Caplinger & James May

And it is further ordered that the persons so appointed to Superintend said Elections being first duly qualified do Superintend the same on the day and at the place appointed and make due return thereof according to Law

---

Writ for the use of A C Bryan

vs

Grove

Upon the report of Commissioners C C Spears Alexander Hartman & Isaac Rule awarded against the Defendant to shew Cause why he should not be attached & Compelled to answer the interrogatories filed in the report before the said Commissioner returnable here at May Court Next

Lemuel S & w Lemuel In Chancery

Ans Motion Plaintiffs by their attorney Settled

W Gamble appointed Guardian Ad litem for the Infant Defendant

to defend this suit & Answer of Guardian filed & General replication

Lewis Dedrick who was committed to the Jail of this County charged

with Felony by him committed in this County of Rockingham and

within the Jurisdiction of this Court in this that he did on the day of

1852 or 1853 in this said County feloniously did steal take lead and

carry away One Gold watch of the Value of Sixty Five Dollars of the

Goods & chattels of George Conrad was set to the bar in Custody of the

Sheriff and thereupon Sundry Witnesses were sworn and examined

To wit George Conrad Henry Ott John R Kooglen Wm R Warren

were sworn and examined and the Court having maturely considered

the Circumstances of the Case are of Opinion that the prisoner be

acquitted and discharged.

Richard S Maupin & Wife & others Plaintiffs

agst

Josephine R Lemuel Defendant

In Chancery

This Cause came on to be heard this 19th day of April 1853 by

Consent upon the bill and answers of the infant Defendant by her

Guardian ad litem whereupon the argument of Counsel being heard

the Court doth adjudge order and decree that George Shaffer Daniel

Coffman and George Brunner who are appointed Commissioners

for the purpose do proceed to make partition of the real property

to which the decedent had a title under the will of her Father

and the partition and report made by the same three Commissioners.

The Commissioners aforesaid are authorized & required to make

partition of said land in three equal parts agreeably to quality

and quantity, and assign one part to the Plaintiff Mary E Maupin

one to the Plaintiff Caroline A Beard and the remaining one

to the Defendant And it appearing to the Court that partition can

not be made of the Two Slaves named in the bill the Court doth

further adjudge order and decree that Marshal Norman who

is appointed a Commissioners for that purpose do proceed to dispose said Slaves to public sale having first given four weeks notice of the time and place of Sale by advertisement inserted in one of the newspapers published in Harrisburg for that Period on a Credit of Six Months requiring bond with good Security from the purchasers The Court doth further adjudge order and decree that of Mrs Mary Lenoir desires she may take said Slaves at the valuation of the three Commissioners above named instead of a public sale being made on a credit of Six Months The said Commissioners Shafer Coffman Brenner and Homan are required to make report to this Court but before said Homan returns any money under this decree he is required to execute a bond with good Security in the Clerk office in a penalty of $3000 with Condition according to Law

Peter Paulsel the Surveyor of this County being dead the Court doth order that an Election be held in this County for a Surveyor of the County on the Fourth Thursday in May Next to fill the vacancy and that a writ of Election issue therefor as directed by Law and that the Commissioners appointed to Superintend the Elections in this County superintend the said Elections

Ordered that the Sheriff be directed to serve out John Hackley Charles Hackley Gabriel Hackley Henry Madden Samuel Madden Harrison Madden Edward Madden John Edwards William Bryan Nelson Mann Jeremiah Gibson John Gibson Nathan Colly Melly Spangler George Colly Daniel Duff John Spangler William Strother Moses Strother John Triplett George Triplett Joshua Bryan Thomas Robison George Rutger Wells Griggs Stokes Gibson Benjamen Hawes Augustus Hopkins James Pate Frederick Holly Calvin Hall Morrison Jones Abraham Londenberg John Jones Isaac Londenberg Abraham Londenberg Isaac Londenberg Jesse Lewis Madison Mahe William Moore James Peter George Price John Richardson George Strother William Lapsley Samuel

Samuel Straughter Joseph Cowgill Samuel Cowgill & Sandy Byrd
five Negroes who have reported to the Court by the Sheriff of this County
as having failed to pay their taxes and Levis for the year 1852 for
such time as will suffice at not less than Ten Cents a day to raise
the said Taxes and Levies with a Commission of to the Officer
of Five per Cent

Henry L Smith Over 14 years of age and Son of Isaac Smith and
Grand Son of Henry Smith Deceased Came into Court and made
Choice of John R Keagle as his Guardian who thereupon entered
into bond with security in the penalty of $2000 Conditioned as
the Law directs the Security having Justified

Norman L Smith Over 14 years of age and Son of William C
Smith and Grand Son of Henry Smith Deceased Came into
Court and made Choice of John R Keagle as his Guardian
who thereupon entered into bond with security in the penalty of
$4000 Conditioned as the Law directs the Security having Justified

John Tuglen Admr de bonis non with the will annexed
of Isaac Nave Deceased } In Chancy
vs
The Heirs of Isaac Nave Deceased
Jackson Nave Guardian of the Infant
heirs of Isaac Nave Deceased } In Chancy.
vs
The Heirs of Isaac Nave Deceased

These Causes Came on to be heard this 19th day of April
1853 upon the Papers heretofore read and the proceedings had therein
had, and the report of Commissioner John Tuglen Sr. to which
no exceptions is taken and the sale made by him on the 2d day of
February 1853 is hereby confirmed. The Court doth further
adjudge order and decree that said Commissioner make a deed
with special warranty to said Charles S Wunder & William Good
Son for the land sold to them and reserve a lien on the land

for the Security of the defra payments The Court doth further adjudge order & decree that said Commissioner Tyler pay the one fifth of the Cash taken at the sale to Jackson Horn Guardian and the one fifth of the annual payments as they fall due he shall pay to said Jackson Horn as Guardian or such proportion as he may be entitled to as Guardian and to the adult heirs their proper proportion The Court doth further adjudge and order that said John Tyler Jr pay the Costs of this suit brought by him against the heirs out of any assets of the Intestate estate in his hands and said Jackson Horn Guardian pay the Costs of the suit brought by him against the heirs out of the money hereby ordered to be paid to him by the Commissioner

Samuel Coates a Judgment Creditor Plaintiff

agst

Levi Shuddle Defendant

Upon a Suggestion

This Cause came on to be heard at this term and after argument of Counsel it is ordered adjudged & decreed that Henry Coffman pay into the hands of Giles Shuter the sum of 19 Dollars 69 Cents with interest upon $6.64 Cents of which from the 28th August 1848 till paid and the remainder $13.05 Cents from 2d day of November 1848 together with all Costs accruing thereupon in this Court and Magistrates Court

Clerks fees $1.48

County Court Plaintiff

agst

Samuel Bauman Defendant

Upon an Appeal from a Justice of the Peace

This day came the parties by their attorneys and the Defendant plead the Statute of Limitations and the Court having examined the errors of the Judgment do decree & that there is no error in said Judgment and that the same be affirmed and that the appellee recover against the appellant his Costs in defending the said appeal

Campbell vs Spangler — Continued
Lewis vs Rader — Continued
Bear vs Gibbons — Continued
Penn vs Merhart — Continued
Beard vs Johnson — Continued
Soper vs Rollen — Continued
Thompson vs Handyshell — Dismissed
same vs Babus adms — Continued
Thompson Hoo vs Miller — Continued
Brenner vs Frederick — Continued
Rutherford vs Rader 3 Cases — Continued for Plff
Smith vs Armentrout — Continued
Brooke vs Reed — Continued
Wenger vs Berkhart — Continued

Robert C Thompson, Plaintiff
ags
Abner Canada, Defendant } Upon an Appeal from a Justice of the Peace

This day came the parties by their attorneys and the Court having heard the Evidence and argument of Counsel and duly considered thereof of the Judgment aforesaid it seems to the Court here that the said Judgment be reversed and annulled and that the appellant recover against the appellee his Costs praying his appeal

Samuel H Lewis PJ Reuben Hoffman Michael H Harris Peter P Romby and Fountain M Taylor Esqrs each attending one day of the Term

Ordered that the Court be adjourned until to Morrow Morning at 10 Oclock

S H Lewis

Wednesday the 20th day of April 1853

Present

Samuel H Lewis P.J. Pula P Roads
and Reuben Huffman H.J. Washington } 2 Justices

Kegle vs Kegle & Upon a Summons & Inquiry came why the Change in the road from Kegle Town to the Old Furnace should not be established agreeable to the report of the Commissioners the Summons having been returned executed & they not appearing it is ordered that the said road be established agreeable to said report and it is further ordered that George Hales be appointed a Commissioner to view the said road when the same shall be put in good order by the Petitioners

Hunter vs Fulton upon a writt of Unlawful Detainer This day came the parties by their Attorneys and the Defendant for plea saith he is not Guilty to which plea the Plaintiff replys generally and issue is thereupon Joined and the Court is Continued at the said Defendants Costs until the Next Term

Houston vs Johnson — Plaintiff, Defendant } Upon an Appeal from a Justice of the Peace

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 against the appellant his Cost in defending the appeal

Pollock Insft vs Andrew J Vanpelt — Plaintiff, Defendant } Upon an Appeal from a Justice of the Peace

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 against the
appellant his Costs in defending the appeal

Samuel H Lewis P.J. Peter P Roomby and Reuben Huffman Esqrs came
and served one day at the Present Court

Ordered that the Court be adjourned until Court in Thursday Monday
in May Next

S H Lewis

Virginia To Wit:

At a Court held for Rockingham County on the third day
Monday in May 1853 being the 16th day of Said Month.

Present

S H Lewis P.J. Isaac Thomas
Robert Grattan, John J Bowman
Fountain H Layton,

} G. Justices

A List of Deeds and other writings admitted to Record
in the Clerks Office of the Court of Rockingham County
from the 1st to the 30th day of April 1853. (both days inclusive)
Five) and being returned into Court by the Clerk thereof, and
being examined by this Court, was ordered to be entered on the
Minutes, and a like list to be posted at the door of the
Court House of Said County. Which list is as Follows.

A deed Indenture from Reuben Swope & wife to Adam Crawford
" " " " " Saml. Sauman & wife to Abner G. Nicholas
" " " " " Danl. Heller & wife to Isaac Bowman
" " " " " Henry Kelly to Addison H. Kemp
" " " " " Simon Bowman to Saml Dundore
" " " " " John B. Bleiker & wife to B. F. Hollman
" " " " " Noah Brock to Hiram Galliday (Tomas)
" " " " " John E. Massey & wife Edward F. Williams
" " " " " Martin Obaugh & wife to Robt Grattan

Adm'x for Sam'l	from	Phillip Liggitt & wife	to	Michael Ward.
"	"	"	"	Same	to Garrett King.
"	"	"	"	Same	to Wm A. Canaan
"	"	"	"	Charles Beard	to Silas Beard
"	"	"	"	Ch.s Silas and Jas D. Beard	(Agreement)
"	"	"	"	Henry Shacklett	to Samuel Shacklett
"	"	"	"	Henry Borgwathen	to Elizabeth Frazier
"	"	Sol B.P.	"	Sam'l Shawalter	to E. A. Shands (Deed)
"	"	B.B.	"	John Back	to Same (")
"	"	S.B.B.	"	B. F. Solaman	to Sam'l Shrum (")
"	"	Same	"	Robert Gray & wife	to Ch.s A. Burnett
"	"	"	"	Benj.n F. Baldwin & wife	to David Hartman
"	"	Sol B.P.	"	Ch.s W. Pallard	to David Coffman
"	"	Same	"	Abner Mayer & wife	to Asa Baughter
"	"	"	"	Wm Gallihugh & wife	to Wm A. Cave
"	"	"	"	Jno. M. Smith & wife	to Jacob A. Dillrick
"	"	B.B.	"	John Dakan	to E. A. Shands (Deed)
"	"	Same	"	Allan C. Bryan &c	to Isaac Hardesty
"	"	"	"	Daniel Good & wife	to Henry Good.
"	"	B.B.	"	Benj.n McLaughlin	to Jno. C. Rowason
"	"	Same	"	Allan C. Black &c.	to David B. Craushom
"	"	"	"	Wm A. Black &c	to Jacob Andrew
"	"	"	"	Henry Burkam & wife	to Joseph Miller
"	"	"	"	Jno. G. Marty & wife	to Isaac Sawman
"	"	"	"	Eugenia Anderson & wife	to Geo. A. Anderson
"	"	"	"	Geo. A. Anderson	to Christian Hairs.
"	"	"	"	John Strayer & others	to David Shirley
"	"	"	"	Reuben Moore Sr	to Michael Sohr.
"	"	"	"	Mary Baggle Exx	to Ann Baggle.
"	"	"	"	Jacob Funk & others	to Geo. Hogan
"	"	"	"	D. R. Hopkins &c	to David Miller
"	"	"	"	David B. Rhodes	to Noah Rhodes.
"	"	B.B.	"	Abner Trabaugh	to Robert Grattan (Deed)
"	"	"	"	Wm B. Smith & wife	to Peter Archer.
"	"	"	"	Same	to Richd Winfield

A deed for Land	from	Wm B. Smith & wife	to Jacob Lamb
" " "	"	"	Same & others to Richard Winfield
" " "	Do	"	Wm May to Thos A. Gilmore (Trust)
" " "	Land	"	Christ. Niswander to Noah Keller
" " "	"	"	Chas S. Weaver & wife to Saml Crow
" " "	"	"	Polly Pence to Same
" " "	"	"	Joseph Smith & others to A. W. & J. G. Brown
" " "	"	"	Henry Bear & wife to Joseph Funk.
" " "	"	"	John Kline to Peter Walter.
" " "	"	"	Robt. C. Thompson &c. to John Q. Winfield
" " "	"	"	Reuben Bear & wife to Same.
" " "	"	"	Hiram Switzer & wife to Stephen C. Frew.
" " "	"	"	John Manning to Simon Miller.
" " "	"	"	Mathias McMillen to Henry Myers
" " "	"	"	Wash. Spitzer & wife to Thos. N. Jordan
" " "	Do	"	Saml Smith to John C. Woodson
" " "	Land	"	Wyatt Frazier & wife to Joseph Frew
" " "	"	"	Chas. W. Hempher Sheff to John Ashenfelter
" " "	"	"	Saml Niswander & wife to Henry Niswander
" " "	"	"	Aug. Waterman to Arch Rutherford
" " "	"	"	Robt Hoskins' Estate Partition
" " "	"	"	John Miller & wife to Fielding Mathews
" " "	Do	"	Saml Sandy to Amanus Howell (Trust)
" " "	Land	"	Henry Crow to David Frey
" " "	"	"	James Morris & wife to Sal. Hennary (Trust)
" " "	"	"	C. C. Strayer Comr. to David S. Jones
" " "	"	"	David S. Jones to J. W. & G. Smith (Trust)
" " "	"	"	Same & wife to Same (")
" " "	"	"	Warren Edwards &c. to Sal. M. Lewis &c.
" " "	"	"	Wm B. Smith to James Ford
" " "	"	"	Edwin Whitney to Thomas Linton (Trust)
" " "	Lot & Do	"	Wm R. Long to E. J. A. Warren (")
" " "	Do	"	Philip Hilgis to Saml Bowman (")
" " "	Land	"	S. Hambleton &c. to Henry Nicely

Settlements of the Estate accounts of John A. Hopkins dec'd Margaret Beard dec'd John A. Campbell dec'd John Clark dec'd Daniel Sudy dec'd Barnett Huffman dec'd and Isaac Hopkins dec'd were returned into Court by the Clerk thereof, and having been filed in Office for the time prescribed by Law, were examined by the Court and ordered to be Recorded.

Settlements of the guardian Accounts of Benj. Hinegardner Jacob Nave and Joseph Miller were returned into Court by the Clerk thereof and having been filed in Office for the time prescribed by Law, were examined by the Court and ordered to be Recorded.

A writing purporting to be the last Will & Testament of Mary Argenbright dec'd was presented into Court and proved by the oaths of Peter Miller & Nicholas Miller two of the subscribing witnesses thereto and ordered to be recorded and on motion of Christian Argenbright and Henry Argenbright the executors named in said will who made oath thereto and entered into bond with security in the penalty of $2000 conditioned as the law directs (the security having justified) a certificate is granted them for obtaining a probate thereof in due form

Copies

And it is ordered that Peter Miller, Nicholas Miller, Addison Boyer & Peter Bowyer or any three of them being first sworn do appraise the Estate of the said Mary Argenbright dec'd & make report to Court

On the motion of John Kenney Jr. who wishes to obtain a license to practice as an attorney in the Courts of this Commonwealth, It is ordered to be certified that he hath resided in this County for the last preceding twelve months, that he is a person of honest demeanor & upwards of twenty one years

Giles Rever Plff
vs
Levi Shoemaker Defft
} In Chancery

This cause came on to be heard at this Term of the Court upon Bill Confessed, and after Statement of facts It is adjudged ordered and decreed that the lands, mentioned in the bill & proceedings be exposed to public Sale for Cash to the highest bidder thereon in order to satisfy the debts due from said Shoemaker to Creditors mentioned therein - And it is further adjudged ordered & decreed that Giles Rever Constable be appointed Special Commissioner to sell the said lands, and make such titles for the same as may be vested in said Shoemaker. But notice of day of said Sale however shall be given by publication for Four weeks in one of the papers published in the town of Harrisonburg, and posting notice at some public places near the place of Sale, and the said Commissioner shall give bond & security in the penalty of two thousand dollars previous to receiving proceeds of Sale before the Clerk of this Court

On the motion of Daniel Harrison who made oath thereto and entered into bond with security in the penalty of $12.000 - Conditioned as the law directs, (the securities having justified) administration of all and singular the goods & Chattles of William Harrison dec'd is granted him in due form, And it is ordered that Michael Sellers, Silomo Sellers, George W Gaither & John Anderson or any three of them being first sworn do appraise the estate of the said William Harrison dec'd & make report to Court

William A Conrad (Foreman) William Nair Jordan, Daniel Sluss, John Harper, R M Ewen, Amos Scott, George W Hickle, Joseph Good, David Shirkey, Jonathan Brenner, Horatio Maity, William C Harrison, John Cherryholmes, Robt Black, Jacob Andrew, John Williamson, Adam Rader, Abraham Beatwole & John Silert, were sworn a grand Jury for the County 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. to wit: An Indictment against Zachariah Raines for an assault & battery a true bill, An Indictment against Albert Pirkey for an assault & battery a true bill, An Indictment James Gilmer for an assault & battery a true bill, An Indictment against William Brown for an assault & battery a true bill, An Indictment against Jackson Sigler for an assault & battery a true bill, An Indictment against Jonathan Peale for an assault & battery a true bill, An Indictment against Andrew Rodgers for an assault & battery a true bill, An Indictment against Jacob Lindsay for an assault & battery a true bill, An Indictment against William Spitzer & Henry Buck, for taking & carrying away the door to a School House not theirs, a true bill An Indictment against Alfred Triplett for failing to suppress a riotous, routous & unlawful assembly, a true bill and the said grand Jury having no further business before them were discharged, and it is ordered that Summons's be awarded against the aforesaid several defendants to answer the said Indictments, returnable here at the next Court.

On the Petition of Peter Holsinger & others for a way for a Road Commencing west of Holsingers Spring and ending at Shuckles Mill on the Shenandoah River, as set forth in said Petition, It is ordered that Martin Rampley, Noah Bowman, Jonathan Brown & Jno R Howard be appointed viewers, any three of whom may act (after being first sworn) and make report of the conveniences attending the same as well to individuals as to the Public.

A report of the viewers made on the Petition of Nicholas for a change in the Public Road leading from Harrisonburg to South River Gap

was returned into Court and the Sheriff ordered to be established agreeable to said report as soon as said Nicholas shall put it in good order & the said viewers shall so report to the Court

James Kenney, Notary public, acting under of Commission from the Governor of Virginia dated May 5 1852 appeared in Court and entered and acknowledged a bond with security in the penalty of $500 - Conditioned as the law directs & took the several oaths of Office prescribed by Law - & it is ordered that said bond be recorded and certified as directed by Law -

Summons & 7 Copies $

A report of the viewers made on the Petition of Alanio Gilmer & others for a way for a road Beginning on, or a new the lands of G.W. Effinger and ending on the lands of Alanio Shonaltes at Mt Clinton, (as set forth in said Petition) It is ordered that said report be filed, and that Summons be awarded ~~against~~ (returnable here at the next term of this Court) against R.L. Bowman, G.W. Effinger, William Black, the Heirs of Joseph Newton dec'd, Henry Shonaltes, Samuel Breese, Joseph Burkhalder & Alanio Shonaltes, to shew cause why the said road shall not be established agreeable to said Report

Ordered that John G. Fitchett guardian of Richard I Thomas be permitted to expend so much of the principal of the personal of his ward towards his education & maintainance as he may think best to promote the future interest of said ward -

Frances, David, Elizabeth & Susannah Harrison (over 14 years of age) orphans of Nathaniel Harrison dec'd, came into Court & made choice of Reuben W Harrison as their guardian, whereupon the said Reuben W Harrison appeared in Court and entered into bond with security in the penalty of $1000- conditioned as the law directs, (the security having justified)

On the Motion of Jacob Shuckle Committee of Isaac McKay - and with the permission of the Court it is ordered that the said Jacob Shuckle be permitted to resign his Committeeship of said Isaac McKay which was resigned accordingly by the said Jacob Shuckle.

On the Petition of John A Funkhouser & others. for a way for a road as set forth in said Petition It is ordered Benjamin O'Bowman, Michael Whitmore, Philip Airy, & Simon Bowman be appointed viewers to examine the way for said road (any three of whom may act after being duly sworn) and report to Court the advantages and disadvantages attending the same as well to the public as to individuals)

Ordered that Christopher Keyser be appointed guardian of Isaac F Thomas orphan of Strother Thomas dec'd, whereupon the said Christopher Keyser appeared in Court and entered into bond with security in the penalty of $500, conditioned as the law directs, (the security having justified)

On Motion of Jacob A Dietrick Esq. of Polly Wickham dec'd. It is ordered that he be permitted to resign his Executorship of said Estate and thereupon the said Jacob A Dietrick appeared

in Court and resigned his said executorship —

Black vs Black — In debt — Dismissed agreed

Smith
vs
Shoualter & } on a road

The report of the Comrs. in this case was returned into Court and it is ordered that Adam Shoualter be permitted to open the said road - agreable to the report of the viewers — Memo. The Plff in this case by his counsel moved the Court for leave to execute a suspending bond with such security as the Court would require for the purpose of appealing to the Circuit Court, which motion was overruled —

On the motion of John C Walker who made oath thereto and entered into bond with security in the penalty of $2000 - conditioned as the law directs, (the said bond having justified) Administration of all and singular the goods & Chattles of Andrew Coffman dec'd is granted him in due form - And it is ordered that Abram Kite, Abraham Yeagley, Daniel Baughman & Jacob Bear or any three of them being first sworn do appraise the Estate of the said Andrew Coffman dec'd & make report to Court

On the motion of Robert Black who made oath thereto and entered into bond with security in the penalty of $500 - Conditioned as the law directs (the security having justified) Administration of all and singular the goods & Chattles of Henry Black dec'd is granted him in due form, And it is ordered that Frederick Cupp, Jacob Andrew, James H Burgess & William C Smith (or any three of them being first sworn) do appraise the estate of the said Henry Black dec'd & make report to Court

Present

S H Lewis. P.J. Isaac Hardesty, Jacob Miller, F M Layton, Jacob Rush, Isaac Thomas, J J Bowman, Reuben Dove, John Buckholder, F M Brand, Reuben Huffman, I Horn, I L Herring, N Pope, C C Sterling, A J Wartman, W M Carpenter, B Hoover, I A Dice, I Caplinger, Dan'l Harrison, W Bollinger, S Ruebush, A Hopkins, A Houck, R Chattan, I Kogler, Sam Miller, P Koontz, M H Harris, Sen'r May -

6 Justices

Ordered that all the justices of the Peace of this County be summoned to appear here on the second day of June Court next, for the purpose of apprising the County & Parish levy for the year 1853, and also for the purpose of taking into consideration the propriety of changing the time of holding the monthly & quarterly terms of this Court, and to do and perform such other business of the County as may be laid before them

On the several applications of †John W See, †Peter Fitch, †Jebulon D Gilmer, †Wm Van Lear, †Wm S Perry, †John Fults, †A W Berry & J Rhodes, †Jacob K Mauzy, †Calhaun Lincoln †William Pickering, †Jacob Cole, †Curtis Yates, †Madison West, †John Zigler Sen'r, †Wm J Bowman, †James Funk and they having paid to the Sheriff the tax imposed by law It is ordered that licenses be granted them to keep houses of private entertainment in this County until May Court 1854

On the several applications of Samuel Coates, John Mefsersmith, John Argabright, Samuel D Bear, Robert C Brank, John M Hill

It is ordered that licenses be granted them to keep Ordinarys in this County until May Court 1854 upon their entering into bonds with security in the Clerks Office as the Law directs The Court being of opinion & it is ordered to be certified that they are all men of

good Character not addicted to drunkenness or gambling and that they will Keep orderly & useful houses of entertainment

On the several applications of Shacklett & Brafferty, Franklin Pence, Michael Moyer & Jeffer, Ann Kemper, ——— It is ordered that Licenses be granted them to retail liquors at their stores in the County of Rockingham for twelve months. It appearing to the Court that the places at which their stores are kept are proper & fit Places to retail liquors, and it is ordered to be certified that they are all persons of good Character —

Be it remembered that on this 16th day of May 1853 in open Court, It was proved to the Satisfaction of the Court by the testimony of F. McLayton & Charles Lewis Sen. witnesses who are entitled to full credit being first sworn and interrogated, that Henry Parkey, late of Greene County in the State of Ohio & formerly of this County deceased departed this life, without lawful issue, and without having married so far as they know or believe that neither his father or mother survived him and that his only legal heirs & representatives are his brothers & sisters of the half blood, namely John Cutler, George W Cutler, Abigail Tankersly the wife of John Tankersly, Mary Welch the wife of James Welch and Nancy Jane Cutler, that his said brothers & Sisters are surviving and well known to the said witnesses, And it is ordered that said proof be certified and duly authenticated so as to be received with credit in the Courts of the State of Ohio, and enable the said heirs to collect & receive all such estate as may have descended to them from the said Henry Parkey

Abm S Byrd Sheriff of this County returned into Court a List of delinquent property & whites, & free negroes for the year 1852 which was ordered to be filed Copied & Certified to the Auditor in the manner directed by Law

Thos K Hamberger Deputy for Adl Byrd Sheriff of Rockingham County returns into Court Lists of delinquents for capitation tax. property tax & land tax for the year 1852, which was ordered to be filed copied & certified to the Auditor in the manner directed by Law

Wm R Warren Deputy for Adl Byrd Sheriff of Rockingham County returned into Court a List of persons and property returned delinquent for the year 1852 which was ordered to be filed Copied & Certified to the Auditor in the manner directed by Law

John Sibert
vs
Abm Byrd Sen } Upon a Noticed

Judgment awarded the Plaintiff for $173.50 Cents with Interest from 21st day of January 1851 & Costs

John Sookes Plff
vs
Margaret Sookes Exr Dfts

The Summons awarded in this case at Feby Court last having been returned executed and the parties failing to shew cause why the award should not be entered as the judgment of the Court It is therefore ordered that Judgment be entered agreeably to the award returned by Sam'l Lewis, Isaac Hardesty & John D Sookes

Sam[e] Hartley Pltff
vs
Addison Hopkins Dft } In Case

For reasons appearing to the Court & matter had requiring a jury & neither part requiring a jury It is ordered that the Pltff recover against the defendant the sum of $ 185.98 Cents damages with interest thereon from the 1st day of November 1852 till paid & Costs Subject to a credit of $100 - paid April 19th 1853 - & Execution accordingly

Ordered as the Rule of the Court that hereafter during the Sittings of the Court, the Court House of this County shall be under the control of Justices sitting at the time and at all other times under the control of the Justices residing in the Town of Harrisonburg

Comth vs. Henry Webster (on a rule) Discharged

Andrew Houck, Jennings & Sipe & Jos H. Effinger severally make application for permission to retail liquors at their Stores in the County, which applications were rejected - which Refusal on the part of the Court is ordered to be entered of record

Ordered that all the causes set for trial at this Court which have not been tried or continued be continued until next Court

S. H. Lewis, I. Wardlety, F. M. Layton, Jacob Rush, Isaac Thomas, I. I. Bowman, Reuben Dove, I. Burkholder, F. M. Irvine, R. Huffman, I. Hoover, I. A. Herring, N. Bare, O. Sterling, A. T. Wardman, W. W. Carpenter, B. Hoover, I. A. Lice, I. Caplinger, Dan Harrison, W. D. Hopkins, S. Rebuck, A. Hopkins, A. Houck, R. Grattan, I. R. Koogler, Sam Miller, P. P. Koontz, M. H. Harris & Levi May - Justices each served during the present day -

Richardson & Co. Plffs
v
Perkey's Adm'r. Dfft } In Case - Upon a Sci Fa.

Neither party in this case requiring a jury - for reasons appearing to the Court, Judgment is awarded the Plff against the dfft for $254.33 cents damages with Int from 5th April 1848 till paid & costs -

McGahey, Adm'r &c. Motion - Office Judgt set aside Payt Genl Issue & Plea of Statute of Limitations

Matthew Beck v. Geo W Cuttle - Off. Judgt set aside Payt Genl Issue & Cents & leave to file a special plea

Link v. Same — Same —

Ordered that the Court be adjourned until the third Monday June next

S H Lewis

Virginia To Wit:

At a Court held for Rockingham County on the third Monday in June 1853 being the 20th day of said month

Present

S H Lewis P.J. Abraham Hopkins & John B. Hoover J.P.s
Hardesty, [illegible] & Mitchell J.P.s

A list of deeds and other writings admitted to record in the Clerk's Office of the Court of Rockingham County from the 1st to the 31st day of May 1853 (both days inclusive) and being 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 to be posted at the front door of the Court House of said County. Which list is as follows, To Wit:

Adms	for	Sans	from		Henry Good to Abram Good,
"	"	"	"	"	Jacob P. Dinkle & wife to John Miser
"	"	"	"	"	Samuel Mine & others to Jacob Miller
"	"	"	"	"	Henry M. Loflana & wife to James Miller
"	"	"	"	"	William Coakley & wife to Geo. M. Effinger
"	"	"	"	"	Eliz. Coakley to Frederick Hess
"	"	"	"	"	Jacob A. Stevens to Allen & Bryan
"	"	"	"	"	John T. Rife & wife to John S. Line
"	"	"	"	"	Philip Seltzer & wife to Geo. M. Cooper
"	"	"	"	"	Saml. Fansler & wife to Jacob Sanger,
"	"	"	D. & P.	"	Saml. Bechtelle to C. A. Swanes (Trust
"	"	"	Sans	"	Chapman Shiflette to Felix Shiflette,
"	"	"	"	"	Philip Seitz to Geo. M. Seitz Jr. (Trust
"	"	"	"	"	Sans & wife to Jno. M. C. Smith (")
"	"	"	"	"	John Blain to Sans (")
"	"	"	"	"	Reuben Bare & wife to John Branner,
"	"	"	"	"	John A. Miller & wife to John Pence
"	"	"	"	"	Isaac Bausman & wife to Jno. A. McCain
"	"	"	"	"	Felix Iser & wife to Sans
"	"	"	"	"	Jno. A. McCain to John A. Hopkins
"	"	"	"	"	Jacob Nave's Adr & to Chas. S. Mundell
"	"	"	"	"	Peter Safer & wife to Martin Garber
"	"	"	"	"	E. A. Smith's Exrs (Trustee) to John Hensley
"	"	"	"	"	John Miller & wife to Ananias Davison
"	"	"	"	"	Wm. L. Thompson to Geo. A. Felzer
"	"	"	"	"	Deborah Bare to Mathias Miller
"	"	"	"	"	Same to Geo. Wise
"	"	"	"	"	Sarah J. Leake to Saml. Tutwiler
"	"	"	"	"	Jno. Niswander & wife to Jos. Sawenbach &c
"	"	"	"	"	John Hess & wife to Wm. Hensley
Rel	"	"	"	"	Ro. M. Ewan & wife to Jacob Nicholas
"	"	"	"	"	Daniel M. Kyle & wife to And. J. Rodgers
"	"	"	"	"	Peter Brennerman & wife to Jno. Funk
"	"	"	"	"	Henry Cannes to Danl. Kyle
"	"	"	"	"	N. B. Trout Trustee to Geo. M. Kemper &c

A deed for Same from, David Bloser to James Bloser
" " " " " Same to Same
" " " " " John Peterfish to John Heistan
" " " " " Sydia Ammentrout to Wm Law
" " " " " John Leap & wife to Henry Himler
" " " " " Lorenzo S. Printz & wife to Richd S. Maupin
" " " " " Aug. Waterman to Reuben Riggleman
" " " " " Same to Jacob Ritchie
" " " " " Peter Byerly & wife to Jackson Rhodes
" " " " " Thomas Beck & wife to Wm Safley
" " " " " Geo. Eutsler & wife to Same
" " " " " Danl Savant & wife to John Swank
" " " " " John Norman & wife to Rob. Stark
" " " " " Peter Bowman & wife to C. C. Spears
" " " Pof " Joseph Brown to Eli Amos (Trust)
" " " Same " Jas. Gilmer & wife to Thos Gilmer
" " " " " Henry Thomas & wife to James Gilmer
" " " " " Daniel Miller & wife to Danl Hedrick
" " " " " David M. Myers & wife to D. Ammentrout
" " " " " Geo. Ritchie & wife to Jno J. Sheets
" " " " " Emanuel Grove to Mahala Mots
* call on J.E. Roller for this deed — Nancy Necessary &c to Thos Lamptkins
" " " " " C. A. Thomas (Trustee) to Ag. Simhoff,

Settlements of the Estate accounts of Joseph Miller dec'd Isaac May dec'd, Joseph D. Bowman and Ann M May dec'd Richard Gibson dec'd, David Flick dec'd, Henry Thomas dec'd, Henry Miller dec'd, Geo. Rogers dec'd, Valentine Switzer dec'd, Peter Getty Sen dec'd, and Geo. Reubenstein dec'd, were returned into Court by the Clerk thereof, and having been filed in the Clerks office for the time prescribed by Law, were examined by the Court and ordered to be recorded,

Settlements of the Guardian accounts of Cyprus Rhoades, Jacob Goss, Jacob Goode, Jacob Goods, Anderson Moffett, Jacob Goode and Jacob Goode, were returned into Court by the Clerk thereof, and having been filed in the Clerk's Office for the time prescribed by Law were examined by the Court and ordered to be recorded,

A Settlement of the Committee accounts of Michael Naman was returned into Court by the Clerk thereof, and having been filed in the Clerk's Office for the time prescribed by Law, was examined by the Court and ordered to be recorded,

Mefferley v Grove upon a Summons to Answer Interrogatories
Barley v Price The Same
Seitz v Price The Same
Nicholas v Long The Same
Hardesty v Cuglar The Same
Harrison for &c (James Steele to pay fees) v Rumel The Same
Pollard v Shelby The Same
Douglas v Dunlap The Same
Fulz v Troxe The Same

Crawford & Shayer a Commissioners in Chancery in the Circuit Court returned into Court the Interrogatories and answers and the proceedings thereon in the above cases which are ordered to be filed

Joseph Moyers Plaintiff
and
The Heirs of Benj Mayes Defendants
In Chancery

This cause came on again to be finally heard this 20th day of June 1853 upon the bill Answers exhibits decree & reports heretofore made and it appearing to this Court that from the report of John T Myers Commissioner that R S Mayes has paid up all that was due upon the land purchased by him under a decree heretofore rendered in this cause and

that he has recvd a deed for said land the pendency of the said Commissioners Report are duly confirmed and the Court doth adjudge ordr & decree that the Costs of this suit be equally divided among the parties to this suit

On the motion of Robt T Garrison it is ordered that he be exempted from the payment of County & Parish levies

On the motion of Joseph Mercer It is ordered that he be exempted from the payment of County & parish levies—

A writing purporting to be the last will & Testament of Christian Funk dec'd was presented in Court and proved by the oaths of John Geil & Daniel Showalter two of the witnesses thereto and ordered to be recorded,

And on motion Abraham Funk & Christian Funk the executors named in said will, who made oath thereto and entered into bond with security in the penalty of Four thousand dollars conditioned as the law directs (the security having justified) a certificate is granted them for obtaining a probate thereof in due form— And It is ordered that Jonathan Brenner, Frederick Cline, Geo Brenner & John R Thomas or any three of them being first sworn do appraise the estate of the said Christian Funk & make report to Court

On the motion of William B Yancey who made oath thereto and entered into bond with security in the penalty of $2000— conditioned as the law directs, the (County having justified) Administration of all and singular the goods & Chattles Mary Harrel dec'd is granted him in due form— And It is ordered that Z D Gelmes, Wm J Miller, Henry Hansbergen & Jno Sallee or any three of them being first sworn do appraise the estate of the said Mary Harrel dec'd & make report to Court

Issued

A report for the way for a road made on the Petition of Peter Holsinger & others was returned into Court, and it is ordered that Davd Thomas through whose lands the said Road runs, be summoned to appear here at the next Court to shew cause why the said road shall not be established agreeably to said report

Ordered that Noah Smith be appointed Surveyor of Precinct No. 2 on the Kratzer road in room of Joshua Wampler

Ordered that Peter Brennaman be appointed Surveyor of Precinct No. 1 on the George Sharn's Mill road in the room of Jacob Shank Jr.

Ordered that George Nicholas be appointed Surveyor of Precinct No. 2 on "the Harrisonburg Road to Swift Run Gap road" in the room of George Secrist

Ordered that John Anders be appointed Surveyor of Precinct No. 1 on "The Davd Harrison road" in the room of Michael Sellers

Ordered that Peter Yetty be appointed Surveyor of Precinct No. 8 on "Daniel Pickerings Mile road" in the room of Peter Wise

Ordered that Eli Holland be appointed Surveyor of Precinct No. 1 on "the road up Dry River" in the room of Benjamin Kerlin

Ordered that Jacob Bowman be appointed Surveyor of Precinct No. 1 on "The Kratzer Mongen road" in the room of Danl. Harrison

Ordered that Samuel Wasterod be appointed Surveyor of Precinct No. 5. on "the Asbury Springs & North Moorestown Road" in the room of John Jones

Ordered that Absalom Foxbrough be appointed Surveyor of Precinct No 2 on "the road from Fruden's Church to Kyles Mill" in the room of Peter Elvins,

Ordered that Sally Mallony a vagrant free negro be discharged from the jail of this County - and that the costs incurred be paid by the County -

Ordered that the Overseers of the Poor bind Mary Lamb aged 6 years last March to Eli Kerras to learn the business of House Keeping (as the law directs) the said Eli Kerras to pay said Girl $20 when her term of Service expires and to give her a suit of Clothes -

Ordered that the Overseers of the Poor bind Catharine Sellers aged 4 years last July to Nathaniel Flook (according to law) who is to pay her $20 - when her term of Service expires -

A report of the Commissioners on the Petition for a change in the road "leading from Harrisonburg and passing through the lands of George Nicholas, was returned into Court and the change ordered to be established as laid down by said report

Boyd
"
Moffett } Upon a Notice
Absentees Continued -

Giles Verin vs Pltff
vs
Levi Shoemaker Dft } In Chancery

This cause came on again to be heard upon the Commissioners report of the sale and said report being ratified by the Court. It is ~~adjudged~~, ordered and decreed that out of the monies arising from the sale all the costs incident to the cause be paid as well as the Commission allowed to Commissioner for sale, and that the several creditors for whose benefit the suit was brought, shall receive the amount due them and that the remainder if any be paid to the said Levi Shoemaker by the said Commissioner

On the Motion of Wm. O'Brien who took the oaths prescribed by law. It is ordered that he be permitted to practice as an attorney in this Court

On the Petition of Ulrich Wittig for a change in the road leading from the Brake Gap road at Dans Mill to Jacob Replogles as set forth in the Petition it is ordered that William Harmon Sr. & James Fitzwater and Joseph Sanders be appointed Commissioners to proceed and make report of the convenience and inconvenience attending the same as well to the public as to individuals

On the Motion of McKenzie Ogston & Co it is ordered to be certified that Satisfactory evidence has been adduced in Court that George A. Berry who was warranted in a Bounty Land warrant No. 21.238. dated the ~~day~~ 12th November 1851 for Eighty acres which issued under the act of September 28th 1850 died on the 15 day of November 1857 intestate leaving a widow Mary Berry and Robert Berry Benjamin F. Berry Deborah Berry George

Berry and Mary Ann Berry his heirs and only heirs at Law & that none of the aforesaid heirs were married woman or minors on the 30th of August 1852

Ordered that Abraham Anders be appointed Surveyor of Precinct No 1 on Byrds Mill road in the room of Edmund Rambaugh

Ordered that Henry Miller be appointed Surveyor of precinct No 2 on the road of which Wm Clark O Kelly was surveyor

Thomas K Miller & Joseph H Conner Commissioners to assign hands on the road made on the Petition of George W Miller & returned their report into Court which is ordered to be filed and that Jacob Bloss be appointed this Surveyor thereof

Ordered that Jacob Kaplinger be appointed a Commissioner to divide hands as he thinks best between Jacob Lantz and Joseph Sowders surveyor in Brake Gap

Ordered that John Willard be appointed a Commissioner to divide the hands between Peachy Wine & David Burkholder & if the report whether it is necessary to retain said Burkholder as hands

Ordered that William Van Lear be appointed a Commissioner to divide the hands between Amanis Perkey & Peter Cline & report whether an other surveyor is necessary or not & report the hands for him

Ordered that Frank Taylor be appointed Surveyor of Precinct No 1 on the road of which William Jones is the Surveyor

Robert Mooney, Constable presented an account against the County for conveying Thomas Gully to jail which was examined by the Court & ordered to be copied & certified to the Auditor as directed by Law

Maynes &c Plff
vs
Lips &c Dfts
} In Chancery

This cause came on to be heard this 21st day of June 1853 upon the papers heretofore read, and upon the report of Henry Miller, Jacob Miller & Joseph H Conrad, the Commissioners appointed by a former Decree in this cause to make partition among the parties of the land in the Bill & proceedings mentioned, to which report there is no exception, and the same is hereby confirmed and ordered to be recorded, and the Court doth adjudge order and decree, that the costs of this suit and partition including $7.50 to the Surveyor $12- to the Commissioners and $4- to the Chain carriers, and the costs of recording the partition in the deed books, to be paid by the parties to this cause, in proportion to their interests in the land divided.

Ordered that the following roads be taken from the road of which Jacob Senger is Surveyor and placed on the road of which Lewis Young is Surveyor — Viz — all on the lands of Jacob Dundore, Daniel Rodes, Samuel Senger — (Bear Mallow farm)

Samuel H Lewis PJ Isaac Hardesty John R Hoagland & Archibald Hopkins each serving one day at this present Court

Ordered that the Court be adjourned until 10 O Clock Monday Morning at 10 O Clock

S H Lewis.

Tuesday 21st June 1853

Present

Samuel A Lewis P.J. Jacob Rush, John A Herring, John Bankholder, Wm B Yancey, Wm M Carpenter, Isaac Hardesty Benjamin Moore, O Sterling, Fountain M Layton, Reuben Huffman, Henry F Martiman, Archibald Hopkins, Samuel Miller, Milton Irvine, Levi May, Wm Hopkins, Jackson Horn, John R Kogler, John A Alice, Andrew Houck, John Boyer, Samuel Ruebush, Andrew Houck, John G Brown,

On the motion of Philander Herring who made oath thereto and entered into bond with security in the penalty of $2000 - Conditioned as the law directs - (the sureties having justified) Administration of all & singular the goods & Chattles of Jacob F Yount dec'd is granted him who duly sworn and it is ordered that Daniel Stinespring, Isaac R Inman, Abram Coffman & John Miranda or any three of them being first sworn do appraise the estate of the said Jacob F Yount dec'd & make report to Court

Jones & wife & Smith & wife — Pltffs

vs

Yosts heirs — Defts

In Chancery

It appearing to the Court that the Children of John Yost dec'd are minors & have no guardian. It is ordered that C C Strayer who has heretofore been appointed a Commissioner to collect & distribute the proceeds of certain real estate among the heirs & distributees of Jno Yost dec'd - pay to Isaac Hardesty receiver the amount due or to become due the said John Yost

David Gelmow & others
vs
Geo W Effinger } Petition for a road

The Summons ordered in this case at last Court having been returned executed, on the motion of Geo W Effinger it is ordered that a writ of ad quod damnum be awarded him to be executed on Saturday the 16th day of July

Ordered That the Overseers of the Poor bind James Mc Estep (aged 20 years on the 1st April 1853) to Israel Benton to learn the Tanning business (according to Law) who is to give said boy a suit of Clothes & $20 when he arrives at the age of 21 years

A report of the viewers made on the Petition of Gabriel Heatwole & others for a change of a former road made on the petition of said Gabriel Heatwole & others was returned into Court & the change ordered to be established agreeably to said report

On the several applications of Wm G Bailey, Henry Booz, Wm Eiler, Eli Kerr and John I Mantz,

and they having paid to the Sheriff the tax enjoined by law. It is ordered that licenses be granted them to keep houses of private entertainment in this County until May Court 1854

On the several applications of Abel Miller, Cran Benton, John Stinespring, Wm D Braden, Jacob Devilbiss, James Funk, Jacob Neff

and they having paid to the Sheriff the tax imposed by law It is ordered that licenses be granted them for Keeping Ordinarys in this County until May Court 1854

upon their entering into bonds with security in the Clerks Office as the law directs, the Court being of opinion that the applicants are sober & of good Character and will probably keep houses orderly, useful & such as the law requires

On the application of Jacob Neff for a license to keep an ordinary. It is ordered to be certified that the application of the said Jacob Neff was refused by the Court

On the application of Andrew Houck It is ordered that a license be granted them to retail liquors at their Store in the County of Rockingham for Twelve months, It appearing to the Court that ~~his store~~ is the place at which his store is kept is a fit place to retail liquors & that he is a person of good Character

On the several applications of Harnsberger & Coffman Joseph St & P. Effinger

and the payment to the Sheriff of the tax imposed by law It is ordered that licenses be granted them for retailing ardent spirits at their stores in the County of Rockingham. and it is ordered to be certified that they are persons of good character & that the Court sees no objection to such permission being granted

Felix T Shelty Plff
vs
Michael Eavey Defts
In Chancery

This cause came on to be heard this 21st day of June in the year 1853 upon the bill exhibits and the subpoena duly returned executed & was argued by Counsel and more than one month having elapsed since the filing of the Bill and the return of the subpoena the same is taken for confessed, And it appearing to the

Court that the complainant is entitled to have his judgment lien enforced against the land in the Bill and proceedings mentioned, It doth adjudge order and decree that if the said defendant or some other person for him does not pay to the said Felix T Shultz the sum of $14.55 cents with interest thereon at the rate of six per cent per annum from the 28th day of March 1851 till paid 60 cents costs and the further sum of $2.94/100 dollars with interest thereon at the rate of six per cent per annum from the 6th of December 1851 till paid and 30 cents costs - And the further sum of $13 86/100 Dollars with interest at the rate of six per cent per annum from the 15th day of April 1851 till paid and 30 cents costs and the costs of this suit on or before the 15th day of August in the year 1853 that William R Warren Deputy for Abram S Byrd Sheriff of Rockingham County shall after advertising the time terms and place of sale for two successive weeks in some newspaper published in the Town of Harrisonburg and setting up a like advertisement as to time at three public places in the neighbourhood of said land sell on the premises at public auction to the highest bidder on the following terms, so much in hand as will pay the expenses of Sale the costs of this suit, and the Remainder in six months from the day of Sale, with interest from the day of Sale requiring the Purchaser to execute bond with good personal security for said deferred payment and retain the title till money paid & make report to this Court at next Term

E. A. Shands, Pres. of the Rock Turnpike Company returned into Court the report of Madison M Brown, D & Coffman & D Pennybacker in relation to the examination of 3 Sections of the Rockingham Turnpike - And on the

motion of the attorney for the Commonwealth It is ordered that the said Report be do stetted and continued

Dr Geo S B Hunter presents an account for $5.00 for medical attendance on S Baker a prisoner confined in the jail of this County on a charge of felony, which was examined by the Court ordered to be certified to the Auditor in the manner directed by Law

Henry B Hansbergen who was duly elected Surveyor of the County of Rockingham to serve until the 30th June 1858 appeared in Court and took the several oaths prescribed by Law and entered into bond with security in the penalty of $3000 - conditioned as the law directs which bond was acknowledged by the parties thereto & ordered to be recorded

On the motion of Sarah Sellers It is ordered that Henry Hansbergen, John Sellers & John Gibbons be appointed Commissioners to assign dower to the said Sarah Sellers in the lands of her late husband Emanuel Sellers dec'd & make report to Court

Abm S Byrd Sheriff & W K Hansbergen & Wm R Warren his deputies returned lists of delinquents in the County levy for the year 1857 which were examined allowed & ordered to be filed

Ordered that Isaac Hardesty & Littleton W Gambill be appointed Commissioners to rearrange the Clerks table in the Court House and also to arrange the justices seat & the bar that the Court and its Officers may be relieved from the crowd which under the present arrangement has so often been prostrated to their annoyance and the delay of the business of the Court & that the expenses of the alteration be paid by the Agent of the County out of any unappropriated funds in his hands

Ordered that the May Term of this Court be hereafter held on the Fourth Monday in ~~May~~ April instead of the third Monday in May —

Ordered that the agent of this County procure Matting or some other material for the purpose of Covering the Court House floor at an expense of $100. or an inconsiderable sum over that — & that he pay for the same out of any unappropriated funds in his hands

Isaac Hardesty agent for the County of Rockingham returned into Court his account agent with accompany vouchers for the year ending June 1853 which was examined by Court allowed ordered to be filed —

The Court having signified at the last Term their intention of apssing the County levy for the year 1853 and having for that purpose directed the Justices to be summoned to this Court and it appearing by the return of the Sheriff on the Sums issued that all of them had been duly Summoned to this Court for the purpose aforesaid, the Court thereupon proceeded to apssess the levy for the year 1853 as follows to Wit —

Amt of Claims allowed by O Poor	$2330.62½
" to pay Steward of Poor House for quarter which will fall due 30 June 1853	300.00
Claims appropriations made this day	1955.52
Allowance to County Officers	380.00
" to pay for draining Jail say	45.00
to pay for building Smoke House to Jail	50.00
to pay for Painting of Court House enclosure &	150.00
" to pay agent of County Amt due on his ase	345.90
" Estimated Number of delinquents 700 @ 1.25	875.00
Estimate of Shffs Comr. for collecting levy	438.75

Carried over

Amt Brot over

amt to be paid to J. P. Deer for his claim ags the County for sum due him on Contract on his Contract for building Jail & as set forth in the order of Court made at July Term 1851 ... 264.40

Balance sufficient to be sufficient to Support Poor at Poor House & incidental expenses of County & Parish ... 4198.85½

$8294.03

to Meet which there are the following means &c

By balance due Parish from Sheriffonalty of 1852 $121.15

" balance due from agent of O. Poor ... 163.40

" Amt of [illegible] for sale of old Jail due 1st Apl 1853 & 1st Apl 1854 ... 400.00

" balance due from Sheriffonalty of 1852 ... 284.48

" Apportionment on Sheriffs for 1853 ... 600.00

" 5380 Levies @ 1.25 ... 6725.00 $8294.03

Ordered that the agent of agent of the County be authorized to pay to Abalom Ritchie $125- for work done by him on the Pendleton road, whenever the said agent after making proper enquiries shall be satisfied that the said work has been

Ordered that the Sheriff collect from each Taxable in the County not exempted by Law One dollar and Twenty five cents. Fifty cents of which shall be appropriated to the County & Seventy five cents to the Parish and out of the monies arising from so much collections pay the Claims allowed by the County & Parish to the persons entitled thereto at the time directed by Law and the balance after making allowance for delinquents & Commissions pay to the agents of the County & Parish

Ordered that the agent of the County be authorized to pay to Abalom Ritchie $150- for work done by him on the Pendleton road, whenever the said agent after making proper enquiry shall be satisfied that the work has been done by the said Ritchie & that he is properly entitled to it

Ordered that the sum of Six hundred dollars be
apd[illegible] on the Sheriffalty of this County to be paid by a[illegible]
Shff[illegible] (the year ending in June 1854) and that the agent
of the County collect the same and credit it to the
County of Rockingham.

Ordered that Benjamin Trumbo be appointed School
Commissioner for District No 2 in the room of Jacob
Trumbo.

Ordered that the Court be adjourned until the
third Monday in July next.

D. Lewis.

Virginia To Wit:

At a Court held for Rockingham County on the
third Monday in July 1853 being the 18th day of said
Month.

Present

Samuel H Lewis P.J. John R Kooglo & Justices
Isaac Hardesty Archibald Hopkins Jr.

A List of deeds and other writings admitted to Record in
the Clerk's office of the Court of Rockingham County from
the 1st to the 30th day of June (both days inclusive) and
being returned into Court by the Clerk thereof, and
being examined by the Court, was ordered to be inter-
ted on the minutes, and a like list to be posted at
the front door of the Court House of said County
Which List is as follows. To Wit:

A deed for land from Peter Sipe & wife to A. B. Harnsberger,
" " " " " C. A. Shands (Trustee) to Franklin Pence &c
" " " " " John Shaver to Anthony Shawalter,
" " " " " Henry Brown & wife to Philip Liggett
" " " " " David M. Nyce & wife to Henry [illegible]

A deed for ~~Land~~ P.P from Thos. N. Jordan to Jno. J. Harris Trust
" " L & P.P " Fount. N. Taliaferro &c. to Thos. A. Yancey
" " " " " Thos. A. Yancey to F. N. Taliaferro
" " " Land " Henry Bard & wife to John Bard
" " " P.P " Christian Yeatts to Jno. J. Harris Trust
" " " Land " Saml. Biggs & wife to Peter Walker,
" " " " " Norman A. Soffland & Exr to Saml. Shultz.
" " " " " Same to Mary M. Soffland
" " " " " Harriet G. Effinger &c to Geo. A. Conrad
" " " " " John Smith & wife to Elizabeth F. Harris
" " " " " Wm Rehrer & wife to Jemanette E. Conrad &c
" " " " " Same &c to Nelson Sprinkle
" " " " " Jacob Dinkle & others to Christian Lantz
" " " " " Christian Lantz to Lewis Dinkle &c J.P.O.F.
" " " " " Wm Blain & others to L.M. Gambill
" " " " " Thos. N. Jordan & wife to Isaac Reamer &c
" " " " " John Shultz to Allen C. Bryan Trust
" " " " " Jacob S. Rogers &c to Hiram Mantz
" " " " " James Fulton to Jacob Andrew &c Trustee
" " " " " Wm McDaniel & wife to Daniel Effert
" " " " " Arch Brock & wife to Adam M. Lang &c Trustee
" " " " " Reuben Sellers & wife to Same "
" " " " " Mahlon Vaughan to Jno. M. A. Sprinkle (Trust
" " " " " Martin Burkholder & wife to Jno. Burkholder
" " " " " Same to H. Burkholder.
" " " " " Rd. Lyman to Saml. Bard
" " " " " Wm H. Bailey & wife to Elizabeth M. Allen
" " " " " Peter Dinkle to A.C. Bryan Trustee
" " " " " Jos. Elliott & wife to Daniel Garber.
" " " P.P " Jacob A. Whitzel to Jacob P. Effinger
" " " Land " C. C. Strayer Comm. to A. J. Nicholas
" " " " " A. J. Nicholas to A. M. Liggett (Trust)
" " " L & P.P " Michael Mebler to Jos. Byers
" " " Land " Wm M. Ewers & wife to Philip Liggett
" " " P.P " Isaac Mauff to Allen C. Bryan, Trustee.

A deed for Land from Jacob Vinson &c to Nevel Rogers.
" " " " " Alex. Cooper to Mahala Miller (Release)
" " " " " Jacob Cole to Eli Long
" " " " " Henry Wilhelm &c to Michael A. Harris
" " " " " Geo. Hamer to Jennetta Runkle
" " " " " Mrs. Henry Jamo Wife to E. J. H. Warner.

Settlements of the Estate accounts of Elizabeth Taflinger dec'd, William Rudy dec'd Nancy Rudy dec'd. John C. Williams dec'd, John Taflinger dec'd Joseph Byerly dec'd. Jacob Showalter dec'd. Lewis Keller dec'd. George Conrad dec'd Christian Miller dec'd. John Koontz dec'd. Abraham Stover dec'd. John N. Bear dec'd, and Daniel Miller dec'd. were returned into Court by the Clerk thereof, and having been filed in the Clerk's Office for the time prescribed by Law were examined by the Court and ordered to be Recorded.

Settlements of the guardian accounts of Michael Mayhoeffer. and Anthony Burkholder. were returned into Court by the Clerk thereof and having been filed in the Clerk's Office for the time prescribed by Law were examined by the Court and Ordered to be recorded.

On the Motion of S. M. Summers Esqr, and John Kinney Jr Esqr and they having taken the usual oaths of Office provided by Law are admitted to practice as Attorneys in this Court

Writs for Ten Grave upon a rule to answer interrogatories the Defendant failing to appear it is ordered that an attachment issue against the said Defendant to answer the said interrogatories returnable to August Court

Ordered that Thomas Harrison be appointed Surveyor of Precinct No 1 on the Bowmans Mill Road in the room of Robert Wright

Peter F Carman

Ordered that ~~Francis Parker~~ be appointed Surveyor of Precinct No 2 ~~#~~ on the Harrisburg & Paxton public road in the room of Francis Parker

On the Motion of Mathias Bowman and he having made oath thereto and entered into Bond with Security in the penality of $3000 Conditioned as the Law directs the Security having Justified Administration of all and singular the Goods and Chattles of Sarah Bowman deceased is granted him in due form and it is ordered that John Haling Jonathan Penn Mathias Miller & William G Thompson or any three of them being first sworn do appraise the Estate of the said Sarah Bowman and make report to the Court

Lydia Berry Orphan of Abraham Berry deceased over 14 years of age came into Court and made choice Abraham W Berry as her Guardian who thereupon entered into Bond with Security in the penalty of $1000 Conditioned as the Law directs the Security having Justified

A report of the Commissioners appointing dower to Elizabeth Knoppe Widow of Andrew Knoppe dec in the lands of her deceased husband was returned into Court and ordered to be recorded

On the Motion of Robert Cox and he having made oath thereto and entered into bond with security in the penalty of $1000 Conditioned as the Law directs (the surety having justified) Administration of all and singular the goods & Chattles of William Gaither dec. is granted him in due form and it is ordered that Anthony Hoffman, Peter Brown, Moses Gongaware & Samuel Sandy or any three of them being first sworn do appraise the estate of the said William Gaither dec & make report to Court

Hannah Dunkle
vs
Peter Wise & others
and
Peter Wise & others
vs
Hannah Dunkle
} Road

Upon the motion of the Petitioner in this case It is ordered that the road be established and that Henry Wymant be appointed Surveyor and John A Sterling a Commissioner to assign hands to work on said road & also to appoint persons to work on & open said road who are assigned to other roads in accordance with the 27th Section of Chap 52 of the Code of Virginia passed

Ordered that the report of J H Conrad Comr in the case of the Elk Run road be confirmed & that William Crenshaw be appointed Surveyor of said road

Ordered that the report of J H Conrad Comr in the case of Blose's road be confirmed & that Jacob Blose be appointed Surveyor of said road

~~Wm Cooper Executor & others~~
vs
Dan Thomas
} Petition for a road

The issues awarded in this case at last Court having been returned executed On the motion of Dan Thomas It is ordered that a writ of ad quod dammum be awarded him to be executed on the 12th day of August next

On the motion of Eli H Koontz who made oath thereto and entered into bond & with security in the penalty of $7.500 conditioned as the law directs (the security having qualified) Administration of all and singular the goods

and Chattles of John Conrad as prayed him in
due form, And it is ordered that Jacob Miller,
Edward G Hughes, Abner Moyers & Joseph Moyers
or any three of them being first sworn do appraise
the estate of the said John Conrad & make
report to Court

Ordered that John Roles as Jr be appointed Surveyor of Precinct 8
in the Room of John W Dunlap on the Road up Bay River,

On the Motion of the Widow and heirs of Jacob Miller deceased
it is ordered that Jonathan Peal Joseph Good John Duncan
Gerrard T Hopkins be appointed Commissioners to lay off and
assign to the widow of the said Jacob Miller her dower in the lands
of her deceased Husband and make report to this Court

On the Petition of Reuben N Harris & others for a way for a road
Beginning at the Valley Turnpike on the Valley road on the
land of John A Hyde and ending at McSpaley Shop on Chesters
Krabyes land as set forth in the Petition it is ordered that
Michael Sellars Silas Sellars & Madison Moore who being
first sworn be appointed Commissioners to View the ways so proposed
and make report to the Court of the conveniences and inconveniences
attending the same as well to the public as to individuals

Ordered that Adam Wise be appointed Guardian for Amanda
Sheets Child of Joseph Sheets and Grand Child of John Wise
who thereupon entered into Bond with security in the penalty
of $500 Condition as the Law directs the County having
Justified

On the motion of John A Ralston It is ordered that
he be appointed Committee of David Hopkins a
person of unsound mind, Whereupon the
said John A Ralston appears in Court and

entered into bond with security in the penalty of $7.500 Conditioned as the law directs, (the security having justified)

On the motion of A P Blamberger Surveyor of this County. It is ordered that he be permitted to appoint John J Bowman & Wm A Miller as his deputies whereupon the said John J Bowman & Wm A Miller appeared in Court & took the several oaths of Office prescribed by Law

Ordered that Peter Roller, Jacob P Slusser, and Abner Trobaugh be appointed Commissioners to divide the "Fredens Church road leading from the McAdamys road to Hyles Mill - into 3 precincts instead of two (as at present) and to apportion hands to the said precincts

A report of the Debts and demands against the estate of John A Hopkins dec'd having been confirmed by the Court, and it appearing that a debt of $150.10 cents is due from said Estate to Dennis Coffman Executor of Chas T Barnes which became due the 2nd September 1852 is not included in said report it is ordered that the personal representatives of said John A Hopkins pay the same in preference of the said $150.10 Cents as of the other debts if there be assets to pay the same

Jacob T Bantz & others
Ann
Magdalena Bantz } Ins Chancery

On the Motion of the Plaintiffs it is ordered that Letitia Lee McCauley be appointed Guardian ad litem for the Infant Defendants

Ordered that Peter Funk Jailor be allowed Sixty Cents per day for
dieting & Smith Boa a Lunatic confined in the Jail of
this County which is ordered to be certified

Benjamin F Reid a Notary public for this County appointed by the Gover
under the Seal of the Commonwealth dated the day of 18 appeared in Court and
entered into Bond with security in the penalty of Five hundred
Dollars conditioned as the Law directs which is ordered to be certified

John Kenter Plff
agt
Isaac Fulby Deft

Upon a writ of unlawfull Detainer returned
executed for unlawfully withholding from
the Plaintiff a lot of land containing
Thirty Six Acres lying and being in the County
and the buildings thereon
of Rockingham on Dry river

This day came the parties by their attorneys and thereupon came
also a Jury To wit Samuel Davis Michael Whetman Henry Berry
Joseph Crouse Jesse Burkholder George M Effinger Joseph Coffman
Peter Whetman John Long John Miller Simon S Harman and
Samuel Chandler who being duly sworn the truth to speak
upon the Issue Joined and having heard the Evidence and argument
of Counsel ~~upon their oaths do say~~ and retire from the bar
to consider of their Verdict and after some time returned into
Court and declared they could not agree whereupon they
were adjourned until to Morrow Morning at 10 O Clock

Andrew J Vanpelt presents in Court an account against the Commonwealth for arresting Keyser & others & for summoning Witness amounting to $10 which was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts

Andrew J Vanpelt presents in Court an account against the Commonwealth amounting to $1.00 for arresting Harry Lewis & Whoping him which was examined & allowed by the Court and ordered to be certified to the Auditor of Public Accounts

Benjamin F Reed produced in Court a Commission from the Governor of the Commonwealth under the Seal of the Commonwealth dated the 29 day of March 1853 whereby he is appointed a Notary public for the County of Rockingham whereupon the said Benjamin F Reed & Certified July 19th 1853 with J C Walker as his Security entered into an acknowledged bond in the penalty of $500 Conditioned according to Law and took the usual oaths of Office prescribed by Law and it is ordered that the said bond be certified

Samuel H Lewis P.J. Isaac Hardesty John R Koogler and Archibald Hopkins J.P.'s each attended one day during the present Court

Ordered that the Court be adjourned until to Morrow Morning at half past Ten O'Clock

S H Lewis

Tuesday the 19th day of July 1853

Present

Samuel H Lewis P.J. Archibald Hopkins J.P.
John R Koogler & Isaac Hardesty } Gent. Justices

Haynes & apt Pltffs
Deft & Defendants } In Chancery

It appearing to this Court that at the last term the report of Henry Miller Jacob Miller and Joseph H Conrad Commissioners to divide the land in the Bill & proceedings mentioned

between John Haynes Peter Haynes Peter Michael Wife & George Life
was confirmed by the Court & the parties decreed to pay the costs
in proportion to their interests in the land and they having failed
to do so it is ordered that Mark and Peter Michael and wife Peter
Haynes John Haynes and George Life be summoned to appear here
as the 1st day of the next Term of this Court to show cause why an
attachment should not issue against them to compel the performance
of said decree

Recess - Whilst the Jury empannelled and sworn for the trial
of this cause on Saturday appeared in Court agreeable to their
adjournment and returned from the bar to consider of their Verdict
and not agreeing in their Verdict were discharged and the
cause is continued until the Next Court

Samuel H Lewis P.T. Isaac Hardesty John R Koogler and
Archibald Hopkins Pts sworn attended one day during the present Court

Ordered that the Court be adjourned until 8 o Morrow
Morning at 9 O Clock

S. H. Lewis.

Wednesday the 20th day of July 1853

Present

Samuel H Lewis P.T. Isaac Hardesty
Archibald Hopkins Pt. & John R Koogler Esqrs Justices

A Writing purporting to be the Last Will and Testament of
Charles Williams deceased was presented in Court and was
proved by the oaths of the Witnesses thereto and ordered to be recorded
Reuben H Harrison the Executor therein named appeared in
Court and refused to qualify and on the Motion of Abraham
S Williams who made oath thereto and entered into bond
with Security (security having Justified) in the penalty
of $250 Conditioned as the Law directs Administration

with the exception of all and singular the Goods and Chattles of the said Charles Williams is granted him in due form and it is ordered that Isaac Bowman Abraham Yancey Madison Moore & Samuel Campbell or any three of them being first sworn do appraise the Estate of the said Charles Williams deceased and make report to the Court

On the Motion of the President & Directors of the Rockingham Turnpike Company It is ordered that John H Hopkins Craig H Chrisman and Robert Gratton be appointed Commissioners to review the 3rd 4th 5th & 6th Sections of the Rockingham Turnpike for the purpose of allowing said Company to erect toll Gates and charge toll on their road according to their General Turnpike Law

Whereas an act was passed by the General Assembly of Virginia on the 9th day of April in the year 1853 entitled "An act concerning the Compensation and empanneling of Jurors, their qualifications and manner of selection in certain cases" to be in force from the 1st day of July next succeeding the passage thereof, And by the 6th Section of said act the County Court of each County and the Hustings Court of each Corporation being required as soon as may be after said act should go into effect and annually thereafter at the April or May term of such Court to prepare a list of such of the inhabitants of such County or Corporation not exempted by the 2nd Section of said Act or the laws heretofore in force as they shall think well qualified to serve as Jurors being persons of sound Judgment & free from legal exceptions including Twenty persons for every thousand white inhabitants in such County or Corporation Such list is no case to include a less Number than Fifty persons and this being the first Term at which the Court could act they have proceeded and made out a list of Persons duly qualified and which list has been delivered to the Clerk of this Court to be by him safely Kept, and also caused each name to be written on a seperate paper or ballot rolled up so as to

Venable each Man and deposited in a Sum box prepared for the purpose and delivered to the Clerk of this Court to be by him safely Kept and only to be opened in accordance with the provisions of this act The Court also designated the quarterly terms of this Court held at February and August as the terms at which there shall be Grand Juries. The Court doth also direct the Clerk of this Court to insert the number of persons to serve on the Grand Juries in this Court to 16

The Report of the Commissioners appointed to view & Locate Sections of the Rockingham Turnpike returned their report into Court and on the Motion of the President of said Company the same is confirmed by the Court and the said Company is allowed to Charge the tolls on three Sections of five Miles each on the Western end of their road prescribed by Law

Byrd v Moffett Sale Sheriff upon a Notice for Money collected by his Deputy N Calvin Smith Judgment is awarded the Plaintiff for $ 121 the aggregate amount in the Notice mentioned Together with Damages at the rate of 12½ per centum per annum upon the different amounts in the Notice mentioned & Costs Subject to a Credit of $7.05 Cents of the 1st of November 1849

Samuel A Lewis P.I. Isaac Hardaty John R Kooglu and Archibald Hopkins P.a each attended one day during the present Court

Ordered that the Court be adjourned until the third Monday in August Next

J R Lewis

Virginia To wit

At a Special Session of the County Court of Rockingham held on the 1st day of August 1853 for the Examination of Henry Miller charged with Forgery in this that he did on the 25th day of June 1853 in the said County feloniously forge utter and attempt to employ as true a Certain paper purporting to be a Note commonly called a promissory note for the payment of One hundred and ten dollars purporting to be ~~signed~~ by Robert Kyle and purporting to be dated on the 29th day of Febuary 1853

Present

Samuel H Lewis P.J. Isaac Thomas
Jacob Rusk John A Dice & John I Bowman Esqrs Gentlemen

The Prisoner was led to the bar in Custody of the Jailor and on the Motion of James Kenny Esqr who was appointed to prosecute on behalf of the Commonwealth the Attorney for the Commonwealth and the Prisoner being without Counsel Allen C Byars was appointed by the Court as his Counsel ~~being absent~~ who ~~was~~ appeared for him and ~~for reasons~~ appearing to the Court the said proceedings be Continued until the next Term and the prisoner is remanded to Jail

Ordered that the Court be adjourned

S H Lewis

Virginia To wit

At a Special Session of the County Court of Rockingham held on the 1st day of August 1853 for the Examination of Henry Miller charged with Felony by him committed in this that he did on the 20th day of May 1853 in this said County feloniously forge utter and attempt to employ as true a Certain paper purporting to be an order drawn by one Albert Nicholas on John Effinger in favour of bearer for the payment of Fifteen Dollars he the said Henry Miller knowing the said forged order to be forged

Present

Samuel H Lewis P.J. Jacob Rush
Isaac Thomas John I Bowman & John A Dice Esqrs Gt Justices

The Prisoner was led to the bar in Custody of the Jailor and for reasons appearing to the Court the said proceedings Continued until the Next quarterly Court and the Prisoner is remanded to Jail

Samuel H Lewis P.J. Jacob Rush Isaac Thomas John I Bowman and John A Dice each attended one day

Ordered that the Court be adjourned

S H Lewis

Virginia To wit

At a Court held for Rockingham County on the Third Monday In August being the 15th August 1853

Present

Samuel H Lewis P.J. Jacob Rush
John Bowyer & Jacob Coplinger & David Harrison Esqrs Gt Justices

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 1853 (both days Inclusive) was returned into Court by the Clerk thereof and being examined by the Court is ordered to be entered on the minutes and a like list be posted up at the door of the Court House of said County which list is as follows to wit

A Deed For Land from Daniel Bazzle To Thomas Cammens
A Deed Fa P Estate from Jacob Tarpley To A Houck In Trust for Wm Gatley
A Deed for Land from Samuel Sandy & others To Isaac Wright
" " " From Pleasant Berglund & Wife To George Moore
" " " From Christian Hoover & Wife To Joseph Kibler
" " " From John T Myers To Richard S Mauzy
" " " From James May & Wife To George May
" " " From Elias Morris & Wife To Solomon Morris
" " " From Michael A Berry To Jacob T Berry
" " " From John D Turner Trustee To Thomas Moore

A Deed for Land From Daniel Hook To Archabala Brock
" " " From Elias Ridenour & Wife To Daniel Pranter
" " " From Jacob Bangle & Wife To Henry Linebaugh
" " " From Henry Linebaugh & Wife To Jacob Bangle
" " " From Samuel N Dana To Edward G F Hughes
" " " From James Deane Jr To James Deane Sen
" " " From David M Kyle & Wife To George W Bickel
" " " From Joseph Clark & Wife To George Hall
" " " From Jacob Harkley & others To Christian C Shoemaker
" " " From Noah Coffman & others To James Morris
" " " From James Miller & Wife To David Armentrout
A Deed for P Estate from William Sandy To Jacob P Effinger In Trust
A Deed for Land From Christian Wine & Wife To John Vantrump
" " " " From Sarah Carns & others To Henry Kyle
" " " " From Adam Leap & Wife To Henry Selby
" " " " From William Jones & Wife To William R Coursey

George O Conrad (Foreman) Daniel Gilmore Samuel Grabill A J O Bader Peter Shanaller Strauther Sheets Reuben Manty Philip Bibb William C Harman Henry Sheets George Bowman Benjamin D Bowman John Wine Samuel Bowman Jonathan Hinkle and William M K Wortman were sworn a Grand Jury for this County who rec'd their charge and retired from the bar to consider of their presentments and after some time returned into Court and made the following An Indictment against Aaron Armentrout for Assault and Battery a True Bill An Indictment against Benjamin Harris and Elizabeth Hume for Larceny & Habitation a True Bill An Indictment against Anthony Rice for Running in the Countymanville without lawful permission A True Bill An Indictment against Christian Kyger for a Wilful Trespass a True Bill An Indictment against Joshua Jennings and Emanuel Sepe for Selling ardent Spirits without a License a True Bill An Indictment against Joshua Jennings & Emanuel Sepe for selling ardent Spirits by retail without a License A True Bill An Indictment against Aaron Armentrout for a Wilful Trespass a True Bill and the said Grand Jury not having time to finish the business

they were adjourned untill to morrow Morning at 10 Oclock and it is ordered that Summons be awarded against the aforesaid Several Defendants to answer the said Indictments thereafter here at the Next Term

Ordered that that part of the Public road from Peals Tan Yard to Craig Nicholas Orchard be discontinued

Ordered that the Overseers of the Poor bind Amanda Reed Child of Sarah Hilly and Ten years old To Abraham Huffman untill she 18 years of age who is give her for freedom dues ~~9/~~ 10 upon the said Huffman entering into bond with Surety as the Law directs

John A Herring a Commissioner appointed to all of hands on the road made on the Petition of Peter Wise & others returned his report into Court which was examined and ordered to be filed

On the Petition of Nathaniel Hook & others to discontinue a part of Boltons Mill road & Oakdale Continued

Thomas vs Hohenger Upon a writ of Adqued Damnum report of the Juries was returned into Court and it is ordered that the Verdict of the Jury be confirmed upon the Defendants paying the Damages assessed by the Jury and the Cost of this suit

Effinger vs Whitmore Upon a Writ of Adqued Damnum by Consent the Writ awarded in this Case is set aside and a new Writ awarded to be executed on the 21st day of this Month 1853 returnable here at September Court

Smith vs Barley Judgment confessed for Cost

Ordered that Wm A Gilmore be appointed Surveyor of Precinct 801 on the road called the Hamilton road to Swift run Gap road in the room of Henry Michael

On the Motion of Benjamin A Pulliam Esq and he having taken the usual oaths prescribed by Law is admitted to practice as an Attorney in this Court

Bear vs Hudson & Upon a Note in a Replevy Bond & Issue joined & Judgment & Execution awarded

On the Motion of Madison Powell & Children of James Powell dec'd ordered that James Powell & Benjamin Powell Executors of the last will & testament of Horatio Powell dec'd be summoned to shew cause at the next Court why they should not give a new Bond & additional security

Henry Miller who stands charged with felony was arraigned & the bar in custody of the Jailor and thereupon Sundry Witnesses were Sworn and Examined To wit John Harnsbarger Robert M Kyle Robert Kyle James Steele who sworn and examined and the prisoner being fully heard in defence by Allen & Bryan & John B Woods as Esqrs the Court are of Opinion that the said Henry Miller ought to be tryed for the offence for which he stands charged by the Grand Court and thereupon the said Henry Miller was remanded to the Jail of the said Grand Court

But it remained that on the 15 day of August 1853 John Harnsbarger Robert M Kyle Robert Kyle & James Steele severally acknowledge themselves to owe and be indebted to the Commonwealth of Virginia in the sum of $100 each to be levied of their respective goods and Chattles Lands and Tenements for the use of the Commonwealth to be rendered

But upon this condition that if the said John Harnsbarger Robert M Kyle Robert Kyle & James Steele shall make their personal appearance before the Judge of the

Circuit Court of Rockingham County on the First day of the
Next Term which will be on the 8th day of October next then and
there to give evidence against Henry Miller charged with Felony
and shall not depart the Court until discharged by due Course
of Law then the above recognizance to be Void else to remain
in full force and Virtue

Henry Miller who stands charged with a Felony was led to
the bar in Custody of the Sheriff and thereupon sundry Witness
were sworn and examined to wit John S Effinger and Albert
P Nicholas were sworn and examined and the prisoner being fully
heard in his defence the Court are of Opinion that the said
Henry Miller ought to be bound for the offence for which he stands
charged by the Circuit Court Whereupon the said Henry Miller
was remanded to the Jail of the said Circuit Court

Be it remembered that on the 15th day of August
1853 John S Effinger & Albert P Nicholas severally acknowledged
themselves to owe and be indebted to the Commonwealth of Virginia
in the sum of $100 each to be levied of their respective goods
and Chattles Lands and Tenements and for the use of the Com-
monwealth to be rendered. If upon the Condition that the
of the said John S Effinger & Albert P Nicholas shall make
their personal appearance before the Judge of the Circuit
Court of Rockingham County on the 8th day of October next then
and there to give evidence against Henry Miller charged with
Felony and shall not depart the said Court unless discharged
by due Course of Law then the above recognizance to be Void
else to remain in full force & Virtue

On the Motion of William H Hudson and he having made
oath thereto and entered into bond with security in the penalty
of $250 Condicioned as the Law directs (the security having
justified) Administration of all and singular the Goods and
Credits of Andrew Hudson is granted him in due form and thereupon
the said William Hoffly Abraham Hartman John Evers &

Philip Bates or any three of them being first sworn do appraise the Estate of the said Andrew Meadors and make report to the Court

Talafarro v Parker — Dismissed
Mophedfer v Parker — same

John W Dunlap
agt
Lewis Powell } Capias & writ of Unlawfull Detainer

The Summons in this case being returned duly served the Defendant confessed that he unlawfully detains from the Plaintiff the possession of the premises in the declaration or summons described & that he has not held or detained the possession for three years before the date of the Summons It is therefore considered by the Court that the plaintiff recover of the Defendant the possession of the premises in the summons mentioned and his Costs by him about his suit in that behalf expended

Benjamin Cramer & Edmond H Cramer Children of Joseph Cramer over 14 years of age came into Court and made choice of Henry H Wyman as their Guardian who thereupon entered into bond with security in the penalty of ~~$600~~ 1300 Condemnation as the Law directs the security being approved

Samuel H Lewis P.I. Jacob Rush Daniel Harrison & John Bowyer & Jacob Caplinger Each attended one day during the present Court

Booth v Dunlap & Co Continued for Defendants

Ordered that Henry Spe be appointed Surveyor of Roads in the District No 2 from the Middle hopville road in the room of Joseph Spe

Ordered that the Court be adjourned until to Morrow Morning at 10 o'Clock

S H Lewis.

Tuesday August 16th 1853

Present

Samuel H Lewis P.J. Jacob Rush
Jacob Caplinger Daniel Harrison & John Boyer

} Gentlemen } G. Justices

Settlements of the Estate accounts of Reuben Ramsey dec'd, Peter Driver dec'd, Jacob Bowman dec'd Henry Black dec'd and Henry Matheny dec'd were returned into Court by the Clerk thereof, and having been filed in Office for the time prescribed by Law, were examined by the Court and ordered to be recorded,

Settlements of the guardian accounts of John Garber Daniel Bowman and Christian Fultz were returned into Court by the Clerk thereof, and having been filed in Office for the time prescribed by Law, were examined by the Court and ordered to be recorded,

Report of the Viewers for a change in the road from Dans Mill to Jacob Caplinger made on the Petition of Ulrich Willey was returned into Court and there being no exceptions to said report the said alteration is ordered to be established agreeable to said report

Copies for Atty. Anderson

A Writing purporting to be last Will and Testament of John Mummert deceased was again presented in Court and on the Motion of George Brenner and Jacob having made oath thereto and entered into Bond with security in the penalty of $500 Conditioned as the Law directs the security having justified) administration Debonis non with the will annexed of all and singular the Goods and Chattles of the said John Mummert is granted him in due form and it is ordered that Samuel Gordon Gideon Pence & Samuel Caplinger or any three of them being first sworn do appraise the Estate of the said John Mummert deceased and make report to the Court

Ordered that Nathan Hunter be appointed Surveyor of Precinct No 7 on the Gallows Bucks Gap road in the room of Samuel Wise

Cook v Mehard & Upon a Notice on a Delivery Bond & Issue proved and Judgment and execution awarded

Shuey v Harris same

On the Motion of Rhoda T Logan and she having made oath thereto and entered into Bond with surety in the penalty of $1500 conditioned as the Law directs (Letters having Issued) Cp Administration of all and singular the Goods and Chattles of George Logan is granted her and it is ordered that John Moberly Dana S Jones St Clair Kyle and Isaac Hardesty or any three of them being first sworn do appraise the Estate of the said George Logan deceased and make report to the Court

Issued On the Motion of Isaac Reed it is ordered that Abraham Huffman be summoned to shew Cause at September Court next why the order & Indenture binding Amanda Reed to said Huffman should not be rescinded

Constbl v Sowds 2 Cases Capias awarded (Issued)
same v Mehlberger same (D[itt]o)
same v Estep same (Ditto)
same v Terrell & Co S Jones (Ditto)
same v Webb Continued
same v Phelps same
same v Harry same
same v Brightman same
same v Newcomb same
same v Nicholas same
same v Dove same
same v Jones same
same v Smith same
same v Glover Judgment for Costs

Upon the Petition of John F Lewis & others for the alteration of a public road. This day came as well the Petitioners as Jacob Amman and by Consent it is ordered that the order entered into in this at the September Court 1857 so far as it regards the Establishment of the alteration of the road through the lands of said Amman be & the same is hereby set aside and the said Amman having the receipt of the service of a Summons upon him to shew cause why the said proposed alteration shall not be established according to Law, On his Motion it is ordered that a writ of adquod Damnum be awarded the said Jacob Amman to be directed to the Sheriff of this County & to be executed on the 16th day of September next & returned here at September Court

Comth vs May Jury Sworn to try the issue to wit William W Hooke George W Effinger ~~Nathaniel Britton~~ Jonathan S Speck Isreal Young Guy Nave Joseph F Rohr John Garber James Burgess Dana Eiler John Mason Alexander Kiger & Daniel B Bowman Verdict the Defendant Not Guilty.

Comth vs Ready Judgment ~~for fine & Costs~~ confessed for Five Dollars

Same vs Landsman Judgment confessed for $30 Five Dollars Costs

Comth vs Gaeley Continued

Same vs Sandy Judgment confessed for Costs

Comth vs Coakley Jury sworn to try the issue to wit Gerard W Effinger ~~William Coakley~~ Nathaniel Britton William Gay S C Wheleyman Joseph Berry Steven F Fee Joseph Harshbarger Steven Harshbarger Jr George Rader Thomas Harrison Jacob Roudabush & George Wilt Verdict Defendant Not Guilty

Tuleries Adms vs Valley Turnpike Co Continued

Armentrout & vs Howard & Continued

Howard & vs Armentrout Continued

Deahle vs Gilbert Continued

Harpers Heirs vs Grove Continued

Rader vs Grove Continued

Neff vs Anders Continued

Same vs Same Continued

Commonwealth	vs	Welsel	Continued
same	vs	[illegible]	Continued
same	vs	Knabb	New Sums awarded Plff
same	vs	Helms	Continued
same	vs	M Glover	Judgment for Costs
same	vs	The Same	Same
same	vs	Perkey	Capias awarded Plff
same	vs	Miller N G & Gen Reprieve & Plff Hon	Continued
same	vs	Selley P	The Same
same	vs	same	The Same
same	vs	same	The Same
same	vs	same	The Same
same	vs	same	The Same
same	vs	Shepler	Capias awarded Plff
same	vs	Snyder	same Ditto
same	vs	M Cale N G & Plff Hon	
same	vs	Pellington	Capias awarded Plff
same	vs	Brown N G & Plff Hon	
same	vs	Peale	same
same	vs	Spitzer P	New Sums awarded Plff
same	vs	Rodgers	Capias awarded Ditto
same	vs	Jacks as Sigler	N G & Plff Hon
same	vs	Gehman	same
same	vs	Ranis	same
same	vs	Perkey Capias awarded	Plff
same	vs	Lindsey	same Ditto
Bears Exors	vs	Coles upon a Notice Docketed	Continued
Williams	vs	Leedy	Discharged
R. T. Company	vs	B. Peale Report of Commrs confirmed and Judgment for Plffs Costs	
same	vs	B. Peals Hrs Report of Commrs confirmed and Judgment for Plffs Costs	
Ott P	vs	Brown	Discharged
Hyle	vs	Funke	Continued
Keazlett	vs	Kuzle	Continued

Rusla v Fielby Continued

Conrad v Cryder & Continued

White v Grove Continued

Gilmore & v Effinger Continued

Smith v Webster upon a rule rule made absolute & Attachment awarded

The Same	v	Long	The Same
Same	v	Burnside	discharged
Same	v	Bowers	Continued
Same	v	Long	Continued
Same	v	Shoemaker	Continued

The Grand Jury Sworn for this County on Yesterday appeared in Court agreeably to their Adjournment and related from their last Session their presentments and after same time returned into Court and made the following An Indictment against John Hiseman der for selling ardent Spirits by retail without License a True Bill An Indictment against John Hiseman der for disturbing a religious assembly A True Bill An Indictment against Andrew J. Glover for disturbing a religious assembly A True Bill An Indictment against William Brown & Elizabeth Davis for Lascivious Cohabitation A True Bill An Indictment against Joseph Hall & Lydia May for Lascivious Cohabitation A True Bill An Indictment against Levi Shoemaker for retailing ardent Spirits without a License a True Bill An Indictment against Mary Swanson for Selling Ardent Spirits without License a True Bill An Indictment against Andrew Rodgers for An Assault and Battery A True Bill An Indictment against Washington O Roark & Hannah May for Lascivious Cohabitation a True Bill An Indictment against Mathias Mench & Christena Deardorff for Lascivious Cohabitation A True Bill An Indictment against John Smith for retailing ardent Spirits without License a True Bill An Indictment against Joshua Jennings and Emanuel Sipe for retailing Ardent Spirits without License A True Bill An Indictment against James Steele for An Assault and Battery a True Bill An Indictment against Philip Ritchie for an Assault and Battery a True Bill

An Indictment against Jacob Custer for An Assault and Battery a True Bill An Indictment against Abraham Parker for Gaming a True Bill An Indictment against Lunsey Fisher for Gaming a True Bill An Indictment against Levi Parker for Gaming a True Bill An Indictment against Erasmus May for Gaming a True Bill An Indictment against Johns Smith for retailing ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing ardent Spirits without a Licence A True Bill An Indictment against Johns Smith for retailing ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing ardent Spirits without Licence a True Bill An Indictment against Johns Smith for Selling ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing ardent Spirits without Licence a True Bill An Indictment against Johns Smith for Selling Ardent Spirits without a Licence A True Bill An Indictment against Johns Smith for Selling ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing Ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing Ardent Spirits without Licence a True Bill An Indictment against Johns Smith for retailing Ardent Spirits without Licence a True Bill An Indictment against Daniel Hadley & Richard May for Lasciviois Cohabitation a True Bill An Indictment against Robert Philips and Mary Carver for lasciviois Cohabitation a True Bill An Indictment against Johns Hunnie & Lucy Hunnie for Lasciviois Cohabitation a True Bill An Indictment against Jackson Reddle Jr for an Assault and Battery a True Bill An Indictment against Johns Simmons and Sarah Lambert for Lasciviois Cohabitation a True Bill An Indictment against Jacob Ready for An Assault and Battery a True Bill An Indictment against Henry Gilmer and Catharine Black for Lasciviois Cohabitation a True Bill An Indictment against Gemima Gallahue for permitting a Slave under her Control to go at Large trade as a free woman a True Bill ~~woman~~ herself out A True Bill An Indictment against Washington O Roark for retailing ardent Spirits without Licence a True Bill

and the said Grand Jury having no further business before them they were discharged and it is ordered that Summons be awarded against the defendants and several Defendants to answer the said Indictments returnable here at the Next Term

Thompson v Canada Upon the motion of Plaintiff this cause is remanded to Nassau Bore the Justice who transfered the same to this Court to be determined by him or some other Justice of Judgment for Defendant for Costs Memo on the trial of this Cause a bill of exceptions was taken by the Defendants Counsel to the Opinion of the Court which was signed and sealed and ordered to be made a part of the Record

Samuel H Lewis P.J. Jacob Rush Daniel Harrison and John Bowyer and Jacob Caplinger each attended one day during the present Court

Ordered that the Court be adjourned until 10 O'Clock

S H Lewis

Wednesday the 17th day of August 1853

Present

Samuel H Lewis P.J. Jacob Rush Jacob Caplinger
Daniel Harrison and John Bowyer 3 & Justices

Smith v Wolfe upon an Indictment Indictment quashed and Judgment for Defendants Costs against A. J. Johnson who is ordered as the prayed

Ordered that Richard P Fletcher be appointed a Commissioner to state and settle the accounts of the sheriffs appointed by this Court both General and Special agreeable to the 11th Section of the act of Assembly passed the 3rd of June 1852

Canada v Thompson	Continued for Plaintiff Defendant
Conklin v Miller	Continued
Effinger v Sterling Judgment obtained for $47.14 Cents with interest Costs Subject to a credit of $3.09 Cents paid September 23rd 1857	
Peters v Lindy	Continued for Defendant
McDonell & Gorman fast v Gourley	Continued
Radenfast v Wingfield	Continued
Switzer v Callis admrs	Continued
Roller v Gourley	Continued
G & I. Hindley v Vanpelt	Continued
Blair v Bleyle	Continued
Same v McCall	Continued
Lindamood v Hendrickle	Continued
Delaney Sheriff &c v Shipman & Roller	Continued
Looker v Switzer	Continued
Switzer v Meshiroon	Continued

Cooks Admrs v Shoemaker Jury Sworn to try the issue Court Gerard M Effinger Nathaniel Britton William Gay & C Wilkerson Joseph Berry Steven I Hess Joseph Hansbarger Stephen Harrisburger Jr George Radenfast Thomas Harrison Jacob Rondabush & George Will found not agreeing in their Verdict Court adjourned until to Morrow Morning at 10 O Clock

On the Motion of Samuel St Lewis it is ordered that Crawford & Shryock be appointed a Special Commissioner to examine & state and settle the Estate accounts of the said Thomas Lewis with the said Administrator and make report to the Court

Op

Administrator of Thomas Lewis dec'd

Samuel H Lewis P.S. Jacob Rush Jacob Coplinger Daniel Harrison & John Bowyer each attended one day during the present Court

Ordered that this Court be adjourned until to Morrow morning at 10 Oclock

S H Lewis.

Thursday the 18 day of August 1853

Present

Samuel H Lewis P.S. Jacob Rush Jacob Coplinger
Daniel Harrison & John Bowyer } Esqrs Justices
Thompson Mc Ilvaine } Continued

Huff vs Beard & Offer } Debt on a Delivery Bond Nolle prosequi & Judgment & Execution awarded

Palmer vs Beard } same

Evans vs Randall } same

Pearson Wife vs White Continued for Plaintiffs and Rule against Rowlen Weir for failing to attend as a Witness for the Plaintiff

Pearson Wife vs White On the Motion of the Plaintiff it is ordered that R M Conn Sheriff of Shenandoah County be ruled to shew cause why he should not be fined for failing to return A Subpoena (which) issued to summons Witnesses in the Case of Pearson Wife against White

Bryan vs Maupin Continued for Defendant

Stevens vs Menefee Dismissed at Defendants Costs & Judgment for Plaintiffs Costs

Long for & Hooke Continued for Plaintiff

Cooks admrs vs Shoemaker Jury sworn in this Case on Yesterday appearing Court agreable to this adjournment and not agreeing in there verdict by Consent this said Jury were discharged

Armin vs Sepes adms Jury sworn to try the issue to wit William W Hooke Jonathan S Speck Isaac Young Guy Nave Joseph T Rohr John Garber James Burgess Peter Hendricks Hannah Eiler John Mason Alexander Kyger & Hannah B Bowman Verdict for the Plaintiff for the sum of Eighty Four Dollars and Forty nine & per Cent Damages with interest thereon at the rate of Six per Cent per annum from July 1st 1851 till paid & Judgment accordingly

Armin vs Sepes Adms Ins Defts pleas &c & Judgment

Barnes vs Rader Continued Plaintiff

J H Ellis vs Hoffman plea &c & Judgment staying equity until a stay of Execution until Septr Court

J M & R Bowman vs Heaps Jury sworn to try the issue to wit William W Hooke Jonathan S Speck Isaac Young Guy Nave Joseph T Rohr John Garber James Burgess Peter Hendricks Hannah Eiler John Mason Alexander Kyger & Hannah B Bowman Verdict for them the Jury find for the Plaintiff $107 the Debt in the Declaration mentioned with interest thereon from the 1st of January 1852 till paid Subject to Credits of $10 to take effect January 10th 1852 & $2.25 Cents to take effect March 8th 1852 & $12.85 Cents to take effect 19th July 1852 & Judgment accordingly

The Report of the Viewers for a way for a road made as the Petition of Rader & Harman & others was returned into Court and there being no exceptions to said report the said road is established agreeable to said report and it is ordered that Michael Sellers be appointed a Commissioner to assign hands to work on said road and make report to the Court stating from Road or roads the said hands are taken

Black vs Black Dismissed

Taylor & Kyger vs Way & Nicholas Judgment Confessed for $166.84 Cents Damages with interest from the 26th day of March 1850 till paid & Judgment accordingly with a stay of Execution

Rhodes & ux Dowell Jury sworn to try the issues & wit Francis M Effinger Nathaniel Britton William Gay S. C. Whitesarver Joseph Berry Steven I Fox Joseph Hornsberger Steven Hornsberger Jr & George Rader Thomas Harrison Jacob Rondebush & George Wise Verdict for the Plaintiff in the Jury find for the Plaintiff and assess their damages at $83.68½ Cents with interest from the 11th day of August 1852 till paid Costs Thereof the Motion of the Defts the Verdict of the Jurys set aside and new trial awarded Costs upon the payment of the Costs of the trial

Holbrook & Harris Continued

Cushing Ho vs Bruffy Continued

Price vs Barley Continued for Defendant & W.C. set aside & Grand Jury & apult & Issues Continued

Hulon vs Chapman Continued for Plaintiff

Baylor vs Jones Continued for Defendant

Gray vs Kearney Continued for Defft

Cole Shaw Ho vs G. W Moore Ho Judgment Confession for $1167.22 Cents Damages with interest from the 8th day of March 1852 till paid Costs & Execution to lie for 60 days)

O. C. Sterling Son vs Clarp Administrator W.C. set aside & Ca and the act of Limitations General replication & Issues & Jury sworn to try the Issues wit William W Hooke Jonathan S Spurk Jesse Young Guy Nave Joseph J Rohr John Garber James Berger Peter Hornberger David Eller John Mason Alexander Kyger & Hannah B Bowman Verdict We the Jury find for the Plaintiff and assess their Damages Two hundred and Twenty Two Dollars and Seventy nine Cents with interest thereon from the 26th of February 1852 till paid Costs

Gordon vs Judy Jury sworn to enquire of the Damages wit Francis M Effinger Nathaniel Britton William Gay S. C. Whitesarver Joseph Berry Steven I Fox Joseph Hornsberger Steven Hornsberger Jr & George Rader Thomas Harrison Jacob Rondebush & George Wise Verdict We the Jury find for the Plaintiff and assess their Damages at $36.75 Cents with interest from the 15 day of February 1853 till paid Costs

Bear v Manning adms W E et ande N A General replevin
& Issue & Jury sworn to try the issue to wit Gerrard M Effinger Nathan
ne Britton William Gay S C Whiteman ames Joseph Berry Stevens S Thee
Joseph Harnsberger Stevens Harnsberger Jr George Rader Thomas Harrison
Jacob Roudabush George Will Jurst agreeing in their Verdict
were adjourned until to Morrow Morning at 11 O Clock

Shoemaker v I & G Findley Continued

Wagner v Debruler Non suit awarded with Damages and
Judgment for Defts Costs

Cramer v Beards adms W E et ande N A and the act of Limitations
General replevin & Issue Continued

Leppler v Kemp W C et ande N G & Issue Continued

Brackenridge v Clarys adms W E et ande N A General
replevin & Issue Continued

Samuel N Lewis P J Jacob Rush Jacob Coplenger John Bauge and
Daniel Harrison Each attended one day

Ordered that the Court be adjourned until to Morrow Morning at 11 O Clock

S N Lewis.

Friday the 19th day of August 1853

Present

Samuel N Lewis P J Jacob Rush
Daniel Harrison & John Bauge } Judges

On the Motion of William Coplenger it is ordered that
the Estate of Jacob Neidig Deceased be committed to the Sheriff
of this County to be by him administered according to Law

Beery vs Whelpley Writ set aside & General replication & Issue & Jury sworn to try the issue to wit William W Hooke Jonathan S Speck Isaac Young Guy Nave Joseph T Rohe John Garber Layton Myers Peter Stenbarger Daniel Eder John Mason Alexander Kyger & Daniel B Bannon Verdict for the Jury find for the Plaintiff and assess his damages at $30 with interest from the 19th of August 1853 the paid Costs

Bear vs Manning Adms The Jury impanelled and sworn for the Trial of this Cause on Yesterday appeared in Court agreeable to their adjournment and not agreeing on their Verdict by Consent they were discharged & the Cause Continued until the Next Term

On the Motion of George B Hunter and he having made oath thereto and entered into Bond with surety in the penalty of $250 Conditioned as the Law directs (the surety having Justified) administration of all and singular the Goods and Chattles & Rights & Credits which were due from and it is ordered that Silas Blair John Hutchinson Henry Anderson & Simon Harmas or any three of them being first sworn do appraise the Estate of the said Daniel G Ray and make report to the Court

Crawford & Shaw a Commission in Chancery returned into Court the following reports of N. W Pollard & Said agt Simon Nave Way & Nicholas agt Simon Nave John A Fishback agt Simon Nave Pollard Comm'r & against Simeon Nave N W Pollard agt Simon Nave which is ordered to be filed

Kratzer vs Cline The Defendant having filed a plea in defence of this Case to the Amount of $619.81 Cents as applicable to the Bond of $1250 and the Credits having all been Indorsed on the other Bond Judgment is rendered in favour of the Plaintiff agt Defendant Cline for the sum of $521.67 Cents the ballance of the

Bond of $1760 after deducting credits with legal interest thereon from the 19th day of January 1852 till paid and also for the sum of $630 11 cents the residue of the Bond of $1350 after deducting amount claimed by Defft as an offset thereto with legal interest on said sum of $630.11 cents from Dec 23rd 1851 till paid and the Costs of this proceeding up to the present time, and as to the amount of said Bond as to which the offset of $619.86 cents is sought to be applied this cause is retained in Court and upon the application of the Defendant is continued at her costs until the next Term and the Case is also continued on the Docket as to the liability as Bury as the Garnishee

Catharine Koontz Plaintiff

against

Samuel Brown Christina his wife & Alex Defendants

In Chancery

This Cause came on to be finally heard this 19th Day of August 1853 upon the papers heretofore filed the proceedings heretofore had the report of Commissioners Hook Harrison and Bowman the exceptions thereto and affidavits filed Whereupon the argument of Counsel being heard & the Court being of Opinion that the report aforesaid ought to be confirmed the exceptions are therefore overruled and the report affirmed and ordered to be recorded. The Court doth further adjudge & order that the Plaintiff recover one fifth of the Costs of this suit from Samuel Brown & Wife one fifth from Henry Loohr & Wife and one fifth from the Children of Howard Cowan

Marby vs Kerlley Exors — Continued

S. S. Toll Brd

Masters vs Lilly & Offrs Judgment set aside payment Counsel replied leave & Spec Matters Heard to file a special plea

Clemens vs Bury — same

Segler vs Lilly — same

Butler & Tinsley vs Sterling — same

Dover v McGahey Jas & Mullen Judgment awarded the Plaintiff for $371.42½ Cents, with interest from the 15 September 1845 till paid Costs. Subject to a Credit of $14.78 Cents paid Dec 1st 1845

Banks v Eubler Ass't Comm't Judgment awarded for $400 with interest from the 6th day of April 1852 till paid & the Cause continued at the Defts Costs unless the next Term

McGahey admrs v Murrah plea rend & Judgment for the Debt in the Declaration mentioned with interest & Costs saving equity

Phelps v Dever — Continued

Sink v Eubler — Continued

Cole Shook & Co v Hopewell — Continued

Dever v London Judgment awarded the Plaintiff for $30 Damages with interest from the 1st day of April 1838 till paid & Costs

Ordered that Giraud M Effinger Nathaniel Britton William Gay L C Whitmarsh Joseph Berry Stevens I. Fee Joseph Hambaugh Stephen Hambaugh Jr George Rader Thomas Harrison Jacob Rondebush & George Wile are each entitled to $1 for their services and attendance during this Court Fifty Cents thereof to be paid by the Commonwealth and $3.50 Cents to be paid by the County

Ordered that William Hooke Jonathan S Speck Isaac Young Guy Nave Joseph T Rohr John Garber David Eiler John Mason Alexander Kyger & David B. Bowman are each entitled to $3.25 Cents for their services and attendance during this Court Fifty Cents to be paid by the Commonwealth and $2.75 Cents by the County

Ordered that George W Effinger be allowed $2.50 Cents for his services and attendance during this Court Fifty Cents to be paid by the Commonwealth and $2.00 by the County

Ordered that James Burgess be allowed $2.75 Cents for his services and attendance during this Court Fifty Cents by the Comth and $2.25 Cents by the County

Ordered that Leyden Mayers be allowed $2.50 cents for his services and attendance during this Court to be paid by the County

Ordered that Peter Hemburger be allowed $3.25 Cents for his services and attendance during this Court to be paid by the County

Ordered that the Grand Jurors who serve at this Court be allowed One Dollar each to be paid by the County

Ordered that Samuel H Lewis P J Daniel Harrison Jacob Reeds & John Bowyer Serve One day during this present Court

Ordered that the Court be adjourned until this Third Monday in September Next

S H Lewis.

Virginia To Wit:-

At a Court held for Rockingham County on the third Monday in September 1853 being the 19th day of said Month.

Present:-

Samuel H Lewis P J Henry I Warburton & Justices.
John Barkhidon

A List of Deeds & other Writings admitted to Record in the Clerk's Office of the Court of Rockingham County from the 1st to the 31st day of August 1853 (both days inclusive) and being returned into Court by the Clerk thereof and being examined by the Court, was ordered to be entered on the minutes, and a like to be posted at the front door of the Court house of said County, Which List is as follows. To Wit:-

A deed for Land from Joseph McMullen & wife to Hannah Daugherty
" " " " " Jacob B. Stevens & wife to Archd. Nicholas
" " " " " Same to A. Nicholas
" " " " " Same to Wm. Rebeca
" " " " " Same to Chas. P. Smith

A deed for Land from Jb. R. Stevens & wife to A. S. & S. A. Byrd
" " " " " Same to Jol. H. Conrad
" " " " " Paul Stockbridge & wife to Jno. M. Maupin
" " " " " E. M. D. Harris to Peter S. Roller
" " " " " Wm. McAtee & wife to Adam Piper jr
" " " " " Ro. Gray to Danl. Hurley
" " " " " Jno. Miller & wife to Jas. & McD. Harris
" " " " " Benj. F. Lewis & wife to Albert M. Lewis
" " " " " Albert M. Lewis to Ro. Ewing (P of A.)
" " " " " James M. Lewis & c to Harrison Bateman
" " " " " Harrison Bateman & wife to Geo. W. Kemper jr
" " " " " Jno. G. Gauley & c to Peter Fitch
" " " " " Albert H. Baugher & wife to Jas. J. Maiden
" " " " " Abbath M. Hudson & wife to Chas. B. Yancey
" " " " " John A. Miller & wife to Geo. Sarland
" " " " " E. A. Evans Trustee to Wm. Rice
" " " " " Ro. Losh & c to Moses Joseph
" " " " " Peter Fitch & wife to S. Harnsberger & c Trusts
" " " " " Nancy Ruschler & c to David Fridley
" " " " " Jno. A. Miller & wife to Wm. Mantea
" " " " " Wm. A. Conrad & c to P. Liggett
" " " " " R. M. Kigle jr & wife to Same
" " " " " John A. Kuster & wife to John Robinson
" " " " " Danl. Smith's Exr to Nevel Rogers
" " " " " Nevel Rogers to E. T. A. Warren (Trust)
" " " " " Wm. M. K. Wartman & c to Jno H. Wartman
" " " " " Geo. Kuglee & wife to Enos. Kuglee & c.

Settlements of the Estate accounts of Anna Wampler & Moriah Head dec'd, David Sipe dec'd, Jonathan Clary dec'd Philip Baker dec'd, Adam Wise Sen dec'd, Henry Miley & John Kline Sen dec'd, William Houston dec'd, Adam Detrick dec'd, Aaron Davis dec'd, Abraham McKey dec'd Daniel H. Baugher dec'd, Peter Getty dec'd, Nimrod Davis dec'd, were returned into Court by the Clerk

thereof, and having been filed in the Clerk's Office for the time prescribed by Law, were examined by the Court and ordered to be Recorded

Settlements of the Guardian accounts of Peter Whitmore Eli Koontz Isaac Hardesty, Benjamin Hoffman George Shreckhizer and Solaman Garber, were returned into Court by the Clerk thereof, and having been filed in the Clerk's Office for the time prescribed by Law were examined by the Court and ordered to be recorded

Jacob Y. Beery John A. Beery, Lewis Driver and Elizabeth his wife Plaintiffs

against } In Chancery.

Samuel Shank & Magdalen his wife, & the heirs of Abraham Beery Defendants

This cause came on to be heard by consent this 19th day of September 1853. upon the bill exhibits the answers of the defendants Shank & wife & of the infants defendants by Littleton W. Gamble their guardian ad litem whereupon the agreement of Counsel being heard and the Court being of opinion that dower ought to be assigned, and partition, made of the real estate of Abraham Beery dec'd among his heirs The Court doth thereupon adjudge, order & decree that Henry Beery Henry Wenger & Isaac Wenger who are appointed Commissioners for that purpose do proceed to lay off and assign to Magdalen Shank late Magdalen Beery widow of Abraham Beery dec'd by metes & bounds one equal third of the whole real property of which said Abraham Beery died seized in Rockingham County agreeably to quantity & quality including the mansion house, that said Commissioners of the remaining two thirds assign three elevenths to the plaintiff Jacob Y Beery one

eleventh to the complainants John H. Berry one eleventh to the complainants Lewis Driver & Elizabeth his wife and one eleventh to each of the infants defendants by metes & bounds, and the Court doth further adjudge & order that said Commissioners assign the three shares to Jacob Y. Berry adjoining each other if in their judgements, that can be done without injustice to the other parties and that said Commissioners make reports to this Court at its next Term.

Dinkle vs Deshler upon a Sumo to answer Interogatories
Dinkle adm. vs Falls The Same
Harrison vs Hoover The Same
Hairston vs Johnson The Same
Harrison vs Sites " The Same

Crawford C. Strayer a Commissioner in Chancery Circuit Court returned into Court the interogatories and answers and his proceedings thereon in the above cases which are ordered to files

Ordered that Overseers of the Poor bind Alexander a free Negro boy, son of Calhatin Moore to Reuben Moore to learn the business of farming (agreed 13 mar 1st July 1850) as the law directs the said Moore to pay him at the end of his apprentice ship $100 —

Ordered the Overseers of the Poor bind Benjamin a free boy of colour & son of Calhatine Moore a free negro woman to Newitt Coffman to learn the business of a farmer as the law directs, said boy was 5 years of age the 15th Nov. 1849 said Coffman to pay said boy when he arrives of age $75 — as freedom dues.

On the motion of Francis C Dever and he having made oath thereto and entered into bond with Security in the Penalty of $600 conditioned as the law directs (the Surety having justified) Administration of all and Singular the goods and Chattles of Mary Dever dec'd is granted him in due form and it is ordered that Abraham Flick, Jacob Thomas, Shem Meatrole & James Dever or any three of them being first Sworn do appraise the Estate of the said Mary Dever dec'd & make report to Court

On the Motion of David B Bowman who made oath thereto and entered into bond with Security in the penalty of $1500, conditioned as the law directs (the Surety having justified) Administration of all and singular the goods and Chattles of Catharine Bowman dec'd, is granted him in due form and it is ordered that D P Bowman, Anthony Rhodes, Christian Weiss, & Samuel Kline or any three of them being first Sworn do appraise the Estate of the said Catharine Bowman & make report to Court

Ordered that Overseer of the Poor bind Joseph Summers a free coloured boy 10 Years of age last June to Jeremiah Parrot to learn the business of a farmer, who is to give said boy a good freedom suit when arrive at the age of 21 Years

On the motion of James O'Brien who made oath thereto and entered into bond with Security in the penalty of $500 conditioned as the law directs, (the Surety having justified) Administration of all & Singular the goods & Chattles of Briscoe Smith dec'd is granted him in due form and it is ordered that Peter Fiteh, John Yount, Amos

Scott & Harrison Bateman or any three of them being first sworn do appraise the Estate of the said Rebecca Smith and make report to Court

J Brenner vs Frederick - Appeal - Dismissed

J R Krogler
vs
Rebecca Poole } In the County Court of Rockingham

This cause came on to be finally heard this 19th day of September 1853 upon the Bill, exhibits, answers and depositions heretofore filed and upon the report of William R Warren Deputy for Abram J Byrd Sheriff of Rockingham County Commissioner, and no exception being taken to the said report, the same is hereby confirmed And it is ordered adjudged, ordered and decreed by the Court that John R Krogler the Plaintiff in this cause do pay the costs of this suit, and that all matters herein contained being now finally adjusted, it is further decreed by the Court that the said Krogler have leave to withdraw from the Papers Exhibit (C) filed in said Case -

On the Motion of Levi Whitzel it is ordered that he be appointed Committee for William Sipe a deaf and dumb person, whereupon the said Levi Whitzel appeared in Court and entered into bond with Security in the penalty of $100 - conditioned as the law directs (the Surety having qualified)

A Report of the Commissioners appointed to lay off the Dower of the Widow of Emanuel Sellars Dec'd in the lands of her Deceased Husband was returned into Court and confirmed and ordered to be recorded

On the motion of Derick Pennybacker and he having made oath thereto and entered into bond with Security in the penalty of $3000 — Conditioned as the law directs (the surety having justified) Administration of all and singular the goods & Chattles of Horatio N Koontz is granted him in due form, and it is ordered that Merritt Coffman, Peter Acker, Jacob A Mitchell & Richard Wenslow or any three of them being first sworn do appraise the Estate of the said Horatio N Koontz & make report to Court

Ap

=

A writing purporting to be the last will & Testament of Nancy Van Lear ~~and~~ presented in Court and proved by the oaths of Eli Watkins and Thomas Mills and ordered to be recorded, And on motion of Peter Earmon the executor therein named who made oath thereto and entered into bond with Security in the penalty of $750 — conditioned as the law directs — (the surety having justified) a certificate is granted him for obtaining a probate thereof in due form ~~Ordered that it is ordered~~

=

Smith
vs
Bryan
and
Gray
vs
Sand

} Upon an attachment

} Upon an attachment

By consent of Counsel in the above cases, Jacob Driver Adm. of Peter Driver dec'd. who was permitted to go before a notary public and answer; which answer Sworn to & subscribed by the said Jacob Driver Adm as is ordered to be filed with papers of the causes — And it is ordered that the said Jacob Driver

Pay to Abraham Smith on account of his allotment Eight dollars and fifty four cents, the sum which he admits is due and coming to Ezekiel Bryan —

A report of the viewers made on the Petition of Enos Keyle & others for a road, was returned into Court and the road ordered to be established agreeably to a former report —

A Register of Harvey Peck a free negro was returned into Court by the Clerk thereof and being found duly made a copy thereof is ordered to be furnished the said Harvey Peck in the manner directed by Law

Whitmore
vs
Effinger } On a Petition for a road

Dismissed —

Effinger
vs
Whitmore } On a writ of Rd. quod damnum

Dismissed

On the motion of Wm S. Miller, and the evidence of due notice having been given of his intention, as directed by Law It is ordered that the road Commencing at the Old Sandy Run Gap road, west of Wm S Millers house on his land and running eastward to where it strikes the Rockingham Turnpike on said Millers land be closed —

Way & Nicholas
vs
Simeon Nair } Crawford & Strayer Commissioners having reported in this case the failure of the defendant Simeon Nair

to appear & on him in obedience to a Summons issued by him to answer interrogatories filed in the Case — It is ordered that the a Summons be awarded against the said Simeon Nair to appear here on the 1st day of next Court to shew cause why he shall not be attached for failing to appear & answer in obedience to said Summons —

Bailey vs Lamb — On an attachment, Dockted &

Continued —

Deserr

C H Sevis P.D. — C C Sterling, Jackson Hoover, Henry T Wartman & John D Cuthbertson —

James H Riddle who stands charged with a felony by him Committed in the County of Rockingham and within the Jurisdiction of this Court in this that he on the 30th day of August 1853 in the said County one pistol of the value of Five dollars, one watch Key of the value of four dollars the property of C C Baer, one pair Morocco of the Value of three dollars the property of William I Gailey & a note, paper or writing which was put in the Bank of the Valley in Staunton for discount for the sum of $165.98 Cents the property of William H Gailey did feloniously steal take & carry away, was this day led to the bar in the Custody of the Jailer of this County and the Court having heard the evidence are of opinion that the said James H Riddle is guilty of a felony in this that he unlawfully and feloniously did steal take and carry away the note described above and ought to be tried for this said felony with which he stands charged in the Circuit Court of this County and the said James H Riddle is remanded to jail —

Be it remembered that on the 19th day of September 1853 William H Gailey, William I Gailey, C C Baer, & Anson H Shoualter, severally acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 each to be levied of their respective goods & Chattels, Lands & tenements and for the use of the Commonwealth to be rendered

Yet upon this Condition that if the said William
H Gailey, William I Gailey, CC Beard Andrew
A Shoaltes shall make their personal appearance
before the Judge of the Circuit Court of Rockingham
County on the 1st day of next Term which will be
on the 8th day of October next, & then & there give
evidence against James A Riddle who stands
charged with a felony, and shall not thence depart
without the leave of the Court, then the above recog-
nizance to be void else to remain in full force
and virtue ——

James A Riddle who stands charged with
a misdemeanor by him committed in the County
of Rockingham and within the jurisdiction of
this Court in this State he did on the 31st day of
August 1853 in the said County one pistol of the
value of Five dollars ~~did steal take and carry~~
away and one watch Key of the value of Four
dollars of the property of CC Beard did steal take
and carry away, was this day led to the bar in
the custody of the jailor of this County and the
Court having heard the evidence are of opinion
that the said James A Riddle is guilty of the
misdemeanor of which he so stands charged
and ought to be tried at the bar of this Court
and he is therefore committed to the jail of this
County to answer an indictment to be preferred
against him by the Grand Jury at the November
term next of this Court, But the said James
A Riddle may be let to bail to appear to
answer such Indictment himself in the sum
of $300 with one or more securities in the sum
of $200 —

But it remembered that on the 19

day of September 1853 William K Bailey, William I Bailey, C C Bear & Andrew H Shumate severally acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 - each to levy of their respective goods & Chattels, lands & tenements and for the use of the Commonwealth to be rendered

Yet upon this condition that if the said William K Bailey, William I Bailey, C C Bear and Andrew H Shumate shall make their personal appearance before the ~~Jurors~~ Grand Jury of the County ~~Court~~ of Rockingham County on the 1st day of November Term next and there and then give evidence against James H Riddle, who stands charged with a misdemeanor, and shall not thence depart without the leave of this Court, then this ~~obligation~~ alone recognizance to be void else to remain in full force & virtue —

A Report of the viewers of a way for a road made on the petition of John F Lewis & others was returned into Court & on the motion of said Ammon through whose land the said road runs, a writ of ad quod dam is awarded him returnable here at this Court and the writ and inquest of the Jury being returned it is ordered that the said road be established agreeable to said report, upon the petitioners paying to the said Ammon the damages assessed by the said Jury & his costs by him about his suit in that behalf expended

Houston
&
Johnson } Upon a Rule to answer Interrogatories

By consent of parties the defendant appears before Court & Shaver and answers the interrogatories filed - which answer is ordered to be filed with the papers & retained in the Cause

S. H. Lewis, P.J. A. T. Wartman, John Bentholder

each serve as such during the sitting of this Court

Ordered that the Court be adjourned until the third Monday in October next

S. H. Lewis

Virginia To wit

At a Special Session of the County Court of Rockingham County held on the 22d day of September 1853 for the Examination of George McCauley charged with Felony in this that he did on the 13th day of September aforesaid by Stab George Lilley near the breast which caused his death

Present

Samuel H. Lewis P.J. John G. Brown

Wm B. Yancey F. M. Irvine & Michael H. Harnsberger G. Sutlers

The Prisoner was led to the bar in Custody of the Jailor and on Motion of the Prisoner by his Counsel and for reasons appearing to the Court it is ordered that the said proceedings be continued until the third day of October next and the prisoner was remanded to Jail

It is remembered that on the 22d day of September 1853 Michael Manly Henry C Harnsberger Sanford Braden Hunkle Braden Joel A Daniels and William B Carpenter severally acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 each to be levied of their respective goods and Chattles lands and tenements for the use of the Commonwealth to be rendered yet upon this condition that if the said Michael Manly Henry C Harnsberger Sanford Braden Hunkle Braden Joel A Daniels and William B Carpenter shall make their personal appearance here on the 3d day of October next before a special Court to be held for said County then and there to give evidence against George McCauley who stands Charged with Felony

and shall not depart the said Court unlill discharged then the above recognizance to be Void else to remain in full force and Vertue

Be it Remembered that on the 22d day of September 1853 Simeon M Daniel personally appeared in Court and acknowledged himself to owe and be indebted to the Commonwealth of Virginia in the sum of $100 to be levied of his goods and Chattels Lands and tenements for the use of the Commonwealth to be rendered. Not in peace this Condition that if the said Simeon M Daniel shall make his personal appearance here on the 3d day of October next to give evidence ~~for the Commonwealth~~ in behalf of George M Canby charged with felony and shall not depart the said Court unless discharged by due Course of Law then the above Obligation to be void else to remain in full force and Vertue

Samuel H Lewis P J William B Gaunt John L Brown T M Irvine & Michael H Haines each entitled to one days service

Ordered that this Court be adjourned until the 3d day of October Next

S H Lewis

Virginia To wit

At an adjourned Special Session of the County Court of Rockingham County held on the 3d day of October 1853 for the Examination of George McCauley charged with Felony in this that he did on the 13th day of September 1853 Shot George Lilly with the hunt which caused his death

Present

Samuel H Lewis P.J. & Michael H Harris
John G Brown F.M. Irvine & Henry J Waitman Gent Justices

The Prisoner was led to the bar in Custody of the Jailor and on the Motion of the Prisoner by his Counsel and for reasons appearing to the Court the the said examination is is continued until the Next Court and the prisoner is remanded to Jail

Be it remembered that on the 3d day of October 1853 Henry C Hammon Sanford Braden Hinkle Braden Joel A Daniels and William B Carpenter severally acknowledged themselves to be indebted to the Commonwealth of Virginia in the sum of $100 each to be levied of their respective goods and Chattles Lands and Tenements and for the use of the Commonwealth to be rendered yet upon this Condition that if the said Henry C Hammon Sanford Braden Hinkle Braden & Joel A Daniels and William B Carpenter shall make their personal appearance here on the 1st day of October Court Next then and there to give evidence in behalf of the Commonwealth against George McCauley who stands Charged with Felony and shall not depart the said Court unless discharged by due Course of Law then the above Obligation to be void else to remain in full force and Virtue

On the Motion of the attorney for the Commonwealth and for reasons appearing to the Court it is ordered that Michael Masty a Witness for the Commonwealth against George McCauley Charged with felony enter into a recognizance with Security in the penalty of $1000 for his appearance here

on the Ninth day of Oct[obe]r Court next and that he stand committed until he enters into a recognizance before this Court or a Justice of the Peace

Samuel H Lewis P.J. Michael H Harris F.M Yancey Henry I Wartman and John G Brown each seven dollars

Ordered that the Court be adjourned

S H Lewis.

Virginia To wit

At a court held for Rockingham County on the third Monday in October 1853. being the 17 day of said Month

Present

Samuel H Lewis P.J. Michael H Harris & Isaac Bare & Henry I Wartman } G Justices

A List of Deeds & other Writings admitted to Record in the Clerks Office of the Court of Rockingham County from the 1st to the 30th day of September 1853. (both days inclusive) and being returned into court by the clerk thereof and being examined by the court was ordered to be entered on the mentutes and a like to be posted at the front door of the court House of said County which List is as follows To wit

A deed for Land from E. A. Shands Trustee To. Philander Henry

" " " " John Ashenfelter & wife to Joseph A Mitchell

" " " Thos. Gilmer & others to Elizabeth Coakley &c

" " " Abraham Coffman & wife to Jos. Miller Infants

" " " Same " " to Saml Sandy

" " " Saml Wheelberger & wife to John Blain

" " " Jas. M Lewis & others to Ro W Palmer

" " " Ro W Palmer & wife to Geo. W Entsler

" " " Jas. M Lewis & others to Same

" " " Geo W Entsler & wife to Geo W Kemper Infants

A Deed for Land from Jas. Kenney Trustee to Harvey Kyle
" " " Wm Darbaugh &c to Philip A A Overpeck
" " " Susan Yeakle to David C Heatwole
" " " Michael Hoover to Jas. Kenney Intrust &c
" " " Allan C Bryan &c. Jacob S. Rohr Release
" " " Michael Minnick to John T Harris Intrust
" " " Solomon M Hunter & wife to Simon Miller
" " " Christian Kinder & wife to John Kline
" " " Levi Hendall to Aberry Harrison
" " " John Barr & wife to John Stinespring
" " " Ann Miller to John C Miller
" " " M M. Effinger & wife to Alfred Slaughter
" " " Same " to Levi Cromer
" " " Same " to O. P. Helphinstine
" " " Same " to Chas. W Bayard
" " " Wm P. Rondabush & wife to Abram A Pitt
" " " Same " to Simeon B Jennings
" " " David Hook to Gideon Lanman &c
" " " David Funk & others to Giles Devier
" " " Christian Fultz & wife to Peter Derrow
" " " Barthola Seibert & wife to John Archard
" " " John C Coakley & wife Jacob Sanger
" " " M. B. Harnsberger Com. to A. J. Johnson
" " " Adam Detrick's Ex. to Geo E. Deneale
P. Estate " John Steltz to Jacob A Mitchael Intrust
Same " John S Effinger Trustee Jeremiah Downey
" " " Jas. Allebaugh & wife to Jas. Mauck
" " " Mary Brown to Jacob Harnsberger
" " " Jas. Mepenmuth to Enoch Eagle
" " " Geo. Hosier & others to Enos Keezle
" " " Adamson M Kemp to Chas. P Smith

Settlements of the Estate accounts of Catharine Yost dec'd Valentine Pence, Philip Deuss dec'd, James Hopkins dec'd, David Harrison dec'd, George Bailey dec'd, John Cook dec'd, Mary Huffman dec'd, Valentine Folan dec'd, David Paulsel dec'd James Eddins dec'd, and Harriet Jarvis dec'd, and Adam Wise Jr dec'd, was returned into Court by the Clerk thereof, and having been filed in the Clerks Office for the Time prescribed by Law, was examined by the Court and ordered to be Recorded,

Settlements of the ~~Estate~~ Guardian accounts of Mich'l H. Harris Wesley Bear, Christian Kratzer and John Palsel, was returned into Court by the Clerk thereof, and having been filed in the Clerk Office for the time prescribed by Law, was examined by the Court and ordered to be Recorded,

Peter Jack Sailor of this Court presented in Court an account for Committing and releasing Smith Bone a Lunatic which was examined Allowed by the Court and ordered to be certified to the auditor of Public accounts

Peter Jack Sailor presented in Court and account against the Commonwealth amounting to $76.75 Cents for Delivering sundry persons Confined in the Jail of this County which was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts

George Keagle a Commissioner appointed to appoint hands on the New Road Made on the Petition of Enos Keagle & others returned his report into Court and being examined by the Court is ordered to be recorded & that Robert Cox be appointed Surveyor thereof

Ordered that Abraham Lanman Overseer of the Calvin Roads a boy now in his possession to Thomas Roads or his order

A Writing purporting to be the Last will and Testament of Christena Deshner Dec'd was presented in Court and the Executors of the Surviving Witness thereto ~~[illegible]~~ viz James Kyle and John W. G. Smith having removed from the Commonwealth and Edward H. Smith the other Executor being dead the handwriting of the said Witnesses having been proved by the oaths of John T. Harris and Dana H. Gamble the said will is ordered to be recorded

On the Motion of Henry H. Christian Ingabright Executor of Mary Ingabright Dec'd it is ordered that Joseph Mauzy be appointed a Special Commissioner to examine state and settle the Estate Accounts of the said Mary Ingabright with the said Executor and make report to the Court

On the Petition of Michael Noonan Committee of David Noonan a person of unsound mind it is ordered that that he be permitted to Expend for the support of the said David Noonan the sum of $15 out and above the interest of the sum in his hands as Committee

A Writing purporting to be the Last will and Testament of Thomas Brock was again presented in Court and on the Motion of John P. Brock the Executor therein named who entered into Bond with security in the penalty of $3000 conditioned as the Law directs the security having Justified a Certificate is granted him for obtaining a probate thereof in due form

On the Motion of David Gordon and he having made oath Mr. Scott and Entered into Bond with security in the penalty of $1500 conditioned as the Law directs (the security having Justified) Administration of all and singular the Goods and Chattles of Christian Grabill deceased is granted him in due form The Widow from under hand that having renounced to qualify and it is ordered that David Bear James Crawford John Sibert and Daniel R. Hoffheins or any three of them being first sworn do appraise the Estate of the said Christian Grabill and make report to the Court

A Report of Michael Sellars & Commissioners appointed to appoint hands on the New Road made on the Petition of Reuben Harrison & others was returned into Court and ordered to be filed

On the Motion of Augustus M Jordan and Amanthus L Jordan and they having made oath thereto and entered into bond with security in the penalty of $150 Condition as the Law directs whereupon a grant (the Security having Justified) Administration of all and singular the Goods and Chattles of T. N Jordan Deceased is granted them in due form and it is ordered that Madison N Brown Joshua Jennings Jacob N Brown & Jacob Mauzy or any three of them being first sworn do appraise the Estate of the said T. N Jordan and make report to this Court

On the Motion of William Wright and he having made oath thereto and entered into bond with security in the penalty of $300 Condition as the Law directs the Security having Justified administration of all and singular the Good and Chattles of Richard Poole Deceased is granted him in due form and it is ordered that John G Brown James Williams & Allen Brown or any three of them being first sworn do appraise the Estate of the said Richard Poole Deceased and make report to the Court

The Justices of the County Court of Rockingham County, make the following return to a mandamus nisi issued by the Judge of the Circuit Court of Rockingham County upon the Petition of Jennings and Sipe That at the May Term of Rockingham County Court in the year 1853 The Justices of said County having been duly summoned refused to grant the Certificate required by Law to authorize a license to be issued to the Petitioners to retail ardent Spirits &c at their store in said County, and that they now shew cause why a Mandamus should not issue 1st Because the making such Certificate as is required to authorize the issuing a license is a matter of discretion with the Court and that no supervision of their determination

as to the propriety of their refusal to make such Certificate is authorized by Law & they are not subject to the control of another tribunal, 2d That this Court now, has no authority to compel with the mandamus of the Circuit Court, they not being summoned for the purpose, and a majority of the Justices not being in attendance, 3d That this Court is satisfied that the reasons stated at May Term in refusing to make the requisite Certificate to authorize the issuing a license was proper, as the records of this Court shew that 3 Indictments are now pending in this Court against Petitioners for retailing ardent Spirits without license since the refusal aforesaid at May Term. Upon these grounds the Court refuses to comply with said and Mandamus which is ordered to be respectfully certified by the Clerk of this Court to the Honorable Judge of Rockingham Circuit Court, as the return to said Mandamus

Conkle vs Mellow upon an Attachment Dismissed at Plaintiffs Costs
Judgment for Defend and Costs
Rodgers vs Henry Berry & Henry Wenger Upon a suggestion
The parties appeared and being duly sworn state, that they have been made parties to a suit in Chancery now pending in the Circuit Courts of this County, and by their answer therein & the proof in the Cause are set forth fully, all the facts connected with the matter to which the Court is referred & that they cannot now state whether they are in any way responsible, upon this suggestion the suggestion is continued until the decision of said Chancery suit of John H Berry agst Robert Gray &c

BOW Price & al vs Mauck & al upon a Notice on a Delivery Bond Notice proved & Judgment & Execution awarded

upon the motion of Christian Kyger and it appearing to the Court that his name had been improperly placed upon the list of Jurors to serve during the year it is ordered that his name be drawn from the box and the name of Benjamin Fitch be substituted in his stead of

A Register of Dana Granbery Johnson a free man of Color was presented in Court by the Clerk thereof and being the Court examined into the said Dana Granbery Johnson and found duly made a copy thereof is ordered to be furnished him according to Law

On the Motion of Abraham S Byrd Sheriff of the County Simeon I Hansbarger is admitted his Deputy who thereupon took the usual oaths of Office prescribed by Law

On the Motion of Robert M Mooney and he having made oath thereto and entered into bond with security in the penalty of $750 Conditioned as the Law directs the security having Justified administration of all and singular the Goods and Chattles of George Lilly deceased is granted him in due form Polly Lilly the widow of the said George Lilly having formerly her right refused to qualify and it is ordered that Simeon B Isenhour & W Sulo Joseph Leap and Joseph Mauzy or any three of them being first sworn do appraise the Estate of the said George Lilly and make report to the Court

(Present Andrew Hauk C J)

George M Canley who stands charged with the felony viz that he did on the 13th day of September in the year 1853 viz the County of Rockingham feloniously & of his Malice aforethought Kill George Lilly was again led to the bar in Custody of the Jailor and thereupon Sundry Witnesses were examined and sworn to wit Michael Mauzy William B Carpenter Sampson Brocaw William Barry were sworn and examined and the Prisoner being fully heard in his defence the Court are of the Opinion that the said George M Canley might to be tryed for the Offence for which he stands charged by the present Court and thereupon the said George M Canley was remanded to the Jail of the said present Court

Be it remembered that on the 17th day of October 1853 Henry C Hammer, Sandford Breeden Joseph H Breeden & Joel A Daniel severally acknowledged themselves to be severally indebted to the Commonwealth of Virginia in the sum of $100 each to be levied of their respective goods & Chattels lands & Tenements for the use of the Commonwealth of Virginia, upon this Condition that the said Henry C Hammer Sandford Breeden Joseph H Breeden & Joel A Daniel shall make their appearance before the Judge of the Circuit Court of Rockingham County on the 8th day of May next then & there to give evidence in behalf of the Commonwealth against George McDaulby and shall not depart from said Court until discharged by due Course of law then this recognisance to be void else to remain in full force & virtue

Be it remembered that on the 17th day of October 1853 Amanda McDaulby, Louisa Warren, Simeon McDaniel Amanda McDaniel John Rice, Zachariah Rains Patsey Runyon, severally acknowledged themselves to be held & firmly bound unto the Commonwealth of Virginia in the sum of $100, each to be levied of their respective goods & Chattels lands & tenements for the use of the Commonwealth of Virginia upon this Condition that the said Henry C Hammer Sandford Breeden Joseph H Breeden & Joel A Daniel shall make their appearance before the Judge of the Circuit Court of Rockingham County on the 8th day of May next then & there to give evidence in behalf of George McDaulby against the Commonwealth and shall not depart from said Court until discharged by due Course of law then this recognisance to be void else to remain in full force & virtue

Upon the motion of the attorney for the Commonwealth it is ordered that Michael Mauzy a witness in behalf of the Commonwealth in the case of the Commonwealth against George McCauley give security before a Justice of the peace in the penalty of $1000 for his appearance before the Judge of the Circuit Court of Rockingham County on the 8 th day of May next,

Wm R Speck presented several accounts against the Commonwealth which were examined & allowed and ordered to be certified to the Auditor of the Commonwealth

Samuel H Lewis P J Michael H Harnes Henry T Wartman Nassau Bare and Andrew Houck each attended one day during this Court

Ordered that the Court be adjourned until the third Monday in November next

S H Lewis

Virginia To wit

At a Court held for Rockingham County on the Third Monday in November 1853 being the 21st day of November

S H Lewis P J Be Present + John J Harnsberger

S H Lewis P J + Benjamin Moore, + Thos P Hanckey,

+ Samuel Rudisill + Levi May

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 October 1853 both days Inclusive were 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 be posted on the front door of the Court House of said County which List is as follows to wit

A Deed from Isaac from John I Newman & Wife Thomas L Moore &

" " " From L. W Gamble Clerk To John I Wingfield

A Deed For Land From S W Gambrill Clerk To George Arms

" " " " From Magdalene Cruden To Ruby Cruden

A Deed of Loan for P Estate From Elenor Buxton To Sarah B May

A Deed for Land From Joseph T Holt To Martha Lewis

A Power of Attorney From Nicholas Conrad To Joseph H Conrad

A Deed for Personal From Wm S Pouts To H H Roberts In Trust for John P Mickie

A Deed for Land From Robert C Thompson Wife To Wm G Thompson

" " " " From Henry Durrow Wife To Edward Jones

A Deed for P Estate From Jacob Baughn To A. Angabright In Trust for P H Baughn

A Deed For Land From George Sides To James & W Vaughn Harris

" " " " From Solomon W Hunter Wife To Franklin Lashley

" " " " From Franklin Lashley Wife To Joseph S Effinger

" " " " From Lewis Baker To Jacob Baker

" " " " From George Ireland Wife To Samuel Lee

" " " " From Jacob Flory Wife To Humphrey Talbert

" " " " From Joel Flory Wife To Christian Frank

" " " " From Abraham Young Wife To Peter Barbaugh

" " " " From John Harshbarger Wife To Joseph Beery

" " " " From Samuel Barr Wife To John Shoemaker

" " " " From Tyre Maupin Wife To S W Gambrill In Trust for J B Baldwin

" " " " From B F Fishback Wife To John Stumpfing

" " " " From John Wilson Wife To Peter S Rollo

" " " " From Peter S Rollo Wife To Branson Breeden

" " " " From Adam Ander Wife To William Ander

" " " " From William Lamb To David & William Michael

A Deed for P Estate From Isaac Bolton To Isaac Hardesty In Trust for V F Bolton

A Deed for Land From Abram Perkins Wife To P A Clark In Trust for H Flemings

" " " " From David Byerly Wife To Adam Wise

" " " " From Charles Rigg Wife To Adam Wise

A Deed for P Estate From David Harris to G W Miller In Trust for A L Wolff

Settlements of the Estate accounts of Abraham Beery Deceased Abraham Lemley Deceased John Wise Deceased Andrew Neuman Deceased Daniel Wheeler Deceased David Flick Deceased Adam Wise Deceased Jacob Nave Deceased Elias Shoemaker Deceased John Hoffman Deceased

Jacob Manly deceased was returned into Court by the Clerk thereof and having been filed in the Clerks Office for the time prescribed by Law was examined by the Court and ordered to be recorded

Settlements of the Guardian Accounts of Jacob N Cowan was returned into Court by the Clerk thereof and having been filed in the Clerks Office for the time prescribed by Law was examined by the Court and ordered to be recorded

On the Motion of M M Gamble Clerk of this Court, Wm Frost is permitted to qualify as his deputy, Whereupon the said Wm Frost appeared in Court and took the several oaths of Office prescribed by Law

On the Motion of Jno C Brown who made oath thereto and entered into bond with security in the penalty of $7.500 conditioned as the law directs, Administration of all and singular the goods & Chattels of Jacob Dunkle dec'd is granted him in due form — And it is ordered that Philander Herring, Wm R Speck Felix I Shuty & George R Gibbons or any three of them being first sworn do appraise the Estate of the said Jacob Dunkle dec'd & make report to Court

On the Motion of Wm A Harris who took the several oaths prescribed by Law. It is ordered that he be permitted to practice as an attorney in this Court

On the Motion of James McCollum who took the several oaths prescribed by Law, It is ordered that he be permitted to practice as an attorney in this Court.

Ordered that George Rader be appointed Surveyor of Precinct No. on the road in the room of

A renunciation of Catharine Sipe widow of Jacob Sipe dec'd of the provisions made for her in the will of her late husband Jacob Sipe dec'd was returned into Court and proved by the oaths of the subscribers thereto and ordered to be recorded.

Ordered that Benjamin Ewing be appointed Surveyor of Precinct No. 1 on the Hopkins' Mill road in the room of Peter Good.

On the motion of William S Miller who made oath thereto and entered into bond with security in the penalty of $2500 Conditioned as the law directs (the said William having qualified) Administration of all and singular the goods & Chattels of William Sellers dec'd is granted him in due form, and it is ordered that Henry Mauzy, David Gilmer, Jebulon D Gilmer, John Gibbons and Jerman Bent or any three of them being first sworn do appraise the estate of the said William Sellers dec'd & make report to Court

On the Petition of William A Maupin, Samuel Miller & others for a road from the Swift Run Gap road to the Brown Gap Turnpike at or near Miller Burnett, It is ordered that Geo W Kemper Sen. B F Kemper, Jacob Strayer Peter Bowyer & David Miller any three of whom may act to examine the way for said road, and report to Court the conveniences & inconveniences that will result from the establishment of said road as well to individuals as to the public

Wm R Steck produced a Commission from the Governor of Virginia wherein he is appointed a Notary Public for the County of Rockingham and entered into bond with security in the penalty of $500 - conditioned as the law directs, & took the several oaths of office

prescribed by Law, which is ordered to be certified to the Pub. Auditor

The Report of Commissioners to view the Rockingham Turnpike was returned into Court and confirmed and the Company allowed to charge the tolls provided by Law on Two Sections of Five Miles each reported on by the Commissioners from the 15 Mile post to the 25th on the Summit of the Blue ridge

Conrad A Keller & Wm H Hamrick Alexander H Chrisman Comrs of the Revenue for the County of Rockingham each presented in Court accounts against the Commonwealth for services as Commissioners, which were examined & found to be correct, were ordered to be certified in the manner directed by Law

Ordered that the hands on the lands of Abraham Beery (Fuller) dec'd be placed on Precinct No 2 on the Brownsburg Mill road of which Silas Benton is surveyor

James Riddle who was committed to the Jail of this County to answer an Indictment to be preferred against him for a misdemeanor was brought into Court and upon Motion of the Attorney for the Commonwealth his appearance was ordered to be entered and he then moved the Court to be discharged from Custody because there was no indictment found against him whereupon motion the Court overruled and there being no Grand Jury at this Court it is ordered that he be remanded to Jail to answer an indictment at the February Court next

Mr Galloway Talisferro Upon a writ of unlawful detainer dismissed and Complainant liable to Costs

Ordered that Daniel Baughn be appointed Surveyor of Precinct No 10 in the room of Isaac Kite

Samuel H Lewis P J Samuel Reubush John A Deering Lew May
+ & Benjamin Hoover each attended one day during the present Court

Ordered that the Court be adjourned until to Morrow Morning
at 10 O Clock

S H Lewis.

Tuesday the 22nd day of November 1853

Present

+ Samuel H Lewis P J + Benjamin Hoover
+ Samuel Reubush & Lew May Esq Gentlemen
+ & Ob Starling

Comth vs Sorrels 2 Cases Capias awarded
Same vs Mellenger same
same vs Dew and Attachment agt William Looker Continued
same vs Estep 1 Discharged
same vs Jarrett Discharged
same vs Wheel Discharged
same vs same Discharged
same vs Harry Discharged
same vs Baughman Discharged
same vs Nicholas Discharged
same vs Smith Discharged
same vs Jones Discharged

Comth vs Peale Jury sworn to try the issue to wit Jacob Nicholas
Jacob Lenemann William P Byrd Samuel Earman Anthony
Rader Braunell Reis William Hedrick William Selby Jacob
S Rodes Adesons Royer Abraham Kumpp & John Zigler Jr & Verdict
Defendant Guilty and assess his amusement to One Cent and
Judgment accordingly

Comth vs Spitzer & Gent Recovery & Issue Continued
same vs Andrew Rogers Judgment confessed for Costs

Comth v Langley — Dismissed
same v Neale — Dismissed
same v Miller — Continued
same v Shepler — N G & Spec H Continued
same v Sentzer — N Sems awarded to Augusta County
same v McCall — Dismissed
same v Pettingston — Dismissed

On the Petition of David Ramsburg who owns the Land on the Northern Side of North River at Scotts Ford and on the Bed of the stream at that place belongs to the Commonwealth and the Land on the Opposite side belongs to Joshua M Crawford Elizabeth his wife and Richard L Wood Elijah G Wood John T. Wood James N Wood and Alexander Wood Infant Children of Thomas Wood Deceased on Motion of the Plaintiff and the Defendants having legal Notice of this Motion it is ordered that a writ of Adquod Damnum be awarded him to be issued on the 15th day of December 1853 returnable here at December Court

Ordered that all the present school Commissioners be appointed except Jacob Rhodes in District No 5 and Jacob Trumbo in District No 23 and that Cyprus Rodes be appointed in the place of Jacob Rodes and Benjamin Trumbo in the place of Jacob Trumbo

William G Stevens who was appointed by the school Commissioners of this County Superintendent of Schools of this County appeared in Court and entered into Bond with security in the penalty of $5000 Condemned as the Law directs which was examined and approved by this Court and ordered to be certified to the Second Auditor of Public Accounts in the manner directed by Law

Comth v Albert Perry N G & Spec H Continued
same v Lindsey same
same v Shoemaker Capias awarded
same v Custer same

Wm H Barley & others Plaintiffs

agt } In Chancery

Asbury Harman & Defendant

This Cause Came on to be heard this 22d day of November 1853 upon the bill exhibited and more than one Month having elapsed since the filing of the bill & the Subpoena returned executed the same as taken as confessed Whereupon the arguments of Counsel being heard the Court doth order and decree that Cyrus Rhodes and I. N Cowen or either of them be and are hereby appointed Commissioners to make sale of the land in the bill mentioned which sale shall be by way of public Auction for ready money after having given 4 Weeks notice by posting at 3 public places in the county of the land and the said Commissioners are enjoined to pay pro rata and according to priority of lien the Claims named in the bill and the said Commissioners shall report to this Court the proceedings had under this decree

Comtts ~ Brown Jury sworn to try the issue to wit Samuel Carman John R Homan Joseph S Effinger James Mauck Jacob Linnaver Jacob P Hupper Isaac Long George Wickel Daniel B Cronshaw Isaac Burkholder Abraham Krupp and Jacob Nicholas Verdict Defendant Not Guilty

Comtts ~ Swanson & G & Genl Demurrer & Issue Continued

Same ~ Ridley & Capias awarded

Comtts ~ May Capias awarded

Comtts ~ Gray Jury sworn to try the issue to wit Thomas W Ryan Adison Royer William P Byrd Daniel N Hunter Enos Keyser William Selby Joshua Wampler William Funk Anthony Radcliff Brannwell Rice William Hedrick & Jacob F Rhodes Verdict Defendant Not Guilty

Comtts ~ Ready & G & Sonapaul Genl Demurrer & Issue Continued

Same ~ Hauser & G & General Demurrer & Issue Continued

Same ~ Kemp & Same

Same ~ Gilmore & Same

Comth vs Phelps Jury sworn to try the issue & ent Dana B Crawshaw George W Hecker Isaac Long William Hedrick Brammer Rice Thomas W Payne William Hunt Joseph Leap Adison Rape John Zigler Jr. Anthony Rader & John R Homan Verdict Defendant not Guilty

Comth vs Neemander Jury sworn to try the issue & ent The Same Jury as in the case of the Comth vs Phelps Verdict Defendant Guilty & a Judgment for $30 the fine assessed by Law and Judgment accordingly

Comth vs Minlap &c Jury sworn to try the issue & ent Dana B Crawshaw George W Hecker Isaac Long William Hedrick Brammer Rice Thomas W Payne William Hunt Joseph Leap Adesa Rape John Zigler Jr. Anthony Rader & John R Homan We the Jury find each of the Defendants Guilty and assess the amercement of each at Twenty Dollars and Judgment accordingly.

Comth vs O Roark &c. Gen Demurrer & Issue Continued

same vs	Steele	same
same vs	Rice	same
same vs	O Roark &c	same
same vs	Neemander	same
same vs	Hap &c	same
same vs	Phelps &c	same
same vs	Glover	same
same vs	Hume &c	same
same vs	Gallehue	same
same vs	Parker &c	same
same vs	Neemander	same
same vs	Hyer	same
same vs	Brown & Judgment Confessed for Cost	

383
a

Comth v Mumma & Judgment Cap pro fac for Costs

Same v Rogers Capias awarded

Same v Perkey Same

Same v Armentrout N G & ~~Gen~~ Gen'l replication & Issue Continued

Same v Hesher ~~Capias~~ Capias awarded

Same v Rebhen Same

Same v Summers & Same

Same v Armentrout N G & ~~Gen~~ Gen'l replication & Issue Continued

Same v Hamelt Continued

Same v Gaby Judgment Confessed for Costs

Comth v Helms Jury Sworn to try the issue to wit Jacob Rodes Samuel Eamon Jesse Burkholder Enos Keyle Jacob Linemans David N Hurtan Jacob P Hooper Jacob Nicholas William Selby Abraham Krupp Joshua Wample & Joseph S Effinger Verdict we the Jury find the Defendant Guilty and assess his punishment to $12 & Judgment accordingly

Samuel H Lewis PJ Benjamin Hoover Samuel Reubush Levi May and A Shilling each attended one day during the present Court

Ordered that the Court be adjourned until to Morrow Morning at 10 Oclock

S H Lewis

Wednesday the 23rd of November 1853

Present

S H Lewis PJ & Benjamin Hoover

& Andrew Houck & Wm B Carpenter & ~~Robt Starbuck~~ F D Jennie } 3 J Justices

Holbrook v Harris Continued for Defendant

B & W Perkey admrs v Entsler & Upon a Note on a Penalty Bond Note proved & Judgment & Execution awarded

Long for Pl Hoobe Continued

Shackleton v Huff Same

Comth v Perkey N G & Gen'l Continued and Demurrer withdrawn and Issue Continued

Contts vs Jennings & Sept 86 Genl Demurrer & Issue Hostetter
and Law to file a Special plea

Same vs Same Same

Same vs Same Same

Same vs John Smith Same

Same vs John Smith Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Contts vs Lilly Sigler Abates as to Lilly and Defendt as to Sigler

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Same Same

Same vs Sigler Continued

Same vs Gilmore Discontinued

Same vs Ram's Judgment Confessed for Costs

Same vs Lindsay Same

~~McGahey vs Talbot Appeal from Justice Debt~~

Warren vs McGahey Plff upon a writ of unlawful Detainer
agst
Fountain McTalbot Defendant from the Plaintiff a certain lot of
land containing Ten square poles with a store house
thereon lying being in the Town of McGaheysville Rockingham
County

This day came the parties by their attorneys and the said Defendant for plea saith he is not Guilty to which plea the plaintiff replies generally and Issue is thereupon joined and a Jury sworn to try

The spice to wit Enos Keagle Samuel Carman Jacob S Rodes Jacob Nicholas Anthony Rader Abraham Kruppe Jacob P Shepes Joshua Wampler Isaac Long William Hedrick Brammle Rue and John Tegle Jr. and having heard the Evidence were adjourned until to Morrow Morning at 10 Oclock

Samuel H Lewis P.S. Benjamin Hoover Andrew Houck William W Carpenter and Thomas M Irvine each attended one day

Ordered that the Court be adjourned until to Morrow Morning at 10 Oclock

S H Lewis

Thursday the 24th of November 1853

Present

+ Samuel H Lewis P.S. Andrew Houck William
X W Carpenter Benjamin Hoover H Thomas M Irvine } G. Justices

On the Motion of Zachariah Raynes and Henry Raynes the Court having satisfactory evidence that they are citizens of Rockingham County and that they are heirs of James Raynes Deceased whose application for arrears of Pension was pending in the Congress of the united States at the last Session. Ordered that the declaration of their intention to apply to Congress at its next morning Session for the aforsaid arrearages of pension be entered upon the Record of this Court in order that it may be Certified to the proper authorities

Sellers W Gamble Clerk of this Court presented and an account against the Commonwealth for attending & Certifying the Land and Property Books of the Commissioners of the Revenue for this County which was examined and allowed by the Court and ordered to be Certified to the Auditor of Public Accounts

Sellers W Gamble Clerk of this Court presented in Court an account against the Commonwealth for attending

Courts selling for the trial and examination of Richard Jacob Fothers Charged with Felony amounting to $24.50 Cents which account was Examined and allowed by the Court and ordered to be Certified to the Auditor of Public accounts

Pearson Wife vs White Dismissed at the Plaintiffs Costs & Judgment for Defendants Costs

Cole Sheriff Hon Hopewell Judgment granted for $15.24 Cents Damages with interest from the 17th day of August 1852 till paid

McCahey vs Talifero The Jury impannelled and sworn for the trial of this Cause on Yesterday appeared in Court agreable to their adjournment and having heard the Argument of Counsel upon their oaths do say we the Jury find that the Defendant did at the date of the Summons filed in this Cause hold possession of the Store house in McCaheysville as the lot of land mentioned in the within complaint being the lot recently occupied by Henry Harnsbarger Commissioner to A J Johnston Containing about Two square poles against the consent of the Plaintiff and unlawfully detained the possession thereof from the Plaintiff that the Defendant hath not so detained the possession of the said Store house for three years before the date of the Summons issued in this cause and that the Plaintiff hath the right of possession in the said Store house and it is ordered that the Plaintiff have a writ of possession for the Tenement aforesaid and for Judgment his Costs by him about his suit in that behalf expended and on Motion of the Defendant no execution is to issue for Sixty Days he designing to apply for a Supersedeas upon his entering into Bond in the Clerks office for $250 Condemned according to Law

Tulenders admrs v Valley Turnpike Company Continued

Howard &c v Annenhouse Dismissed

Annenhouse v Howard &c Dismissed

Dunkle v Gibbs the Plaintiff being dead that fact is ordered to be entered of Record and Continued

Harpers heirs v Grim &c Continued

R R Company v Bryan Continued

Noff v Archer & Carr Continued

Eubler v Beard Continued

Kyle v Tuske Continued

Conrad v Miller Dismissed

Short v Bird Dismissed

Keesler v Fulty Continued

Conrad v Cryder Continued

Whitesell v Grove Continued

Bears Exor v Coates Continued

Hook &c v Bolton Continued

Way & Nicholas v Nash upon a Summons to shew cause why an Attachment should not issue against him for failing to answer interrogatories filed before Commissioner Strayer the summons being returned executed and he failing to attend it is ordered that an Attachment be awarded against the said Defendant returnable before the said Commissioner

Powells heirs v Powells Exors Continued

Barby v Lamb Continued

Canada v Thompson Continued for Plaintiff

Conrad v Burnside upon a rule Dismissed

Same v Bowers Dismissed

Same v Shonalter Dismissed

Same v Long Dismissed

Same v Webster Dismissed

Same v Long Dismissed

Krabyer v Berry &c Continued

Berry v Berry Continued

Pearsall Wife v [illegible] Dismissed

Same v R M Conn Sheriff Dismissed

Mauldin v Lilly & Continued for Plaintiff.
Earman v Shaw WE et al & AA Hoffpetts General replication
and Issue Hartened

Byrd v Maupin Jury sworn to try the issue to wit Braswell Rice
Joshua Wampler William Lilly John Tiglen Jr James Mauldin
Abraham Kreepp Anthony Rader Jacob P Kluper Vance Blackwood
Jacob Freeman Jesper Burkholder & Joseph Leap who upon their
oaths do say we the Jury find for the Plaintiff the Note in the Declaration
mentioned with interest from the 9th day of November 1847 till paid subject to a credit
of $30 paid 1st November 1847 & $10 paid December 25 1848 and we find against
the Defendant on the special plea of set off And on Motion of the
Defendant the verdict rendered in this case is set aside and a new
trial awarded upon the payment of the Costs of the present trial

Samuel H Lewis PJ William Ld Carpenter Andrew Houck Benja
mun Hoover & FM Jennie each attended one day during this present Court

Ordered that the Court be adjourned until to Morrow
Morning at 10 Oclock

S H Lewis

Thursday the 25 day of November 1853
Present
Samuel H Lewis PJ Benjamin Hoover
Andrew Houck Wm W Carpenter & FM Jennie Esqrs

Ordered that George Brannon be appointed a Commissioner to
rearrange the hands and make such changes as he deems necessary
in the Two Roads leading from Coates by the way of Emanuels Store to New market
and one by the way of Broadway and make report to the Court
Beard v Reed upon an Appeal Dismissed agreed
Ordered that George Brannon be appointed a Commissioner
to open new bounds on the New Road leading from Holsingers
Spring To Shuteline Mill made on the Petition of Holsingers
& others and make report to the Court and that Noah
Bowman be appointed Surveyor thereof

Byrd v Maupin Ord. the Motion of the Defendants this cause is removed to the Circuit Court the same having been pending in this Court more than one year

Sudgen v Catletts admrs Continued

Rolles v Gaskey Continued

George & Isaac Fridley v Campbell Writ of Enquiry Waived and Judgment for Costs

Blair v Bligh Continued

Same v M Call Continued

Sandamood v Handyshell Continued

Mcourry Lafond & Co v Shipman & Rolles Continued

Cooks Admrs v Shonalter Jury sworn to try the issue & wit William P Byrd Thomas W Ryan Enos Keyle Joseph Leap George W Harbel James Mauck David B Crowhorn Joseph S Effinger Samuel Eaman Braxton Rice Jacob Linemans and Jacob P Shupes Verdict we the Jury find the Defendant not Guilty & Judgment accordingly and the Defendant by his Counsel moved the Court for a New Trial which motion was overruled by the Court and a new Trial refused

Ordered that George W Harbel be fined Five Dollars for failing to attend as one of the Jurors in the case of Cooks admrs against Shonalter and he was adjourned to meet at the ringing of the Court Bell and failing to attend is fined in the sum of Five Dollars and on Motion of the said George W Harbel for reasons appearing to the Court the said fine is remitted

Ordered that the agent of the County procure Two Stoves for the Court House of the County and cause them to be put up as the Justices direct

Price v Barly Continued for Defendant

Judge Gordon upon a Return & Writ prand and Washbee and by Consent remanded to the Criminal Court

On the Motion of John I Brown Admr of Jacob Dunkle it is ordered that he have leave to transfer the undispensed Note of said Dunkles decd any Lecense to Robert Dunkle.

Carbaugh & Co vs Bruffey — Continued
Phelps — Dever — Continued
Shoemaker — Findley & Wife & Judgment for Costs
Sipe — Coates — Dismissed

Samuel A Lewis P.J. Andrew Hourtz Benjamin Hoover William W Carpenter & Thomas M Irvine each attended one day during the present Court

Ordered that the Court be adjourned until 10 O'Clock Morning at 10 O'Clock

A A Lewis.

Saturday the 26th day of November 1853.

Present

Samuel A Lewis P.J. William W Carpenter
Andrew Hourtz & T. M Irvine & O C Sterling Esqrs Associate Judges

Upon the Motion of Abraham Smith & John Kenney Executors of Wm A Jamison deceased now until the next annual of Martin Kramer deceased it is ordered that the said Jamison Administrator as aforesaid do enter before this Court at its December Term next a new bond in the penalty of $3000 with a good & sufficient security and that a copy of this order be served upon the said Jamison

Kraby & al Chas Continued for Defendant

Sworby & a Rockingham Jury sworn to try the issue to wit Samuel Earman Jacob Nicholas Jacob P Kuper John Zigler Jr Jacob S Rodes John R Harman Thomas W Ryan George W Burke James Marsh Jesse Burkholder Joseph S Effinger & William Funk Verdict on the Jury find for the Plaintiff Forty Dollars Damages with interest thereon this 9th day of October 1857 to be paid & Judgment accordingly

Gray & Koogler

vs

Bryan &

This cause is set for hearing and coming on to be heard this 26th day of November 1853 upon the Bill Exhibits and order of publication duly executed, and it appearing that the defendants still fail to appear and answer said bill, the same is taken for confessed, whereupon the Court doth adjudge order and decree, that Complainant Gray recover of said defendant Ezekial Bryan the sum of $56.37 with legal interest on $50 part thereof from March 1st 1852 till paid, the amount of his judgment, which has priority, that said Gray also recover of same the sum of $47.27 with legal interest on $41.00 part thereof from March 1st 1843 till paid and that Complainant Koogler recover of same the sum of $59.27 with legal interest on $53.00 part thereof from May 11th 1841 till paid and that Complainants jointly recover of said Ezk Bryan their costs herein expended And the Court doth further adjudge and decree, that the Sheriff of Rockingham County, who is hereby appointed a Commissioner for that purpose shall proceed to sell the life interest of Ezekial Bryan in the real property in the bill mentioned at public auction on the premises to the highest bidder, requiring one third of the purchase money in hand - one third in 6 and the residue in 12 months from day of sale, said Comr. retaining the title until the deferred instalments are paid, and making report to the Court of his proceedings herein in order to a final decree - first paying out of the cash instalments the costs of sale, then the costs of suit, the amount of Gray's prior lien and then the amounts decreed to Gray & Koogler ratably, and the

residue according to this order of this Court upon the common law order thereof made this day in 2 common law attachments - He shall advertise the time place & terms of sale at the Court house door of Rockingham County, on a Court day, in some newspaper printed in Harrisonburg for 4 weeks, and at several public places in this neighbourhood - But before Complainants or either of them shall receive any money ~~due~~ under this decree they or some one for them shall file in the Clerks Office of this County bond with sufficient security in the penalty of $250 - conditioned to perform such future order as may be made upon the appearance of defendant & his making defence -

Smith
"
Bryan
} In debt upon an attachment

It appearing to the Court that the order of publication has been duly executed in this cause, & the defendant failing to appear and that plaintiff has established his demand agt Dft for the sum of $24.87 with legal interest thereon from Nov 12th 1843. Judgment is given Plff agt Dft for said sum of $24.87 with legal Int thereon from Nov 12th 1843 till paid & the costs of this suit, And it appearing from the answer of Jacob Driver son of Peter Driver dec'd who has been summoned as a garnishee that he is indebted to said Dft in the sum of $8.54 with Int from Sept 8th 1853 judgment is awarded agt said Driver for said sum of $8.54 with Int from Sept 8th 1853 till paid to be applied in part satisfaction of Plff judgment & it not appearing that there is any other personal estate of Dft liable to the payment of said judgment & that by a decree of this Court rendered this day, the real estate attached, has been directed to be sold & that the proceeds thereof are primarily applicable to the satisfaction of said decree, It is ordered by the Court that the residue of the proceeds after the satisfaction of said decree, shall be applied by the Sheriff, to the satisfaction

of the Balance of this judgt, after deducting the costs in Chancery —

But before the Plff receives any Money under this order and judgment he shall or some one for him file a bond with sufficient Surety in the Clerks Office in the penalty of $40.00. conditioned to perform such future order as may be made upon the appearance of Defts this making defence —

Gray
"
Bryan } In debt; upon an attachment

It appearing to the Court that the order of publication has been duly executed in this cause and the Defts failing to appear and that Plff has established his demand agt Defts for the sum of $180.35. with interest thereon from Augt 6th 1844 till paid; Judgment is given Plff agt Defts for said sum of $180.35. with legal interest from August 6th 1844 till paid & costs of suit, and it not appearing that there is any personal Estate of Defts liable to the payment thereof, and that by a decree of this Court rendered this day, the real estate attached, has been directed to be sold, and that the proceeds thereof are primarily applicable to the satisfaction of said sums; it is ordered by the Court that the residue of such proceeds after the satisfaction of said decree, shall be applied by the Sheriff to the satisfaction of this judgment. But before Plff receives any money under this order & judgment he or some one for him shall file bond with sufficient security in the Clerks Office in the penalty of $250.00 conditioned to perform such future order as may be made upon the appearance of Defts this making defence —

George Rodgers Adams Plaintiff
agt } In Chancery
Margaret Rodgers & Defendants

This cause came on to be heard by Consent this 26th day of November 1853 upon the bill & the answers of Margaret Rodgers the infant defendants by L W Gamble their Guardian

additions and the report of Commissioners thereto whereunto exceptions being taken the same is duly confirmed Whereupon upon the argument of Counsel being heard and the Court being satisfied that a sale of the land which was conveyed to the intestate George Rodgers by the deed filed as the Plaintiff exhibit A is necessary for the payment of the debts of the Estate the Court doth therefore adjudge order and decree that the plaintiff Philip Keller Administrator of George Rodgers do proceed to dispose of said land by way of public auction having first given Four Weeks notice of the time and place of sale by advertisement inserted in a newspaper published in Hagerstown and put at the front door of the Court House & at Two public places in the neighbourhood of the property for the like period on the following terms Viz One third of the purchase money to be paid on the day of Sale or at the option of the purchaser within Sixty days thereafter with interest from the day of Sale and the remainder in 3 equal annual payments from the day of Sale requiring from the purchaser bonds with good personal security, and the title to be retained as further security until the whole is paid But before the said Philip Keller shall receive any money arising from the sale he shall execute a bond in the penalty of $1600 in the Clerks office of this Court with condition agreeably to the act of Assembly and he shall make report to this Court at its next Term

Catharine Naue & others Plaintiffs

vs In Chancery

Isaac Reddle & others Defendants

This Cause came on to be heard this 26th day of November 1853 upon the Bill & Exhibits and it appearing to the Court that the Subpoena in this cause has been returned executed upon all the Defendants more than one months, and they the said failing to appear the Bill as to them is taken for confessed Whereupon the arguments of Counsel being heard the Court is of opinion that a partition cannot be made of the

of the Boy Ash among the parties entitled he ought to be sold and the proceeds of sale divided among the parties entitled It is therefore adjudged ordered and decreed that Jackson Davis who is hereby appointed a Commissioner for that purpose after giving four weeks Notice of the time place & terms of sale by posting a notice thereof at two or more public places in the neighbourhood where the boy now is, and a like Notice at the Court House door of this County do proceed to sell the said Boy at some place in the neighbourhood to the highest bidder on a credit of Six months taking from the purchaser Bond with good security & report to this Court in order to a final decree But before the Commissioner recieves any money under this decree he shall enter into Bond with security in the penalty of $600 before the Clerk of this Court conditioned according to Law

Thompson Hez v Sterns Jury sworn to try the issue to wit Anthony Rader William Sidwell Enos Keezle Brammell Rice Lloyd B Crawshaw Lloyd N Huston Isaac Long Adison Rager Jacob Simmons Joseph Leap Joshua Wamples and William P Byrd Verdict we the Jury find for the Plaintiff $66. 40/4 Cents Damages with interest from the 26 day of November 1833 besides Judgment accordingly

Samuel A Lewis P S William W Carpenter Andrew Houck F W Simms and O C Sterling each attended one day during the present Court

George W Kemper late Sheriff of Rockingham County presented in Court an account against the Commonwealth for summoning and attending an examining Court for the trial of Martin Snyder Charged with Felony amounting to $4.00 which was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts

Abraham P Byrd Sheriff of this County presented an account against the Commonwealth for summoning and attending sundry examining Courts for the trial of Richard Jarvis & others charged with Felony amounting to $16 which account was examined allowed by this Court and ordered to be certified to the Auditor of Public Accounts

Crowell v Rader Continued

On the Motion of Alexander McGlaughry and John B Leedy & the representatives of Daniel Leedy Deceased executors of Abraham Leedy Executor of John Leedy Deceased it is ordered that the said Abraham Leedy be summoned to appear before this Court at its next Term on the first day thereof to shew cause why he should not give as new Bond or have his powers as executor revoked & annulled

McGahey v Talpsaw The Defendant by his Counsel moved the Court to set aside the Verdict rendered in this cause and grant them a New trial which motion was overruled by the Court and New trial refused

Memo on the trial of this Cause The Bills of exceptions was taken to the Remarks of the Court which was signed and sealed as the Landents and ordered to be made a part of the Record

Ordered that the Court be adjourned until Monday Morning half past Ten O'Clock

S H Lewis

Monday the 28th November 1853

Present

Samuel H Lewis P J William W Carpenter

H M Timmins & Andrew Hough } J J

Rhodes & Byerly v Done Jury sworn to try this issue to wit John R Norman William Lilly Abraham Krupp Jacob Nicholas Adson Roya Anthony Rader John Zigler Jr & George W Hukel Joseph Leap Samuel Earman Jacob Lemmens Joshua Wampler Verdict on the Jury join for the Plaintiffs and assess their Damages at $82 63½ Cents Debt interest from the 4th day of August 1852 till paid and Judgment accordingly

Gray v Kearney Continued for Defendant

Bear v Mannings Administratrix Continued

Crowns v Beards admrs Continued

S.S.T. Brage Company v Jones Dismissed at Defendants Costs

~~Polain v Lesley Continued for Defts Hooper v Hooper~~

Ordered that the Answer of the Poor bind William Spencer a free Boy of Color To Isaac Harris as the Law directs the said Harrison agreeing to pay to the Mother of the said Boy $35 and $100 when the said Boy arrives at 21 years of age the Mother of said Boy Consenting thereto

Link v Eutsler plea vacated and Judgment Confessed for the Debt in the Declaration mentioned with Interest & Costs saving equity

Becks v Eutsler Continued for Defendant

Upon the Motion of William G Thompson Administrator of Thos Lee Hulls Deceased the report of Commissioner R P Fletcher of the Settlement of said estate and of the Debts thereof with the exceptions thereto is remanded to the Current Court of Rockingham County The questions involved in said exceptions being intricate and difficult

On the Motion of Wesley J Newham Administrator of George Hulls Deceased the report of Commissioner R P Fletcher of the settlement of said Estate and of the debts thereof is remanded to the Current Court of Rockingham County

Lupton v Kemp Perry Helfenstine who was summoned to attend here this day as a Witness for the Defendant and failing to attend on Motion of the Defendant it is ordered that he be ruled to shew cause forthwith why he should not be fined or attached for such his non attendance

Miller v Eutsler Affirm Judgment set aside Payment & Spec Continued

Lupton vs Kemp Jury sworn to try the issues to wit Jacob Nicholas, William Lilly, Samuel Eannan, Jacob S Rodes Adesan Royer Joseph Lisp, George W Hubbel, Jacob Linemans, William P Byrd Brainard Rice Abraham Krupp, & Jacob P Shupe and not agreeing in their Verdict were adjourned until to Morrow Morning at 10 O Clock

Commonwealth vs Perry Heelfenstine upon a rule upon motion of the Defendant who was examined upon oath, the rule is discharged

Samuel H Lewis PS Andrew Hourly, Wm W Carpenter and Fell Irvine each attended one day during this present Court

Ordered that the Court be adjourned until to Morrow Morning at 10 O Clock

S H Lewis.

Tuesday the 29th day of November 1853

Present

Samuel H Lewis PS Andrew Hourly,
Wm W Carpenter & Fell Irvine Esqrs Judges

Segler vs Lilly & Ly Consent sent record against Robert Mooney Admrs of George Lilly deceased & the cause is continued until the next Term

Butler & Tinsley vs Sterling Continued for Deft

Shoemaker vs Hadley & Dismissed

A Writing purporting to be the Last will and Testament of John Jones deceased was presented in Court and was proved by the oaths of John H Wortman & Benjamin H Marby Two Witnesses thereto and ordered to be recorded

Sapton v Kemp the Jury unpannelled and sworn for the trial of this Cause on Saturday appears in Court agreable to their Adjournment and upon their oaths do say vs the Jury find for the Plaintiff One Cent Damages & Judgment accordingly

Marty v Kellogs Esqr The Jury sworn to try the issue to wit Chas Kargle John Zigler Jr Wm A Houston Anthony Rader Joseph S Effinger Jesse Burkholder Wm Wm Frank Wm Wm Hedrick Wm B Crowshow Johnson Wampler John R Norman & Isaac Long Verdict vs the Jury find for the Plaintiff $77.87½ Cents with interest from the 14th day of January 1848 till paid & Judgment accordingly

Peters v Leedy Jury sworn to try the issue to wit Jacob Nicholas George W Herbert Brammell Rice Adison Roger James Mauk Joseph Leap Wm P Byrd Abram Knepp Jacob S Rodes Jacob Lemmons Wm Wm Selby & Samuel Carman Verdict vs the Jury find for the Plaintiff $15.06 Cents with and interest and Judgment accordingly

Braithwaite v Clary admrs Judgment awarded the Plaintiff for $179.46 Cents Damages with interest from the 29th day of November 1853 till paid Neither party requiring a Jury

Rachael A Piper Orphan of Jacob Piper Deceased over 14 years of age came into Court and made Choice of Andrew B Wendle as her Guardian who thereupon entered into bond with surety in the penalty of $200 Condicioned as the Law directs

Clemens vs Bury The Defendant by his Counsel withdrew the plea of payment and as further plea plead Nil debet Set off & to which plea the Plaintiff replied generally & Issue is thereupon Joined and Jury sworn to try the issues to wit John Ziglar Jr. John R Norman William Hedrick Wm A Huston Wm B Crawshaw Isaac Long Jacob P Shuper Jesse Burkholder William Funk Anthony Rader Enos Keagle & Joseph S Effinger Verdict on the Jury found for the Plaintiff the debt in the declaration mentioned with interest from the 28th February 1833 till paid & Judgment thereon the trial of this cause a bill of exceptions was taken to the opinion of the Court which were signed sealed & ordered to be made a part of the record

The Viewers appointed to view a portion of the old Norman road made on the Petition of Allen & Bryan to close the same on his putting them in the change of said road in good repair review their report into Court and it is ordered that portion of said road be closed agreeably to his petition

Ordered that Jesse Burkholder Jacob P Shuper Joshua Wampler Enos Keagle Wm P Byrd Joseph S Effinger Wm A Huston each be allowed One Dollar for services as Jurors during the present Court which is ordered to be certified to the Auditor of public accounts

Ordered that William Funk Brammell Rice Jacob S Rodes Abraham Knupp John Ziglar Jr. Wm B Crawshaw George W Herbel Jacob Lineman Isaac Long John R Norman Adison Roger Joseph Leap Samuel Carman Jacob Nicholas Anthony Rader William Lilley Thomas W Ryne William Hedrick each be allowed $1.25 Cents and James Marsh Fifty Cents for services as Juror during the present Court which is ordered to be certified to the Auditor of Public Accounts

Ordered that Jesse Burkholder ~~Wm~~ Wm B Crawshaw Joseph S Effinger William Funk John R Norman Wm A Huston be each allowed $3.50 Cents and Wm P Byrd George W Herbel William Hedrick Enos Keagle Isaac Long & Joshua Wampler each be allowed $3.75 Cents and Samuel Carman Jacob S Rodes each be allowed $4.00 and Abraham Knupp $5.00

& Jacob Lemmarex Joseph Leap William Lilley Adeson Royer Anthony Rodes & John Zigler Jr. each be allowed $4.25 Cents and James Mauck $3.00 and Jacob Nicholas Bramwell Rue & Jacob P Shaver each be allowed $4.50 Cents & Thomas W Ryan $2.00 which is ordered to be paid by the County

Bears Etors vs Robison Office Judgment set aside payment & Special plea filed General replication & Issue & Continued

Samuel H Lewis P.J. William W Carpenter Andrew Houck F.W. Irvine each attended one day during the present Court

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

S H Lewis

Virginia To wit

At a Court held for Rockingham County on the Third Monday in December 1853 being the 19th day of Dec: 1853

Present + Samuel H Lewis P.J. + John A Herring } Gent Justices
+ John Burkholder

The Clerk of this Court returned into Court a List of Deeds and other writings admitted to record in his office from the first to the 30th day of November 1853 both days Inclusive which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

A Power of Attorney from Margaret Snider to George Snider
a Deed of Trust from Hiram McCarnis to Jno C Woodson In Trust for Rb Mauck
A Deed of Bargain & Sale for Land from Christian Kratzer & wife to Saml Zigler
Same from Samuel Zigler & wife to Benjamin Miller
Same from Benjamin Miller & wife To George Hogan
Same from Same To John Wenger
Same from Charles Hackley To Jacob Hackley

A Deed of Bargain & Sale from Enoch Cogle & to Jacob Harneberger
Same from Adam Bible & wife To Daniel Tuck
A Power of Attorney from Same To Samuel Yetty
A Deed of Bargain & Sale for Land from George Mefick to Gesner Mefick
Same from Same to Asher M Mefick
Same from Same To Lewit Mefick
Same from Jas C Williams & wife To Jacob Sellers
Same from Noah Hawkens & wife To John A Miller
Same from Daniel Rife & wife To Samuel N Hess
Same from Henry Null & wife To John Harshberger
Same from Jacob S Rohr & wife To David Wise
Same from Robert T Garrison & wife To Wm H Comley &c
Same from Edward Jones To Polly Pence
Same from Dorilas Mantz &c to Zachariah M Coy
Same from John Thilse & wife to James C Williams
Same from Jacob Dinkle & wife to Peter Shickle
Same from David Swartz To Richard Weinfield
Same from Jacob Shader To N Bowman & Trustees of St Joseph Church
Same from John Miller & wife To James M Guire
Same from Wm H Love & wife to Isaac Wenger
Same from Philip Bible & wife to Anthony Rader
Same from George Life & wife to George Seley
Same from Maria Watkins to John J Gorely &c
Same from Jacob Sites &c to William Lam
Same from Joseph M Mullen & wife to Jacob Reedy
Same from Catharine Bickle to Philip Reedy
Same from Edward Jones to Reuben May
Same from John L Boswell to Harrison Bateman
Same from John Fogel & wife to Henry Heydecker

Settlements of the estates of Charles & Nancy dec'd. Emeline S Maufsin dec'd & Andrew Knopf dec'd. were returned into Court by the Clerk thereof, and having been filed in the Clerks office for the time prescribed by law was examined by the Court and ordered to be recorded

Richard S Maupin vs Wife & Others Plaintiffs
against
Josephine R Lincoln Defendant } In Chancery

This cause came on to be finally heard this 19th day of December 1853. upon the papers heretofore filed. the proceedings heretofore had and the reports of Commissioner Michael Harman and Commissioners George Shafer. George Brenner & Dellett Coffman to which reports there are no exceptions. and the same are hereby confirmed. and thereupon the argument of counsel being heard the Court doth adjudge. order and decree the report of the three last named commissioners be recorded by the Clerk of this Court in his deed book. The Court doth further adjudge. order and decree that Michael Harman commissioner. shall. out of the proceeds of the sale of the two slaves sold to the plaintiff Mrs Mary Lincoln. retain a commission of five percent on $300 part thereof and two per cent on the remainder thereof. for his commission. and shall also retain and pay the Costs & expenses of this suit. with the exception of the Costs & expenses of the partition of the land. that of the residue of said proceeds he shall pay one fourth to the plaintiff Richard S Maupin one fourth to the plaintiff John P Brock. and one fourth to the plaintiff Mrs Mary Lincoln. and one fourth to the guardian of the defendant Josephine R Lincoln. The Court doth further adjudge and order that the Costs and expenses of the partition of the land. be paid equally by the plaintiffs Maupin & Brock & the guardian of the defendant

---

Abraham Nisewander
vs
Thomas Swansen } Upon a Summons to answer interrogatories before a Commissioner

Commissioner Strayer this day returned into Court a report in this cause. which is ordered to be filed

---

Barnett & Coffman vs William Linbach } Upon a summons to answer interrogatories before a Commissioner

Commissioner Strayer this day returned into court a report in this cause, which is ordered to be filed

On the Motion of John H Hopkins administrator of James Hopkins dec'd it is ordered by the Court that the report of Commissioner R D Fletcher of the estate accounts of said Hopkins admr & the account of the debts of said James Hopkins dec'd be confirmed, and it is further ordered that John H Hopkins out of the personal property in his hands as administrator pay to the creditors of said James Hopkins dec'd the amount of 70 per cent upon their respective debts as reported by said Commissioner

On the Motion of Peter Neff surveyor of the Melrose Road precinct No 1 It is ordered that the hands belonging to and working under Smith Lofflands Gideon Kratzer, John Andes, Franklin Head & Reuben Sellers surveyors, do assist the said Neff, two days in opening said Road and the said Neff is authorized to buy a pick & sledge

George Brenner who was appointed at the last term of this Court, a commissioner to rearrange certain precincts of roads in this County, this day made his report which is confirmed and ordered

Abraham Funk is appointed surveyor of precinct No 2 of road 35 as recommended by the report of Com'r Brenner

Lewis D Niver (of John) is appointed surveyor of precinct No 3 as recommended by the report of Com'r Brenner

A Power of Attorney from Jacob Lowman, George Glenn & David M Brand to A H C Shinkle, John T Harris & Allen C Bryan was this day presented in Court and being acknowledged by the said Lowman, Glenn & Brand before a justice of the peace

for Augusta County is with the certificate thereon endorsed ordered to be recorded

Eliza J Sellers is by the Court appointed Guardian for her children Jacob Sellers and George W Sellers, who are under the age of 14 years. thereupon the said Eliza J Sellers together with Jacob Lowman, George Glenn & David M Brand (by John T Harris their attorney in fact) entered into and acknowledged a bond in the penalty of $5000 00

Ordered that the overseers of the poor bind according to law John Mean aged 12 years 6 months son of Elizabeth Mean to Henry Pulse to learn the farming business ~~this is to apply~~ to said Mean at the expiration of his apprenticeship the sum of $50. & furnish him with a good suit of clothes

Ruth Ann Showalter (daughter of Adam Showalter) being over 14 years old appeared in Court & with the approbation of Court made choice of Adam Showalter. and the Court doth appoint said Adam Showalter guardian for his children Sophia Showalter James D Showalter & John L Showalter and thereupon said Adam Showalter entered into a bond with security (who justified as to his sufficiency) in the penalty of $1500. conditioned as the law requires

Charles Weaver is appointed Surveyor of the road leading from Keezletown to A Pirkey's lane in place of Eli Keezer resigned

Jacob Andrew is appointed Surveyor of precinct No 2 of road No 9 in place of James Burgess resigned

A writing purporting to be the last will & testament of David F Gilmer dec'd was presented in Court & proved by the oaths of John Shepherd and David Rodes the subscribing witnesses thereto. and ordered to be recorded

and on the motion of John Sibert the executor therein named who made oath thereto according law. and entered into and acknowledged a bond in the penalty of $2250 with security (who justified as to their sufficiency) which bond is conditioned as the law directs. certificate is granted the said John Sibert for obtaining a probat of said will in due form. and it is ordered that Peter Whitmer Adam Showalter David Rodes and Jacob Bundore do appraise the estate of said David H Gilmer dec'd and report according to law

On the motion of Pleasant M Dice It is ordered that the estate of Rebecca Rankin dec'd be committed to the Sheriff of this County for administration. It appearing to the Court that the said Rebecca Rankin has been dead more than thirty days and no one having applied for administration upon the same

On the motion of Pleasant M Dice It is ordered that the estate of William Beard dec'd be committed to the Sheriff of Rockingham County for administration according to law. It appearing to the Court that the said William Beard has been dead more than thirty days and no one having applied for administration thereon

On the motion of Pleasant M Dice It is ordered that the estate of John Beard dec'd be committed to the Sheriff of this County for administration according to law It appearing to the Court that more than thirty days have elapsed since the death of said John Beard and no one having applied for administration upon the same

A writing purporting to be the last will and testament of Abraham Bowman dec'd was presented in Court and proved by the oaths of Wm Littell & Wm Thompson two of the subscribing witnesses thereto

and ordered to be recorded and there being no Executor appointed by said Will on the motion of David P Bowman John J Bowman and Jacob L Bowman who made oath thereto according to law and entered into and acknowledged bond with security (who justified as to their sufficiency) which bond is in the penalty of $15000. & conditioned as the law requires. Certificate is granted the said David P Bowman, John J Bowman and Jacob L Bowman for obtaining letters of administration with the will annexed ~~of Isaac Pence~~ of Bowman dec'd. in due form

A writing purporting to be the last will and testament of John Carman dec'd was presented in Court and proved by the oaths of W H C Harris and Wm VanDear two of the subscribing witnesses thereto and ordered to be recorded

Alexander McGilvrey &c
vs
Abraham Leedy ex'r of John Leedy dec'd } upon a summons to shew cause why he should not give a new bond &c

This day came the Plaintiffs by their attorney and thereupon came the said Abraham Leedy and ~~entered~~ (who justified) together with George Kizer and Andrew Houck, entered into and acknowledged a ~~bond~~ new bond as executor of said John Leedy dec'd which bond is in the penalty of $9000. conditioned as the law requires & the said McGilvrey &c securities for said Leedy in his official bond as ex'r as aforesaid are released from all responsibility & liability hereafter as such security

James M Spindle Esq't who has been duly licensed to practice as an attorney in the Courts of this commonwealth who took the several oaths required by law thereupon he is admitted to practice as an attorney in this Court

On the motion of Joseph Burkholder who made oath thereto according to law entered into and acknowledged a bond in the penalty of $2000.00 with security (who justified

as to their sufficiency) which bond is conditioned as the law requires, & Certificate is granted the said Joseph Burkholder for obtaining Letters of administration in due form of the goods and Chattels of Peter H. Bear dec.d & it is ordered that Ellen W. Brown, George H. Eshleman and Robt Byrd ~~and A. Fleming~~ & Isaac Hardesty do appraise the estate of Jno H. Bear dec.d

On the petition of David Ramsburg for a writ of Adquod damnum for the purpose building a dam &c the writ awarded at the last term of this Court being returned executed. and thereupon on motion of the petitioner by his attorney. It is ordered that the verdict of the jury upon said writ be set aside. and a new writ awarded to be directed to the Sheriff of this County & to be executed on the 5th day of January next

John C Kennedy who stands committed to the jail of this County for a felony by him committed in this that he did on the 11th day of December 1853. in the feloniously steal gold and silver coin to the amount of twenty dollars of Robert Boyers. was led to the bar in custody of the Sheriff of this County. and on the Motion of the attorney of the Commonwealth the examination is continued until the next term of this Court. thereupon the prisoner is remanded to jail

Robert H Harrison
vs
John Hoover
} upon a summons to answer
} &c before Court

It appearing to the Court that the summons issued by said Court has been returned duely executed and the said Hoover not appearing at the time fixed by said summons. it is ordered that he be summoned to appear here at the next Court to shew cause why an attachment shall not issue against him for his said failure to appear

Reuben N Harrison
vs
George W Sites
} upon a summons to appear before Com'rs Strayer & Fli answers to interrogatories

On the motion of the Plaintiff and it appearing to the Court that the summons issued by said Comm'r. has been returned executed and the Defendant failing to appear and answer said interrogatories. It is ordered that the said Sites be summoned to appear here at the next Court to shew cause why an attachment shall not be issued against him for his failure

On the motion of Henry Bowers who made oath thereto according to law. and together with Lewis W Kayton his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $1000 conditioned as the law requires. certificate is granted the said Henry Bowers for obtaining letters of administration of the goods and Chattels of William Bowers dec'd in due form. It is ordered that Jas Smith, Alex Heger, Wm Kiger & Scott Baugher do appraise the est of Wm Bowers dec'd

Ordered that the overseers of the poor bind according to law William Derrow a base born child age 2 years to Reuben Sellers until 21 years of age to learn the business of farming. said Sellers is to pay the said Wm Derrow the sum of $20. at the expiration of his apprenticeship

Samuel Yount and David Heaton securities for George H Chrisman and Charles L Spears executors of the last will of Chrisman King dec'd in a bond executed on the 17th Sept 1838 in the County Court of Rockingham County by the said George H Chrisman & Charles L Spears as said executors & the said Yount & Heaton as their security to the justices of the County Court of said County. then sitting in the penalty of $4000 conditioned according to law. and by their notice in writing dated the 30th day of November 1839 and which was

executed more than ten days before the session of this Court by delivering to them in person a copy thereof give them notice that on the first day of December County Court holden for said County that they would move the said Court to order him to give before said Court a new bond in such penalty and with such security as said Court might in its wisdom see proper to require and the said Chrisman & Shears executors as aforesaid being solemnly called and not appearing, it is ordered that the said Chrisman & Shears executors as aforesaid do give before this Court on the first day of the January term 1854. a new Bond in the penalty of $ with sufficient security. and it is ordered that a copy of this order be served upon said Chrisman & Shears

Ordered that Addison Carpenter be appointed a Commissioner to examine the road through Brocks Gap in towards Franklin Pendleton Co. and report the condition & what changes are necessary to be made in said road

On the motion of David Burkholder who has paid to the Sheriff the tax imposed by law. a license is granted him to keep a house of private entertainment in this County, until the next term next of this Court the Court being of opinion that he is a man of good character and not addicted to drinking or gaming

S H Lewis (PQ) Jno A Herring & Jno Burkholder each attended one day during the present term

Shanefelt vs Hess. On motion of Continued at the Costs of the appellee

Ordered that the Court be adjourned until the the third Monday in January next. S H Lewis

"Virginia To wit

At a Court held for Rockingham County on the third Monday in January 1854 (that being the 16th day of January 1854)

Present

+Samuel H. Lewis P[illegible] +Jno A Keerning
+Samuel Ruebush & Sam'l Miller } Gent Justices

The Clerk of this Court returned into Court a list of Deeds and other writings admitted to record in his office from the 1st to the 31st day of December 1853 (both days inclusive) which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

A Deed for Land from Reuben May & wife to R B Kedrick In Trust for Wm W Kedrick
Same from James Thompson & wife to Wm C Grandle In trust for W C Barley
Same from Rebecca Lawson & to Lunsford Lee
Same from Henry Burner Jr to Augustine Argenbright
Same from Jacob A Mitchell & wife to Steeven McMullen
Same from John A Miller & wife to David Landes
Same from Same to Tanner Jarvis
Same from Robert Wright & wife to Daniel Glick Jr.
Same from Same to Same
Same from Daniel Glick Jr to John L Woodson In trust for Rob Wright
Same for Land & Personal property from George Life & wife to Henry Michael In trust &c for Mary Michael
A Deed for Land from Edward H Smith Ex & to Edward T Hutton
Same from Henry Miller & wife to John Kains
Same from Jacob Rumble Ex & Tr to St Clair D Kitley's devisees
Same from Tiffin H Wasson com'r to Isaac G Coffman
Same from Jno R Sibert & wife &c To Isaac Moffett
Same from Algernon S Gray To Joseph Fry
Same from Andrew B Strickler & wife to George Eastham
Same from Isaac A Jordan & wife to David Byrd
Same from Jacob Custer & wife to Anthony Rhodes Jr
Same from David Strickler & wife to Andrew B Strickler

A Deed for Land from J R Koogler & wife to James Glenner
Same from John Miller & wife to David Meise
Same from Abraham Paul &c to Samuel Koontz
Same from Sidney S Baxter to E M Taylor In Trust for Bank of the Valley
Same from James Kenney Com. to John Andes
Same from Jacob Cole to Bushrod Rust
Same from Samuel Weaver & wife to Jacob Brunk
Same from David G Heatwole to Same
Same from Jacob Brunk to David G Heatwole
Same from Isreal Shaver & wife to Philip Miller
an agreement between A Warnsell, Margaret Swann & Jos S Effinger
A Deed for Land from Noah Burkholder & wife to David Burkholder
Same from Joseph Miller & wife to Henry Bertner
Same from John Hains & wife to Henry Miller
A Deed for Real & Personal property from Jno Hains to J Miller Jr. In Trust for M Miller
Same from Daniel Glick jr to Jno C Woodson In Trust for Benj Weller &c
Same from John B Sellers to Gelerlon D Gilmore &c for W B Yancey &c
A Deed for Land from William Kiger & wife to Alexander Kiger

Settlement of the estates of Solomon R Meserly dec^{d}, John Leedy dec^{d}, Solomon Garber dec^{d}, Frances E Beirne dec^{d} St Clair D Kertley dec^{d}, Jacob Runkle dec^{d}, Alexander Newman dec^{d} & Mary A Houston dec^{d}, were returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law, was examined by the Court and ordered to be recorded

Settlement of the Guardian accounts of Anderson M Newman Guardian for Jno D Pennybaker &c, Charles L Yancey guardian of George W Yancey dec^{d}, David Lincoln with his guardian Richard S Mauffin, & Abraham Lincoln with his guardian Richard S Mauffin, were returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law, was examined by the Court and ordered to be recorded

A Settlement of the accounts of Anderson M Newman as Receiver with the heirs of Isaac S Pennybaker dec'd was returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law was examined by the Court and ordered to be recorded

An Account of the Debts & Demands against Abraham Hartman dec'd and a Settlement of the estate a/c as respects expenses of the estate &c was returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law was examined by the Court and ordered to be recorded

This day H A Chrisman produced an account of his services as commissioner of the revenue and the Court have considered that 8 7/12 days were requisite for the said commissioner to perform the same

This day Conrad H Kite produced an account of his services as commissioner of the revenue and the Court have considered that 8 7/12 days were requisite for the said commissioner to perform the same

On the Motion of Allen Neff the estate of Michael Rorick dec'd ~~It is ordered~~ committed to the Sheriff of this County for administration according to law. It appearing to the Court that the said Michael Rorick has been dead more than three months and no one having applied for administration on the same. and it is ordered that Linnie Heenkle Thornton Thomas Isaac Moffett and Wm G Thompson do appraise the estate of said Michael Rorick dec'd & report to the Court according to law

On the Motion of Stephen Few the estate of James Fowley dec'd is committed to the Sheriff of this County for adm'n according to law. It appearing that more than three months have elapsed since his death & no one having applied for adm'n thereon

On the motion of Isaac Huffman who having made oath thereto and together with Hiram A Kite & J H Wacker his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the sum of One thousand dollars conditioned as the law requires certificate for obtaining letters of administration in due form upon the estate of James Eppard dec'd is granted the said Isaac Huffman and it is ordered that Jacob Bloxe Job Breeden Wm Smith & John Gray or any three of them do appraise the estate of James Eppard dec'd and report thereon to the Court according to law

On the motion of Hiram A Kite who having made oath thereto and together with C A Kite & Isaac Huffman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of One thousand dollars conditioned as the law requires. Certificate is granted the said Hiram A Kite for obtaining letters of administration in due form of the goods and chattles of Henry Powell dec'd ~~and it~~ is ordered that Samuel G Baugher Asa L Baugher Mars Lawson & Joseph H Baugher or any three of them being first sworn do appraise the estate of Henry Powell dec'd and report thereon to the Court according to law (the widow of s'd Powell having in writing relinquished her right to adm'n)

Sarah Ann & Ruth C Moyers children of Jacob Moyers being upwards of ~~fourteen~~ years of age appeared in Court and with the approbation of the Court made choice of the said Jacob Moyers as their guardian and the Court doth appoint the said Jacob Moyers guardian for his children David H Hetty C. Silas T & Margaret L who are under the age of 14 years thereupon the said Jacob Moyers together with John Miller & Daniel Miller his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of $1500 conditioned as the law directs

On the Motion of William S Miller who made oath thereto according to law, and together with Franklin Pence this security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Seven hundred and fifty dollars conditioned as the law directs. Certificate is granted the said William S Miller for obtaining letters of administration in due form of the goods and chattels of Emanuel Sellers dec'd and It is ordered that John Gibbons, Henry H Barnsberger John Sellers & G D Gilmer or any three of them being first sworn do appraise the estate of Emanuel Sellers dec'd & report to the Court according to law

A writing purporting to be the last will and testament of John Bible dec'd was presented in Court and proved by the oaths of W J Zirkle & D H Pennypacker two of the subscribing witnesses thereto and ordered to be recorded, and on the motion of Philip Bible the executor named in said will who made oath thereto according to law and together with George Brenner & Samuel Cline his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the sum of $7500. conditioned as the law directs certificate is granted the said Philip Bible for obtaining a probat of the said will in due form

Ordered that Michael J Zircle, Jackson Coon, Abraham Funk & Jacob Brock or any three of them being first sworn for that purpose do appraise the estate of John Bible dec'd and report to the Court according to law

A Writing purporting to be the Last will and Testament of Stephen Roadger dec'd was presented in Court & proved by the oaths of Hiram Coffman & Samuel Shrum two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Jacob Hook the executor therein named who made oath thereto according to law

and together with Alexander Kisgor & Peter S Roller his securities (who justified as to their sufficiency) entered into and acknowledged in Court a bond in the sum of fifteen thousand dollars conditioned as the law directs. Certificate is granted the said Jacob Hoch for obtaining a Probat of the said last will & Testament of Stephen Roadgeb dec'd in due form. and it is ordered that Hiram Coffman David Coffman. John Miswander & Henry Buttner or any three of them being first sworn for that purpose do appraise the estate of Stephen Roadgeb dec'd and report thereon to the Court according to law

Ordered that R W Palmer Overseer of the poor bind according to law. Andrew J Shiflett to Noah Beard to learn the business of a Soldier. said Beard to give a freedom suit & to said apprentice when he arrives to the age of Twenty one years. and thirty dollars in cash.

On the motion of Gideon Rosenberger who made oath thereto according to law. and together with George Rhodes Samuel Hemaley & Abraham Leedy his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the sum of Two thousand dollars. conditioned as the law directs. certificate is granted the said Gideon Rosenberger for obtaining Letters of administration in due form upon the estate of Mary Sipe dec'd. and it is ordered that Ephraim P Hoch. Peter Fritty. Thomas Collins & John Hauffman or any three of them being first duly sworn for that purpose do appraise the estate of Mary Sipe dec'd and report thereon to the Court according to law

William K Gailey Pltff
vs
Joseph Burkholder surviving Extor of John K Bear dec'd } Deft } On a Motion to quash four several executions &c

On Motion of the Pltff this Motion is Docketed & continued until the next Term

Upon the Petition of Aham S Byrd for the establishment of a road. On motion of the petitioner by his attorney. It is ordered that N Huffman George Keezle John Sheets sr Charles Nicholas & Philip Miller be and they are hereby appointed commissioners to view and report upon said petition according to law

Benjamin Snell vs Richard Robinson on an appeal &c, on Motion of this appeal is dismissed by agreement

Upon the petition of David Ramsburg for the establishment of a dam &c. On Motion of the petitioner by attorney. It is ordered that Fountain McClayton be summoned to appear here on the first day of the next term to shew cause why the Verdict found by the jury in pursuance to the last writ of adquaddamnum issued in this cause shall not be confirmed

Harrison vs Hoover upon a summons to shew cause &c Col Strayer commissioner &c this day made a report in this cause which report is ordered to be filed

This day Wm H Hamrick produced an account of his services as commissioner of the revenue and the Court have considered that 8 7/8 days were requisite for the said commissioner to perform the same

Harrison vs Sites upon a summons to shew cause &c The summons awarded in this cause at the last term of this Ct being returned duly executed and the defendant being solemnly called and not appearing. It is ordered that an attachment be issued against him returnable to the next Court

On the motion of James R Crawford who made oath according to law and together with Robert Gratton Joseph Smith

Robert M Kyle & John H Hoshkins his securities (who justified as to their sufficiency) entered into and acknowledged in Court a bond in the sum of seven thousand five hundred dollars conditioned as the law directs. Certificate is granted the said James Rlcrawford for obtaining letters of administration in due form of the goods and chattels of George Crawford dec'd and it is ordered that George H Chrisman, John H Hoshkins & John H Funkhouser who being first duly sworn do appraise the estate of George Crawford dec'd and report to the Court according to law

A writing purporting to be the last will and testament of Mary Dincle dec'd was presented in Court and proved by the oaths of J G Sprinkle & John W Jacobs ~~three subscribing~~ witnesses thereto and ordered to be recorded. and it appearing to the Court that the testatrix has not appointed any executor by her said will. thereupon on the motion of Felix T Sheets who made oath thereto according to law and together with Allen W Brown his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of five hundred dollars conditioned as the law requires. Certificate is granted the said Felix T Sheets for obtaining letters of administration in due form with the last will and testament annexed of Mary Dincle dec'd ~~thereto~~ and it is ordered that John Ruebush, Adam Rader, Philander Herring & Josh Williams or any three of them being first duly sworn do appraise the estate of Mary Dincle dec'd and report to the Court according to law

Upon the motion of the Valley Turnpike Company and it appearing to the Court that the said Valley Turnpike Company has been aggrieved by the Commissioner of the revenue of Rockingham County assessing a tax upon that portion of said Valley Turnpike lying and being in said County of Rockingham amounting to the sum of $1.35. and the said Valley Turnpike Company being desirous to be relieved from said tax, the

same being illegally assessed have applied to this court for relief and the said Valley Turnpike Company having made their said application for relief. the said application was defended on the part of the Commonwealth by John T Harris Esq. attorney for the Commonwealth in said County of Rockingham. and the Court being satisfied that the said Valley Turnpike Company is erroniously charged on the books of the Commissioner of the revenue for the County aforesaid in whose district said Turnpike. it is therefore ordered that the said Valley Turnpike Company be exonerated from the payment of said sum of $135. erroneously charged. and it is ordered that a copy of this order be certified to the auditor of public accounts

Present. Wm M Carpenter. Gent Justice

John L Kennedy who stands committed to the jail of this County charged with a felony by him committed in this that he did on the 11th day of December 1855. in the said County feloniously steal. Gold and silver coin to the amount of twenty dollars of Robert Boyers. was again led to the bar in custody of the jailor. and sundry witnesses being sworn and examined. and the argument of Counsel heard. the Court upon mature deliberation are of opinion that there is probable cause to suspect the prisoner of the offence wherewith he stands charged and ought to be tried before the Circuit Court of this County. thereupon the said John L Kennedy is remanded to the jail of the Circuit Court

Samuel H Lewis. Jno A Harnsberger. Samuel Rue Jr. Samuel Miller each attended one day during the present term

Ordered that the Court be adjourned until tomorrow morning at 10 O'Clock.

S H Lewis

Tuesday the 17th day of January 1854

Present

Samuel H Lewis P.J. Samuel Miller } Gent
John A Herring & Sam'l Ruebush } Justices

John Niswander Pltff
vs
Thos Logan Deft } Upon a Summons to answer interrogatories before a Commissioner

Commissioner C C Strayer this day returned into Court a report which is ordered to be filed

P H & J K Bear Pltff
vs
Wm R Long Deft } Upon a Summons to answer interrogatories before a commissioner

Commissioner C C Strayer this day returned into Court a report which is ordered to be filed

Kogler & Grimer Pltff
vs
Gamble Spinkel Deft } Upon a Summons to answer interrogatories &c

Commissioner C C Strayer this day returned into Court a report which is ordered to be filed

Chandler &c Pltff
vs
Hedrick &c Defts } ordered that L W Gamble be appointed Guardian ad litem for E F Huffman an infant deft

Samuel Chandler wife & others Plaintiffs
against
John Hedrick wife and others Defendants } In Chancery

This cause came on to be heard by consent this 17 day of January 1854, upon the bill answers of the adult defendants the infant defendant by L W Gamble her guardian ad litem & the exhibits whereupon the argument of counsel being heard the Court doth thereupon adjudge order and decree that Jonathan Beale William Eiler, Elijah Dunsore and George Bowman or any three of them who are appointed commissioners for that purpose do proceed to make partition of the lands of John Huffman dec'd exclusive of the widows dower and in making this partition lay off to Samuel Chandler wife one four half shares & two sevenths

for John Hedrick wife in the 96 Acre tract and assign the same to Samuel Chandler wife and lay off two sevenths to John Hedrick wife in the 102 Acre tract to Samuel Chandler wife one & one half shares in the 102 Acre tract and assign the same to John Hedrick wife agreeably to the deeds between these parties lay off and assign one seventh & a half of a seventh to Elijah Huffman and one seventh each to Isaac Showalter wife and Emily Frances Huffman the same to be designated by metes and bounds. And in laying off to John Hedrick wife the shares which are to be assigned to Samuel Chandler wife the commissioners will include the house and improvements made by Samuel Chandler thereon at his own expense without estimating said improvements thereby allowing to said Samuel Chandler the benefit of the improvements made at his own expense. And said commissioners will report to Court what they in their judgment deem a fair price for the timber used in said improvements as it stood before it was used for that purpose in order that said Chandler may pay to the other heirs their proper proportions thereof And said commissioners will make report to the Court at its next Term. And for explanation of the foregoing decree it is to be understood that the interest of John Hedrick wife is equal to two sevenths of Samuel Chandler wife 1/7 & a half of a seventh Elijah Huffman 1/7 & a half of a seventh and the remaining two, one seventh each in the whole

---

Campbell vs Shangler. For reasons appearing to the Court it is ordered that this case be struck from the Docket

---

Pence vs Michael The same order

Dever vs Rader. Bear vs Gibbons. Life vs Roler. Rutherford vs Rader Jr. Same vs Same. Same vs Same. Smith vs Armentrout Wanger vs Bechtell & Dowdell vs Heller. On Motion severally continued

---

Thompson & Co vs Miller & same Baker's admr on motion severally continued for the appellees –

Ordered that the order entered at the December term last on the Motion of Peter Neff surveyor of the Melrose Road directing certain surveyors of roads with their hands to assist said Neff in opening said road, be suspended untie further order of this Court

Benjamin Ewing appellant
vs
John M Byrd appellee
} upon an appeal from the judgment of a Justice of the peace

This day came the parties by their attornies and sundry witnesses being sworn and examined and the court upon mature deliberation are of opinion that there is error in the judgment aforesaid. It is therefore ordered that the said judgment be reversed and that the appellant recover against the appellee his costs by him ~~about~~ in this behalf expended

Giles Dever appellant
vs
Wm Grinsly appellee
} upon an appeal from the judgment of a justice of the peace

On Motion of the appellant and for reason appearing to the court it is ordered that this appeal be dismissed and that the appellant recover against the appellee his costs by him in this behalf expended

Giles Dever vs Wm Grinsly upon an appeal &c. on motion of the appellee by Counsel. It is ordered that the order this day entered dismissing this cause be rescinded and the cause is reinstated upon the docket and continued generally

Vanpelt Sergeant vs Bear, Martin & Kemper for vs May & Maiden vs leave on motion severally continued

Rice & Beard vs Lackie on motion continued

Beard vs Johnsons admr. On Motion of Appellants this cause is continued at their costs

Stinespring vs Hess. On motion continued at the costs of Hess

John C Dunlap & John Heumes who have been duly summoned as witnesses on behalf of John Hess adm D H Stinespring and John Sandy on behalf of D H Stinespring vs to Hess were solemnly called but came not It is ordered that they be severally summoned to appear here on the 3rd days of the February Court next to shew cause if any they can why attachments shall not be issued against them for their said failure contempt

Sam'l H Lewis, Samuel Miller, John S Herring & Samuel Roebuck Gent Justices each attended one day

Ordered that the Court be adjourned until the third Monday in February next.

S H Lewis

Virginia Scott

At a Court held for Rockingham County at the Court-house thereof on the third Monday in February 1854. (that being the 20th day of February 1854,

Present

Samuel H Lewis P J Jackson Horn
William B Yancey Chr Harnsberger
John G Bacon G G Junkins

The Clerk of this Court returned into Court a list of deeds and other writings admitted to record in his office from the 1st to the 31st day of January 1854 (both days inclusive) which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit — A Deed of Bargain Sale from Benjamin Bowman & Ebenezer Knicely to James Crawford

January Deeds

of

Of A Deed of Trust for Land from Jonette Mefick & wife to Sam'l Shackel. In Trust for Robert Gray
Of A Deed of B&S for Land from Christian Foltz & wife to Joshua Jennings
By Same from Samuel Shank & wife to Samuel & Abraham Shank
By Same from David Frick & wife to Arthur J. Baker
By Same from William B. Carpenter & wife to Thomas A. Yancey
By Same from Edward P. Alstott & wife to George F. Hamsbarger
By Same from Adam Brock & wife to Sam'l Kline & Trustees of the Lunks Church
By A Deed of Trust from Solomon Miller to Jas W. McGahey In Trust for W. S. McGahey &c
Of A Deed of Bargain & Sale from Henry B. Hamsbarger & wife to John T. Harris
Of Same from George P. Smith to Levi Reedy
Of Same from John Trobaugh & wife to Alexander Perkey
By A Deed of Lease from Horam M. Harris to John H. Herein
By A Deed of Trust from Wm Britt to Wm Biler. In Trust for Jonathan Peace
By A Deed of B&S from John Miswander & wife to Wm Clair Delaney
P. Estate By A Deed of Trust from John Jones to John C. Worden. In Trust for Mary Jones
By Same from Alexander Spitzer to Thos H. Leet. In Trust for W. W. Little & Co

Settlements of the estates of Mary Argenbright dec'd. Ellen Oakley dec'd. John Hoover dec'd. Catharine Hoover dec'd. Robert Hoake dec'd. George C. King dec'd. James Laird. Dorcas S. Lincoln dec'd. Thomas Lewis Jr dec'd. Jacob Naire dec'd & John Spitzer dec'd. were returned into Court by the Clerk thereof. and having been filed in the Clerks office for the time prescribed by Law. were examined by the Court and ordered to be recorded

Settlements of the Guardian accounts of Mary A. & A. P. Beirne Frances C. & Brock & Christian Click &c. Samuel Good. Susan Heradder. Peter & Ann E. Keller & Michael & Anna Beery. were returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law. were examined by the Court and ordered to be recorded

Settlements of the Committee accounts of Henry Black & David Horner were returned into Court by the Clerk thereof and having been filed in the Clerks office for the time prescribed by law were examined by the Court and ordered to be recorded

Anthony Hauffman (Foreman), Adam Leisk, John T Myers, Joseph Altaffer, Abraham Earley, William S Maupin, John Harper, Jacob Linaweiver, Abram Healwole, Henry Beary, Jacob Long, Samuel Sheets Jr, Abram Harrison, Samuel Bowman, John Meeller, Peter Heeneberger and Benjamin H Ralston, were sworn a Grand Jury for this County, who received their Charge, and retired from the bar to consider of their presentments, and after the retirement of the said jurors it appearing to the court that Abraham Early one of said jurors is disabled from serving by reason of his being a Surveyor of a road. Thereupon the Grand Jury was called into court and Samuel Gabriel was sworn as juror in place of the said Abraham Early, and thereupon the Jurors again retired from the bar and after sometime returned into court and not having to go through with the business before them are adjourned until tomorrow morning at 11 O'Clock

Henry Butler vs Peter Neff. On a Motion. On Motion the cause is Docketed & continued until Friday next

An Instrument of writing purporting to be the last will and testament of Robert Powell dec'd was presented in Court and proved by the oaths of James R Miller & Beverly Powell two of the subscribing witnesses thereto and ordered to be recorded: and on the Motion of Matilda Jane Powell the executrix therein named who made oath thereto according to law, and entered into and acknowledged her bond with penalty of $1200 conditioned as the law requires Certificate is granted her for obtaining a probat thereof in due form. It appearing that said testator by his will requests that no security be required of his executrix. the court accordingly require none. It seeing no cause of its own knowledge or from the suggestion of others why security should be required

Upon the petition of Abram S Byrd for the establishment of a road in this County. This day came the petitioners and the Viewers appointed at a former term of this court having made and returned their report. and thereupon

on Motion of the petitioner It is ordered that the said road be opened and established according to law upon condition that said Byrd pay to Abraham Earman the sum of $40 00 the amount of damages assessed to him by said report and Julia A Smith by and instrument writing under here hand relinquished her right to damages by reason of said road passing through her land It is further ordered that the said petitioner pay the costs of his said petition

Sarah Catharine Wise orphan of Adam Wise dec'd being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Lewis G Whitescarver as her guardian and thereupon the said Lewis G Whitescarver together with Josiah S Roller his security who justified as to his sufficiency entered into and acknowledged a bond in the penalty of $5000 conditioned as the law requires

On the Motion of Jacob Bierly executor of Joseph Bierly deceased it is ordered to be certified that Joseph Bierly who was the warrantee in a warrant No 68892 for 160 acres which issued March 19th 1850 under the act of February 11th 1847 died in Rockingham County Virginia on the 30th day of October 1850 leaving a widow Sarah Bierly and the following children his heirs and only heirs at Law viz Eliza married to William Black & Benjamin F Bierly who are adults and John Jacob Daniel Joseph Rebecca and Wm Levi Bierly who are infants

On the petition of John Swank for an alteration in a public road in this County On Motion of the petitioner by attorney is ordered that his said petition be referred to Archabald Hopkins John H Hopkins and Levi May who are hereby appointed viewers to act and report thereon according to law

Martin Showalter &c &c
vs
William Showalter } Appeal and Appeal In case

This cause being removed to this Court by appeal from a justice of the peace. On motion Docketed and thereupon the Defendant pleads Non Assumpsit & Statutes of Limitation & the cause continues

George A Conrad Plff
vs
Zachariah Cowgill & Jno S McIntosh Defts } On a Motion

On motion of the Defendants by attorney this cause is revived in the name of Andrew J Deakins admr of John S McIntosh who has died since the institution of this suit

Ordered that the Court be adjourned until tomorrow morning at 10 O'Clock

S H Lewis

Tuesday February 21st 1854

Present

Samuel H Lewis PJ & William B Gent
Yancey & Jackson Hoover & John G Brown } Justices

On motion of Frederick Heileyard who hath filed his bill and made oath thereto according to law an injunction is awarded him to stay until the further order of this Court all proceedings on a judgment therein obtained at the November term 1853 by Henry Kirk assignee of Noah Price against the said Frederick Heileyard upon a single bill But the effect of this injunction is to be suspended until the said Frederick Heileyard shall enter into bond with sufficient security in the Clerk's office in a penalty equal to double the money recovered by the said judgment with such condition as the law requires & until he shall also file with the Clerk a release of all errors at law in the said judgment and proceedings

On the motion of James Funk It is ordered to be certified that it appears that the said James Funk has paid to the Sheriff of Rockingham County the sum of $5.00 for the

purpose of keeping a house of Private Entertainment at his house in this County and it further appearing that the said James Funk has also paid the tax imposed by law to keep a Public Ordinary at the same place and license for such Ordinary was granted by this Court. It is therefore ordered that the sum of $5.00 paid as aforesaid be refunded to said Funk

David Ramsburg Pltff
against
I McCrawford &c Deft
} upon a writ of adquoddamnum

This day came the parties by their attorneys and the Defendant Fountain Mclayton moved the court to quash the all proceeding had in this cause 1st because there was no notice given him of the Plaintiffs intention to apply for a writ of adquod-damnum 2nd to quash the summons issued after the return of the ingnest made in pursuance to said writ because it was not legal sufficient & that he had not legal & sufficient notice thereof 3d because the ingnest does not respond to the requisition of the law and fourth because the inquisition does not show the estimates or items of injury to him for which they assessed the damages and does not specifically point out the quantity of land overflowed & that special injury from any cause which was estimated by the jury in their said assess-ment which Motion to quash the Court overruled and thereupon on Motion of the Plaintiff and for reason appearing to the Court it is ordered that this cause be continued until the May term next of this Court at the cost of the plaintiff.

The Court doth appoint Wm B Yancey guardian for Adaline Sellers, George Sellers & Emanuel Sellers Orphans of Emanuel Sellers dec'd who are under the age of 14 years thereupon the said Wm B Yancey together with Thomas K Harnsberger his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $1200 Conditioned as the law requires

Commonwealth
vs
John Smith
} upon a Indictment

The attorney prosecuting for the Commonwealth by the consent of the Court saith that he will not prosecute further on behalf of the Commonwealth upon the indictment in this cause vs said Smith. Therefore it is ordered that the same be dismissed

Same vs Same	The same order
Same vs Same	The Same order
Same vs Same	The Same order
Same vs Same	The Same order
Same vs Same	The Same order
Same vs Same	The Same order
Same vs Same	The Same order
Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order

An Instrument of writing purporting to be the last will and testament of Catharine Pirkey dec'd was presented in Court and proved by the oaths of Jonathan Peale & Harvey Kyle two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of William Eiler the executor therein named who made oath thereto according to law, and together with Harvey Kyle & Allen C Bryan his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $10,000 conditioned as the law requires. Certificate is granted the said William Eiler for obtaining a probat thereof in due form.

It is ordered that Wm Vandear. Charles Weaver Abraham Bowman & Jonathan Peale do appraise the estate of Dec'd Catharine Pirkey dec'd and report thereon to the Court according to law

It appearing that there is not a sufficient number of jurors present of those duly drawn and summoned to ~~the~~ serve during the present term. It is ordered that the Sheriff summon five fit persons to serve as such to appear here on this day

David Bear & Samuel Bowman who were summoned to appear here on yesterday as Grand jurors were solemnly called and not appearing. It is ordered that they be severally summoned to appear here at the may term next to shew cause if any they can why they shall not be severally fined for their contempt in failing to attend as aforesaid

Isaac Miller, Daniel Boon, & George Shaver (of Peter) who have been duly drawn and summoned to appear here on this day as jurors to serve during the present term, being solemnly called and not appearing. It is ordered that they be summoned to appear here at the May term next to shew cause if any they can why they shall not be severally fined for their contempt in failing to attend as aforesaid

Robert W Palmer an Overseer of the poor for Rockingham Co } Pltff
vs } Ona notice
George W Cutler Amos Scott & Harrison Bateman } Defts

This day came the parties by their attorneys and sundry witnesses being sworn and examined. Court upon mature deliberation are of opinion that George W Cutler is bound for the support of the Idiot Boy mentioned in the notice It is therefore considered by the Court that the Overseers of the poor recover against said Cutler the sum of eighteen dollars & thirty two cents the amount paid for the support of the said boy and the costs by them about this notice expended

The Grand Jury appeared in court according to their adjournment and were sent out of Court and after some time returned and an Indictment vs Charles Rader for unlawful gaming a true bill presented. an Indictment against James Funk for unlawful gaming an Indictment vs Joseph Riddle for B a true bill at his own ordinary. a true bill. An Indictment vs Isaac Keller for unlawful Gaming a true bill. An Indictment vs Joseph Riddle for unlawful Gaming a true bill. An Indictment vs Cornelius Gabriel for unlawful Gaming a true bill. An Indictment vs Philip Cannon for unlawful Gaming a true bill An Indictment vs John Mitchell for unlawful Gaming a true bill An Indictment vs John Hafer for unlawful Gaming a true bill. An Indictment vs Sam'l Hufsmeister for unlawful Gaming a true bill. An Indictment vs James Funk for suffering unlawful gaming in his ordinary a true bill An Indictment vs William Pilcrow for Petit larceny a true bill an Indictment vs William Rodgers for retailing ardent Spirits without license. a true bill. An Indictment vs John Neff for unlawful Gaming. a true bill. An Indictment vs Philip Cannon for T A B a true bill An Indictment vs N Owens for T A B a true bill. an Indictment vs Michael May for T A B. a true bill. an Indictment vs Jackson Riddle T A B. a true bill an Indictment vs Jno McDonnan T A B. a true Bill an Indictment vs Shifflett for a T A B a true bill. an Indictment vs Henry McDonnan for T A B a true bill an Indictment vs John Smith for selling ardent Spirits to a Slave without written consent a true bill An Indictment vs John Smith for retailing ardent Spirits without a license a true bill. an Indictment vs John Smith for retailing ardent Spirits an Indictment vs John Smith for selling ardent Spirits to a Slave without written consent a true bill without a license a true bill. An Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without license a true bill. an Indictment vs John Smith for retailing ardent Spirits without lawful license a true bill. an Indictment vs John Smith for retailing ardent Spirits a true bill. an Indictment vs John Smith. for selling ardent Spirits to a Slave without written consent. an Indictment vs John Smith for selling ardent Spirits to a Slave without written consent. an Indictment vs John Smith for selling ardent Spirits to a Slave without written permission. an Indictment vs John Smith for selling ardent Spirits to a Slave without written permission. and the Jury having no further business before them are discharged.

Commonwealth vs James R Sorrees. Same vs Same Same vs Michael Dever & same vs Abram Switzer for reasons appearing to the Court. It is ordered that the aforesaid causes be dismissed

Commonwealth vs Lewis Miller Capias. The Capias last awarded in this cause being returned not executed. It is ordered that a new capias be awarded against him returnable to the May term next of this Court

On Motion of the attorney prosecuting for the Commonth it is ordered that summons's issue against the several persons this day Indicted by the Grand Jury. which process is to be directed to the Sheriff of this County & made returnable to the May term next of this Court

Commonth vs Samuel Umpstwiller. This day the Defendant appeared in Court and confessed judgment for the fine & Costs. It is therefore considered by the Court that the said Deft be fined $30 & pay the costs of this prosecution

Same vs Philip Cannon The same order

Same vs John Neff The same order

Same vs Philip Cannon

This day the defendant appeared in Court and confessed judgment for the costs of this prosecution It is therefore considered by the Court that the Commonwealth recover her costs & expenses in this behalf

S H Lewis Jackson Hoon Wm B Yancey & John G Brown each attended two days during the present Court

Ordered that the Court be adjourned until tomorrow morning at 9 O'Clock

S H Lewis

Wednesday February 22nd 1854

Present

+Samuel H Lewis P.J. + O.C. Sterling } Gent
+Jackson Horn & Wm G Brown } Justices

For reasons appearing to the Court it is ordered that James Funk be summoned to appear here on the first day of the next term of this Court to shew cause if any he can why the License granted him at the June last of this Court to keep a Public Ordinary shall not be revoked for alleged abuse of said License

Catharine Nave & others Pltffs
vs
Jackson Riddle & other Defts } In Chancery

This cause came on to be heard this 22nd day of February 1854 upon the papers heretofore read & the proceedings heretofore had & the report of Jackson Horn commissioner appointed to sell the negro boy Arch in the Bill mentioned and was argued by Counsel upon consideration whereof it is decreed that the sale of the boy Arch to George Branner be & the same is hereby confirmed and it is ordered that the commissioner Jackson Horn collect the purchase money from said Branner pay the costs of suit & expences of sale and report to this Court in order to a final decree

Catharine Kerrner Pltff
vs
James Beard & others Defts } In Case

The parties by their Attornies mutually submit all matters in difference between them in this suit to final determination of Peter Fitch and Zachariah Raynes and agree that their award shall be made the judgment of the Court or the award of such person as they shall choose for an umpire thereupon is to be made the judgment of the Court and the same is ordered accordingly

John R. Bearsorton Pltff
vs
Samuel Coots Deft } On a Notice

This day came the parties by their attornies and sundry witnesses being sworn and examined. the Court upon mature deliberation. do order that the said Notice be dismissed. and that the defendant recover agst the Plaintiff his costs by him in this behalf expended

John Morris a witness on behalf of the Commonwealth against Albert Pirkey. who has been duly summoned to appear here at this term being solemnly called and not appearing. It is ordered that he be summoned to appear here on the first day of the May term next of this Court to shew cause why he shall not be fined for his contempt in failing as aforesaid

Commonwealth
vs
John R Miller } Upon an Indictment

This day came the ~~Attorney~~ prosecuting for the Commwelth and thereupon came the Defendant by attorney. and confessed judgment for one cents damage & costs. It is therefore considered by the Court that the Commonwealth recover against the said Miller. the cent damage and her costs expended in prosecuting this indictment

Commonwealth vs Asberry Fawcett

On Motion and for reasons appearing to the Court It is ordered that this cause be dismissed

Commonwealth
vs
Albert Zigler } Upon a Indictment for selling ardent Spirits without License

This day came as well the attorney for the Commwelth as the Defendant by his attorney. and thereupon came

a jury to wit Henry Petry. William Sellers Daniel Keatwole William Roherer. David Sigler. Joseph Miller. Charles S Weaver. Josiah S Roller. Augustus Rice. Peter Wise. David D Bowman and Peter Brenaman. who being elected tried and sworn to try the issue joined. and having heard the evidence and argument of counsel. retired from the bar to consider of their verdict and after some time returned into court. and do say We the Jury find the Defendant Guilty. It is therefore considered by the Court that the Commonwealth recover the sum of $20 the fine imposed by law. and the costs by them expended in the prosecution of this Indictment

On the motion of Abraham S Byrd Sheriff of Rockingham the Court doth certify that the account of $16. allowed to said Byrd at the November court last. is just and reasonable and ought to be allowed.

On the Motion of George W Kemper late Sheriff &c the same order as to his account

Joseph H Conrad who has been duely summoned to appear here at this term as a witness on behalf of the Commonwealth against Albert Sigler. was solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the May term next of this court to shew cause if any he can why he shall not be fined for his contempt in failing to attend as aforesaid

Commonwealth
vs
Wm Spitzer & Wm Buel } Upon an Indictment

On Motion of the attorney for the commonwealth judgment is given against William Spitzer one of the Defts for the costs expended in prosecuting this indictment against him and came as well Wm Buel is continued until the next term of this court

Commonwealth vs Levi Shoemaker. Not Guilty plea. general replication and issue continued until the next term

Commwth vs Jacob Custer. For reasons appearing to the court it is ordered to be dismissed

Commwth vs Mary Swanson. The same order.

Commonwealth vs Daniel Hidley. Not guilty plea General demurrer and issue continued

Commonwealth vs Jacob Reedy. This day came the attorney for the commonwealth and thereupon came the Defendant by attorney and confessed Judgment for Costs. It is therefore considered by the Court that the Commonwealth recover her costs expended in prosecuting this cause

Commonwealth vs James Steele. On Motion Dismissed

Commwth vs Leonard Shepler. On Motion Dismissed

Commwth vs Andrew Rogers. On motion of the Attorney for the Commonwealth it is ordered that this cause be Dismissed upon payment of Costs and for which judgment is given

Commonwealth vs Quincy Fisher. Not Guilty plea. general Demurrer and issue continued

Same vs Philip Richie. Not Guilty plea & general demurrer & issue continued

Same vs Levi Perkey Not guilty plea. general demurrer & issue cont.

Same vs Joseph Harter This day came a jury the attorney for the Commwth. as the Deft by attorney and the defendant filed a general demurrer to the Indictment & the cause continued

Commelth vs. Geo Silley & A Seigler. Same vs Same. Same vs Same same vs Same & same vs Robert Phillips &c. On Motion & for reasons appearing to the Court severally continued until the next Term

Commonwealth vs John Simmers &c. This day came the Attorney for the Commonwealth and thereupon came the Defendants by their attorney and confessed judgment for costs. It is therefore ordered that judgment be entered accordingly

Same vs Benjamin Heuner &c. This day came the Attorney for the Commonwealth and thereupon came the Defendants by Attorney and filed his demurrer to the Indictment in this cause

Commonwealth vs Aaron Armentrout. This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit David P Bowman Daniel Miller John K Beary Daniel Heaton & Sam'l Driver Jacob Spitzer Joseph Miller William Reshard Robert W Palmer John M Hoffman Josiah S Roller & Charles S Weaver who find the Defendant Not Guilty. It is therefore considered by the Court that the Defendant recover against Reuben Long the prosecutor in this cause his costs expended in Defending this prosecution

Holbrook vs Harris &c On Motion continued until the next term at the costs of the Defendant

Commelth vs Abraham Berkey by Consent continued until the next Term Same vs Rodgers The same order

On the petition of J M D Maupin &c for the establishment of a road in this County. This day came the petitioners by Atty and three of the commissioners heretofore appointed made their report which is in these words. "To the Worshipful &c. which report is ordered to be filed and it is further ordered that W Scott Baugher R P Fletcher and Aaron Lewis be appointed viewers & Benj Miller overseer for the

infant heirs of Thomas Wood dec^d be summoned to appear here at the next Court to shew cause if any they can why said road shall not be established agreeably to the report aforesaid

Commonwealth
vs
Jackson Seigler
} On an Indictment for A&B

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by attorney and thereupon came a jury to wit. John Rader. Peter Branaman. Wm Sellers Daniel Keatwole. Samuel Driver. Philander Herring. Jos Bear. Frederick Armentrout. Joseph Miller. Jacob Sigler Daniel Miller and Charles Weaver who being elected tried & sworn the truth to speak upon the issue joined and after hearing the evidence and argument of counsel ~~retired from the Bar and after consulted~~ do say. We the jury find the Defendant not guilty & judgment accordingly

Commonwealth vs Albert Perkey upon a Indictment for a A&B

This day came ~~the~~ as well the Attorney prosecuting for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit. John K Beery. Joseph Shaver Joseph Miller. Christian Bowers. Frederick Armentrout Samuel Driver John M Huffman. Philander Herring William Rehard. Daniel Keatwole. Jacob Mauzy and Peter Wise who were elected tried and sworn the truth to speak upon the issue joined. and upon their oath do say. We the jury find the Defendant Guilty and assess his amercement to $20 It is therefore considered by the Court that the Commonwealth recover against the Defendant the said $20. & the costs & charges in prosecuting this Cause

Commth vs Rice. On Motion & for reason appearing to the Court it is ordered that this Cause is ordered to be continued

Commwth vs Levi Perkey. On Motion this Cause is continued until the next Term

On the Motion of Robert H Smith who made oath thereto according to law and together with E A Shands (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500 conditioned as the law requires Certificate is granted the said Robert H Smith for obtaining letters of administration in due form upon the estate of Frederick Kenat dec'd (the widow of said decedant in writing having relinquished her right to Administration)

Commonwealth vs Jennings & Sipe. Same vs Same. Same vs Same Same vs Jno Hammer & Same vs Gilmer & Co. On Motion severally continued until the next Term

Commonwealth vs Washington O'Roark & same vs Same & This day came as well the attorney prosecuting for the Comth as the defendants by attorney & filed a General Demurrer to the Indictment & thereupon the cause is continued

Commonwealth vs Aaron Armentrout upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit: Jackson Rhodes, John M Heuffman Joseph Bare, John Rader, John K Beery, William Ruebush, William Rebard, Jacob Spitzer, William Sellers, John Rodisheffer Henry Petry & David Sigler who find the defendant Guilty & assess his amusements to one cent and judgment accordingly & for costs

Samuel H Lewis & P. Otterbein, Jackson Hoan & John G Brown each attended one day during the present term as members of the Court

Ordered that the Court be adjourned until to Morrow Morning at 10 O'Clock

S H Lewis

Thursday the 23rd day of February 1854

Present

Samuel H Laws P.S. & John G Braun
H C Sterling & Jackson Horn Esqrs & G Justices

B H W Berry vs Whitzell Adm'r & Delany Bail & Notice prond & Judgment & Garnishee awarded

K Stevens vs Eubanks & The Same

N & B Layman vs Sanders & The Same

B H W Richard H Shull for Pl vs Anderson & Upon a Motion on a Delany Bond Notice prond & Dismissed

On the Motion of Abraham S Byrd Sheriff of this County and as such administrator of James Folly Deceased it is ordered that Pleasant A Clarke John Sheets and Geage Ireland & Michael H Harris or any three of them being first sworn do appraise the Estate of the said James Folly and make report to the Court

Bolton Pl
vs
Selby Ds } In Chancery

On the Motion of the Plaintiff it is ordered that Lilliston N Gamble be appointed Guardian Ad litem for Geage Selby an Infant Defendant to defend this suit

Upon the motion of Abraham Smith & John Kenney securities for William H Tarns Administrator de bonis non with the will annexed of Martin Brouner deceased it is ordered that the said Tarns Administrator as aforesaid do give before this Court at its next Term a new bond in the penalty of $3000 with good and sufficient security and that a copy of this order be served upon the said Tarns

Commonwealth
vs
James H Riddle } Upon a Recognizance to answer an Indict for Petit Larceny

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by counsel. On Motion of the Defendant and it appearing to the Court that the Grand Jury at the present term have failed to find an Indictment against him, It is ordered that he be discharged from his imprisonment

Commonwealth
vs
John Miswander } upon an Indict for disturbing a religious speech

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by attorney and thereupon came a jury to wit Jacob Spitzer. Daniel Miller. Philander Herring William Sellers. David P Bowman. Joseph Showalter. John Rodeheffer. Daniel Heaturde. Peter Brenaman. John McHuffman William Ruebush and Augustus Rice who find the Deft Not guilty & judgment accordingly

Commonwealth vs ~~Gemima~~ On Motion continued until the next term

Commonwealth
vs
Gemima Gallihue } upon an Indict for permitting a slave to trade & as a free person

This day came the Attorney for the Commonwealth as the Defendant by Attorney and thereupon came a jury to wit Christian Bowers. Henry Petry. Peter Wise. Robert W Palmer. Joseph Miller. Jacob Mauzy. John Rader. Jackson Rhodes. Joseph Bare. David Sigler. Charles S Weaver and Frederick Armentrout. who find the Defendant Not Guilty It is therefore considered by the Court that the Deft recover against Malcin Kyle the prosecutor in this Cause her costs expended in defending the Indictment

Present Henry T Wertman Gent Justice
Absent Jackson Horn Gent Justice

Commonwealth vs Jno Miswander On Motion & Continued until the next

Price vs Barley On Motion & for reasons appearing to the Court It is ordered to be Dismissed

Jacob Dundore & John B Lain who have been duely summoned to appear here at this Court as witnesses from behalf of Jacob Fritz vs John Keister fwere solemney called and not appearing. It is ordered that they be summoned to appear here on the first day of the next Court to shew cause if any they can why they shall not be fined for their failure aforesaid

Wm H Barley Pltff
vs
Jackson Lamb Deft
} upon an Attachment

This day came the parties by their attornies & the Constable having made a return upon the attachment "Executed" and the Defendant being solemney called and not appearing whereupon it being proved that the said Lamb is indebted to the plaintiff in the sum of $63.39 with interest thereon from the 1st day of March 1838 till paid subject to a credit of $48.98 cents of date the 22nd Sept 1838. It is therefore considered by the Court that the plaintiff recover against the said Jackson Lamb the aforesaid sum of money & interest subject to the credit aforesaid and his costs by him in this behalf expended. and it is ordered that the Officer who levied the said Attachment sell and dispose of the goods and chattels attached as aforesaid forthwith towards satisfaction of the plaintiff judgment in the same manner as goods taken in execution upon a writ of fieri facias and make return thereof to the Court according to law

John Beery Pltff
vs
William Berry Deft
} In Debt upon a removal from the Jurisdiction of a Justice

This day came the parties by their attorneys and on motion of Plaintiff. Judgment is granted him for forty dollars and forty six cents with interest thereon from the 5th day of January 1840 till payment and his costs by him about his suit in this behalf expended

Algernon S Gray & Pltffs
vs
Martin L Kearny Deft } Ejectment

This day came the parties by their attorneys and thereupon came a jury to wit. William Rehard. Charles S Weaver. David Sigler. John Rader. Robert McPalmer. Henry Petry. Jacob Mowzy. Joseph Miller. Christian Bowers. Josiah Roller. Peter Wise & Jackson Rhodes. who being elected tried and sworn the truth to speak upon the issue joined. upon their oath do say. We the jury find for the plaintiff & assess their damages at one cent. Therefore it is considered by the Court that the Plaintiffs recover against the Defendant the house & lot in the proceedings mentioned with its appurtenances together with the damages assessed as aforesaid and the Costs by the Pltffs about their suit in this behalf expended. Whereupon the plaintiffs pray a writ to the Sheriff of this County to be directed to cause them to have their possession of the said house & lot aforesaid

Tutwiler's adms vs Valley Turnpike Co. Harper & heirs vs Grim & Rockingham Turnpike Co vs Bryan. Neff vs Andes. same vs same. Entler vs Beard. Kyle vs Funk. Conaway Dft vs Neff. Conrad vs Leigh & Co. White for Co vs Grove. Hooke vs Botton. Powell's heirs vs Powell et al. Conaway vs Thompson. Harrison vs Sites. Gailey vs Beard's adms. Harnsberger vs Crawford. Showalter's adms vs Showalter & Co vs Miller. Ordered that the aforesaid causes be severally continued until the next term

Samuel Yount & vs George H Chrisman & Charles L Spears. upon a Notice. The ~~Copy~~ Order awarded in this cause at the December term last ~~hearing~~ Copy thereof been duly served upon the Defendants and they severally called and not appearing. And they having failed to give bond and security as required by the order of December Court last. It is therefore ordered that their powers as executors of Christian Rinegar dec'd be revoked and annulled and that the plaintiff recover against the Defts their costs in this behalf expended

Andrew J Vanpelt &c Pltff
vs
Benjamin Miller Defts } upon an Attachment

The plaintiffs having obtained an Attachment ags the estate of the said Benjamin Miller who hath privately removed out of this County or absconds or conceals himself so that the ordinary process of law cannot be served on him. for $106.58 due by account. and a constable of this County having returned said Attachment. Executed by leaving copy with S P Winder. Feby 3d 1854. also by the Sheriff. Executed on E T Alstat & Asberry Fossett the 28th Feby 1854 This day came the plaintiff by attorney and the Defendant being solemnly called and not appearing. and the plaintiffs made affidavit that they believe that the said Benjamin Miller is not a resident of this Commonwealth It is therefore ordered that a order of publication be awarded

Order issued & sent to Office

Dinkle vs Gibbons & Way Nicholas to Nov On Motion and for reasons appearing to the Court It is ordered that the aforesaid Case be Dismissed

William D Maiden Pltff
vs
Hugh Lilley &c Defts } In Debt

This day came the parties by their attorneys and thereupon came a jury to wit. David Sigler. John K Beery Peter Wise. Frederick Armentrout. Josiah Miller. Jackson Rhodes. Robert M Palmer. John Rader. William Rehard. Christian Bowers. Joseph O Bear and Charles S Weaver who being elected tried and sworn the truth to speak upon the issue joined. who find for the plaintiff $75.05 the debt in the Declaration mentioned. with interest thereon from the 3d day of April 1853 till paid. subject to a credit of $50. of date the 22d Feby 1854. It is therefore considered by the Court that the Pltff recover ags the Defts the said debt & interest subject to the credit aforesaid. & his costs by him about this behalf expended

John Price vs Wm H Barley. On Motion & for reasons appearing to the Court It is ordered to be dismissed

Keister vs Fultz. On Motion of the Deft It is ordered that this cause be continued at the cost of the Deft

S H Lewis. Jno G Brown Ole Sterling & Jackson Horn each attended one day during the present Term

Ordered that the Court be adjourned until tomorrow morning at 10 O'Clock

S H. Lewis.

Friday February the 24th 1854

Present

+ Samuel H Lewis & Henry F Meertman
+ Ole Sterling & John G Brown _____ } Gent Jus

Adam Long for Abram Paul Pltff
vs
Robert Hook Deft } In Case

This day came the parties by their attorneys. and on the Motion of the Defendant it is ordered that this cause be dismissed, and that he recover against Abram Paul (the person for whose benefit this suit is endorsed) his costs by him expended in defending this ~~Court~~ suit

Cromer vs Rader. This day came the parties by their attornies and on Motion of the Plaintiff this cause is continued until the next Court at the Costs of the Plaintiff

George Brunner who has been duly summoned to appear here on this day as a witness on behalf of Joseph Cromer vs George Rader being solemnly called and not appearing. It is ordered that he be summoned to appear here on the second day of the May Term next & shew cause if any he can why he should not be fined for such his contempt

Commonwealth vs Gallehue. This day came as well the attorney for the Commonwealth as the Defendant ~~by~~ S. Blair Kyle by Attorney and thereupon the said Kyle moved the Court to set aside the judgment rendered on yesterday against him as the prosecutor in this cause. & on consideration the Court doth overrule said motion

George Baylor Pltff
vs
David S Jones & Defts
} In Delt

This day came the parties by their Attornies and the Defendant by Atty waives the plea and confesses judgment for the Delt in the Declaration mentioned saving equity. It is therefore considered by the Court that the Pltff recover against the Defts the debt aforesaid with interest thereon and the costs by him expended in prosecuting this suit

Kratzer vs Beery & c. On motion continued until the next term

Comelt vs Dansch on a Rule	The same order
Same vs Hummes on a Rule	The same order
Same vs Saney on a Rule	The same order
McDowell Gen & vs Gailey	The Same order
Reader for & vs Winfield	The same order
Sutzer vs Catlett & adm &	The same order
Roler vs Gailey	The same order
Blain vs Bleigh	The same order
Blain vs McCall	The same order
Londamood vs Hawaysball	The Same order
Decoursey & c vs Shipman & Roler	The same order
Cushing & c vs Bruffy	The same order
Heenton vs Chapman	The same order
Philips vs Dever	The same order

~~Matthew Beeks vs George W Entsler. Plea waived and judgment for specialty & Costs~~

Matthew Beck's vs George W Entsler. Plea waived and judgment confessed for the Debt in the Declaration mentioned with interest & Costs saving equity

Seigler vs Lilley's. This day came the parties by their attornies On Motion and for reasons appearing to the Court this Cause is continued untie the next at the Costs of the plaintiff

Absent O C Sterling Gent. dus

Butler & Ginsley vs O C Sterling. This day came the parties by their attornies. The Defendant by attorney filed his plea of Nil Debet to which the plaintiff replied generally. and the issue continued until the next term at the Costs of the Defts

Present O C Sterling

M Gilvrey vs Johnson. The plaintiff being dead the fact is ordered to be certified. and the Defts plead non assumpsit & Set off to which Plff replied generally and issue continued

Miller vs Entsler. On Motion of the Defts Leave is given him to file a special Plea of failure of Consideration & Interrogatories to Plff & pursue leave to file an additional plea within thirty days

Cratzer vs Kline. Plea waived and judgment confessed for the Debt in the Declaration mentioned with interest & Costs (subject to a credit of the amt for which judgment has heretofore been rendered in this Cause) saving equity

Bear vs Mannings adm's. The Plaintiff being dead by consent this Cause is revived in the name of Joseph Burkholder his adm'r and judgment confessed for forty eight 81 cents Damages and interest from the 12th of July 1859 fee paid. the Costs by the Plaintiff in this behalf expended

Carman vs Shaver. On Motion of Plff. this Cause is continued untie the next term at the Costs of the Plff

Miller vs Harris. Office Judgment & writ of Enquiry set aside and deft plead conditions performed to which the Plff replied generally. & issue continued until the next term

Henry Neff Plff
against
Peter Weaver Deft } In Chancery

This Cause came on to be finally heard this 24 day of February 1854, upon the proceedings heretofore had and the report of commissioners Thompson, Cline and Branner to which no exception is taken and the same is hereby confirmed and ordered to be recorded, and the Court doth further adjudge order and decree that one half of the costs of this suit be paid by the plaintiff himself, and the other half by the plaintiff as guardian of the infant defendants out of any funds in their hands

Upon the Motion of the Rockingham Turnpike Company, and it appearing to the Court that the said Rockingham Turnpike Company has been aggrieved by the Commissioner of the revenue of Rockingham County assessing a tax upon that portion of said Turnpike lying and being in said County of Rockingham amounting to the sum of $64.84 and the said Rockingham Turnpike Company, being desirous to be relieved from said tax the same being illegally assessed, have applied to this Court for relief, and the said Rockingham Turnpike Company having made their said application for relief the said application was defended by the attorney for the Commonwealth in the said County of Rockingham, and the Court being satisfied that the said Turnpike Company is erroniously charged on the books of the Commissioner of the revenue of the County aforesaid in whose district said Turnpike is, it is therefore ordered that the said Turnpike Company be exonerated from the payment of said sum of $64.84 erroneously charged

Bearskin vs Robison. This day came the parties by their counsel, and the Plaintiff demurrer to the Deft plea was

argued and the Court sustaining said demurrer refused to permit said plea to be filed. Thereupon the Plea was waived and judgment confessed for the Debt in the Declaration mentioned with interest and costs saving equity

Forrer vs Bechtell. Office Judgment set aside & payment plead & general replication. & leave to Deft to file special plea

Harrison Pltff
vs
Sites Deft } Rule on attachment for failing to answer interrogatories

Ebb. Commissioner Ebb Strayer this day made his report in this cause. which is ordered to be filed

Garrott vs Beery Office judgment set aside. Nil debet plead. Set off filed. to which plea the Pltff replied generally

Washington Exr vs Marick. Payment plead general replication. and thereupon a jury sworn to try the issue joined to wit. Peter Brenaman. Charles S Weaver. Wm Sellers. Daird Sigler. Wm Burbush. Joseph Showalter. Joseph Bear. Frederick Armentrout. John Rodiheffer Jacob Spitzer Josiah S Roller and Jackson Rhodes. who find for the Defendant on the plea of set off and that said defendant is entitled to recover against the plaintiff the sum of $212.66 the excess of said defendants demand over the said plaintiffs demand with interest from the 20th day of December 1833. It is therefore considered that the Defendant recover against the plaintiff the aforesaid ~~sum~~ excess of $212.66 with int from the 20th Dec. 1833 till pd and his costs by him about his defence in this behalf expended

Ordered that Charles S Weaver. Jacob Spitzer. Joseph Miller Daniel Heaton Wm Sellers & John Huffman be allowed the sum of one dollar & seventy five cents. Peter Brenaman

Peter Wise, Joseph Base, David P Bowman, Daniel Miller (Aleneck) David Sigler, Henry Petry, Philander Herring, Ingd Armentrout & John Rader be allowed each the sum of one dollar & fifty cents. Saml Driver Wm Rehard & John K Beery each the sum of One dollar & 25 cents & Jacob Mauzy, John Rodicheffer, Josiah S Roller, Christian Bowas Jackson Rhodes, Joseph Showalter, Augustus Rice, Wm Ruelush & Robert W Palmer each the sum of one dollar for Jury service during the present term which is ordered to be certified to the auditor of public account

Ordered that Peter Brenaman be allowed the sum of $1.00 Charles Weaver $1.75 Jacob Spitzer $1.00 Jacob Mauzy $1.50 Joseph Miller $1.50 John Rodicheffer $1.50 Daniel Keatwole $1.00 Peter Wise $1.75 Josiah S Roller $2.00 Christian Bowas $1.00 Joseph Base $1.50 Jackson Rhodes $1.75 Samuel Driver $1.50 David P Bowman $1.00 Daniel Miller (Aleneck) $1.00 Friedrich Armentrout $1.50 Joseph Showalter $1.00 David Sigler $1.75 Augustus Rice $1.00 Wm Sellers $1.00 Henry Petry $1.50 Philander Herring $1.00 Wm Ruelush $1.00 John Heffman $1.00 Wm Rehard $1.00 John Rader $1.75 Robert W Palmer $1.75 & John K Beery $1.75 which sums are ordered to be paid by the County being for Jury service during the present term

Present Saml Miller, Absent Brg O Brown Gent Justices.

Ephraim Weenger appellant
vs
Samuel Bechtell appellee
} Appeal

This day came the parties by their attornies and by consent of Parties, Samuel Shrum is released as security in the appeal from the appellant and Philander Herring is substituted & acknowledged himself bound as security in place of said Shrum. and thereupon sundry witnesses were sworn and examined and the argument of counsel being heard upon maturedeliberation the court is of opinion that there is error in the judgment of the justice below & the court proceeded to give such judgment as the justice ought to have given. It is therefore considered by the court that the said Bechtel recover against Weenger the sum of $39.89 with cost from the 25 of April 1852, subject to a credit of $23.87 of date the 24 of April 1852. and it is further ordered that the Weenger recover of the said Bechtel his costs in this behalf expended

Dever vs Reader, Bare vs Gibbons, Pence vs Michaels. Beard vs. Johnson & admrs. Sipe vs Reder. Thompson & Coe vs Miller. same vs Baker & ad. Rutherford vs Rader & (8 Cases), Smith vs Armentrout Vanpelt vs Bare. Martin & Kemper for vs Mary Maiden vs Cave. Dowdal vs Hedden. Reed & Beard vs Jackson. Grinsley vs Dever & Spaniee vs Houston. on Motion severally continued until the next Term

S H Lewis. H B Wertman. O C Sterling & Jno G Brown each attended one day as members of the Court

Ordered that the Court do adjourned until tomorrow morning at 10 O'Clock

S H Lewis

Saturday February 25th 1854

Present

Samuel H Lewis P.J. & O C Sterling
John G Brown & Henry B Wertman } Gent. Justices

H Pulse & Wm Manger Pltffs
against
Peter Neff Surveyor &c Deff } On a Motion to set aside an order made at a former Term of this Court requiring certain Surveyors with their Gangs to assist Neff in opening a new road

This day came the parties by their attorneys and thereupon the Pltffs presented a petition remonstrating against said order being enforced & to which the Deft presented a counter petition Thereupon sundry witnesses were sworn and examined by the Court and the argument of Counsel heard. the Court upon deliberation do order that said order be rescinded and that is be the opinion of the Court do order that the order suspending the operation of the motion to set aside
first order be set aside. and the order requiring the said Surveyors &c to work on the new road be confirmed & annulled & the order confirmed. and that Neff recover against Henry Pulse & Manger & others his costs expended in defending this motion

Absent Henry T Wertman Gent Justice

D & J Stinespring Pltff
vs
John Heep Deft } Upon an appeal from the judgment of a justice of the peace in favour of the Plaintiffs vs the Deft This day came the parties by their attorneys and sundry witnesses being sworn and examined and upon mature deliberation the Court is of opinion that there is error in the judgment aforesaid, It is therefore considered that the judgment of the justice be reversed and annulled that said Heep recover against the said D & J Stinespring his costs by him expended in prosecuting this appeal

Upon the petition of J M Bear & others for the establishment of a road &c. This day came the petitioners by Attorney and on their motion It is ordered that Benjamin D Bowman Jacob Dundore David R Hopkins & Augustus Rice be and they are hereby appointed commissioners to act and report to the Court upon said petition according to law

S H Lewis A Sterling Jno G Brown & H T Wertman each attended one day during the present term as members of the Court

Ordered that the Court be adjourned until the third monday in March Next

S H Lewis

Virginia To wit

At a Court held for Rockingham County at the Court House thereof on the 20th day of March 1851 (being the third Monday in the Month)

Present

+ Samuel H. Lewis President + Reuben Heffman } Gent. Justices
V Fountain Wm Layton + Wm B Yancey

February Deeds

The Clerk of this Court returned into Court a list of Deeds and other writings admitted to record in his office during the month of February last which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

+ Of A Deed for land from Joel Glick & wife to Mathew Heaney
+ Of Same from Isaac Stone to Wm Gamble In Trust for Abraham Paul
Of Same from John Foster to John Kenney Jr. In Trust for Effinger & Stevens
+ Of Same from John W Caskey & wife to Henry Gidmer
+ Of Same from Thomas K Harnsberger Com.rs to John P Sellers
+ Of Same from Jacob Pinkel to John Pinkel Jr.
Of Same from Andrew Bare to Henry Showalter
+ Of Same from John Mauzy Ex.r to the heirs of Andrew Coffman dec.d
Of Same from Joseph S Effinger to Margaret Swann
Of Same from Jacob Burns to Allen M. Brown
Of Same from David Flick & wife to Jacob Barley
Of Same from Wm W Carpenter & wife to Same
X A Deed for personal estate from Jno. A Bell to Same Bare In Trust for A Ayler
+ Of A Deed for Land from Anthony P Heffman & wife to Isaac R Jordan
Of Same from Wm Harvey Effinger & wife to David McKegay

Settlements of the estate of John Tutwiler dec.d Charles A Young dec.d Henry S Perkey. John H Campbell dec.d George Bowman dec.d John Stalb dec.d Margaret Eiler dec.d were returned into the Court by the Clerk and having been filed in the Clerks Office for the time prescribed by law and no exception being offered they are ordered to be recorded

Settlements of the Guardian accounts of Joseph Miller Guard^n for Rebecca Bowman. Cyprus Rhodes Guard^n for Mary M Alder & Jacob Ammon Guard^n for George R Bergenbright. were returned into ~~Clerk's~~ Office Court by the Clerk thereof. and having been ~~filed~~ in the Clerk's office for the time prescribed by law. and no exceptions being offered. are ordered to be recorded

Malinda Bolton & others Plaintiffs
against
William Silley & others Defendants
} In Chancery

This cause came on this 20th day of March 1852 to be heard on the bill answers. exhibits & to which there is no exceptions on consideration whereof the Court is of opinion that the prayer of the complainants bill ought to be granted. Whereupon the Court doth adjudge. order and decree and it is accordingly hereby adjudged. ordered. and decreed that Robert M. Mooney who is appointed a commissioner for the purpose shall proceed to give notice of the time and place and terms of sale by advertisement inserted in some newspaper published in Harrisonburg and posted at the court-house door of Rockingham County for the space of four weeks and having given such notice shall sell the tract of land in the bill and exhibits described at public auction on the premises on the following terms viz. Two hundred dollars of the purchase money to be due and payable on the 1st day of June 1852. and one half of the residue to be paid in six months and the remainder to be paid in twelve months from and after the day of sale with interest at the rate of six per centum per annum from the time of sale, requiring the purchaser to execute bonds with good personal security for the deferred payments and the title to be retained as additional security until the whole of the purchase money is paid. But before said commissioner shall receive any money under this decree he shall execute a bond with good security in the Clerk's office of this County in the penalty of $2000 with conditions according to law

And said commissioner shall make report of his proceedings to this Court at its June Term

Upon the motion of Abraham Smith & John Kenney securities for Wm H Tams admr de bonis non with the will annexed of Martin Cronmer deceased it appearing that the former order of this Court at its March Term a new bond in the penalty of $3000 with good & sufficient security has been served upon said Tams and he failing to comply with such order. It is therefore ordered that the powers of Wm H Tams admr de bonis non with the will annexed of Martin Cronmer dec'd be and the same is hereby revoked and annulled

Upon the petition of George H Christman & others for a road in this County. On Motion of the petitioners it is ordered that Levi Coffman, Samuel Bowman, Jacob Shank and Henry Beery or any three of them be and they are hereby appointed Viewers to examine and report upon the petition aforesaid according to law

Samuel H Lewis Jr is appointed Surveyor of road No precinct No of road No in place of Samuel H Lewis resigned

Jacob Rondebush is appointed surveyor of precinct No 6 road No 31 in place of John Hoover resigned

Henry Bulse Gideon Kratzer is appointed surveyor of precinct No 2 road No 21 in place of Gideon Kratzer

Adam Wise is appointed surveyor of precinct No in place of Jacob Hosler

On the Motion of Daniel Miller who made oath thereto according to law and together with George Saufley his security (who justified as to his sufficiency) entered into and acknowledged

a bond in the penalty of $2500. conditioned as the law requires. certificate is granted the said Daniel Miller for obtaining letters of administration in due form upon the estate of Margaret Miller decd. and it is ordered that Isaac Long. John Yount & Alex Kyger after being first sworn do appraise the estate of Margaret Miller decd. and report thereon according to law

William S. H. Baylor Gent. who has been duly licensed to practice as an attorney in the Courts of this Commonwealth on Motion is admitted to practice as such Attorney in this Court & thereupon he took the several oaths required by law

On Motion of Richard S. Mauzy who made oath thereto according to law and together with John D. Miller & DeWitt Coffman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $2500 conditioned as the law requires. certificate is granted the said Richard S. Mauzy for obtaining ~~letters~~ of administration in due form upon the estate of David Moyers decd. and it is ordered that Nathan Hamilton. DeWitt Coffman Peter Acker and Jacob Moyers after being first sworn do appraise the estate of said David Moyers and report thereon to the Court according to law

Joshua Rush Myers & Wm Joseph Myers orphans of John D. Myers decd. being over the age of 14 years appeared in Court and with the approbation of the Court made choice of J. Lenny Showalter as their Guardian. and thereupon the said J. Lenny Showalter together with Samuel Driver & Joseph Burkholder his securities (who justified as to their sufficiency) entered into and acknowledged bond in the penalty of $3000 conditioned as the law requires

On the petition of Ananias Pirkey & others for the alteration

of a public road in this County. On motion of the petitioners by attorney. It is ordered that Enos Whitezel Samuel Good & William Esler be and they are hereby appointed Viewers to act and report to the court according to Law

Ann Eliza On Motion the court doth appoint Daniel Miller Guardian for his children Ann Eliza. Julia Ann Benjamin F. Martin & Josiah Miller who are under the age of 14 years. Thereupon the said Daniel Miller together with Jonathan Miller his security (who justified as to their sufficiency) entered into and acknowledged in court a bond in the penalty of $1000 conditioned as the law requires which bond is ordered to be recorded

Upon the petition of John Swank for an alteration of a road this day the viewers made return into court their report and no exceptions being offered thereto. It is ordered that the alteration as set forth in said report be established according to law

On the Motion of Reuben Huffman who made oath thereto according to law and together with Henry Hulvey his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $700 conditioned as the law requires certificate is granted the said Reuben Huffman for obtaining letters of administration in due form upon the estate of Christian Blose dec'd and it is ordered that Jacob Slusser. Peter Kline. Peter F. Canman & Samuel Slusser any three of whom being first sworn for that purpose do appraise the estate of said Christian Blose dec'd and report thereon according to law

Andrew J. Wanfelt presented in court two accounts against the County one for the sum of $12.40 and the other for $57.00 which being sworn to was examined and allowed by the court and ordered to be certified to the auditor of said accounts

(Col. 2nd)

On motion of Edward T H Warren who made oath thereto according to law and together with Abraham L Byrd Wm P Byrd Robert M Kyle Wm H Warren Augustus Rice & David L Gamble his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $20000 conditioned as the law requires which bond is ordered to be recorded. Certificate is granted the said Edward T H Warren for obtaining letters of administration in due form upon the estate of Sylvanus A Byrd dec'd and it is ordered that John T Hill. Wm L Gamble. John M Worsham & Robert Bowman or any three of them do appraise the estate of Sylvanus A Byrd dec'd and report thereon according to law

Wm H Barley & others Pltffs
against
Asberry Harrison Deft } In Chancery

This cause came on to be further heard this 20th day of March 1832 upon the report of Cyprus Rhodes commissioner and the papers heretofore read in this cause whereupon the the argument of counsel being heard the court doth order adjudge and decree that the said report be confirmed and that the said Cyprus Rhodes disburse the proceeds arising from such sale according to a former decree in this cause that if he shall pay the creditors according to the priority of their judgments & those of equal date will be paid out of the remainder pro rata & the said Rhodes is hereby directed to execute a deed to Wm H Barley with special warranty

On the motion of William M Hooke adm'r of Robert Hooke dec'd it is ordered to be certified that Robert Hooke deceased was the warrantee in a Military U S bounty Land warrant for 80 acres No 31373 dated March 8th 1852 that said Robert Hooke died in Rockingham County intestate on the 9th of October 1832 leaving Elizabeth Hooke his widow and the following children his heirs & only heirs at law viz William M Hooke, John Hooke, Ann married to Lewis Moyer Shoffer, Rebecca married to Sam'l Keller

Elizabeth Jane married to Robert K Wilson. Martha Catharine married to John Moyerhoeffer who are adults & Lucy M Hooke a minor and Martha Ann Williams & Lucy Jane Williams Children of a deceased daughter who are minors

On the motion of Littleton McGamble security of Henry T Wartman administrator of Webster McLaughlin. it is ordered that the said Wartman be summoned to appear here on the first day of the next court to shew cause if any he can why he shall not be required to give counter security or his powers as such admr be annulled and revoked

Present Henry T Wartman Gent Justice

Ordered that the overseers of the poor for Rockingham County bind according to law Jarnes M Estep to Philip Heller the said Hellers to pay to said Estep when she arrives to the age of 21 years the sum of $100 and a good freedom suit

Ordered that the overseers of the poor for Rockingham County bind to Christian Brunk sen. according to law Julia Ann Estep the said Brunk is to pay to the said Julia Ann when she arrives to the age of 18 years the sum of $25. and other property to the amount of $25. and a freedom suit

On the petition of John Evers & others for the establishment of a road in this county on motion of the petitioners by attorney it is ordered that Samuel Story, Isaac Long & John Yount be and they are hereby appointed viewers to examine the same and report on the petition aforesaid according to law

Fountain Reece & Robert R Beard appellants } upon an appeal
against } from the finds of
William Lackie appellee } a Justice of the peace

This day came the parties by their attorneys, and thereupon sundries witnesses were sworn and examined and the Court

upon mature deliberation are of opinion that there is no error in the judgment of the Justice aforesaid. It is therefore considered that the appellee recover against the appellants and James L Beard their security the sum of Thirty one dollars and seventy two cents with interest from the 1st day of Sept 1853 until 24th Dec 1853 and from 24th Dec 1853 Damages according to law & the statute in such case made and provided until paid and the costs by the appellee about his defence expended

Ordered that Robert Wright be appointed Surveyor of precinct No 1 of road No 3 in the place of Philander Herring

Ordered that the overseers of the poor for Rockingham County bind according to law Johnson (a free negro) son of Benjamin Johnson dec'd to John T Lewis said Lewis to pay to the mother of said boy annually the sum of seven dollars except the last year when said Lewis is to pay to said boy (when 21 years of age) $7.50

Matthew Tate who stands charged with a felony in this that he did on the 25th day of December 1853 in the County of Rockingham feloniously and maliciously burn a certain House usually called a sugar camp the property of the estate of John Dyer dec'd of Pendleton County. This day came as the attorney for the Commonwealth as the prisoner by Counsel and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion that there is not probable cause to suspect the prisoner guilty of the offence aforesaid. It is therefore ordered that he be discharged

Absent Wm B Yancey Gent Present

Martin & Kennerly for the use of (Daniel Murray) appellants against (Daniel May appellee) upon an appeal from the judgment of a Justice of the peace

This day came the parties by their attorneys and thereupon on motion of the appellants by their attorney they have leave to release Fountain McLayton as security in this appeal and thereupon James Kenney & John T Harris acknowledged themselves bound for all costs

and damages that the appellee has or may sustain by reason of the Appellants prosecuting said appeal. and the appellee by his attorney filed his plea of non est factum and to which the appellants reply generally. and thereupon sundry witnesses being sworn and examined touching the premises and upon mature deliberation the Court is of opinion that there is error in the judgment of the Justice below. The Court thereupon proceeded to give such judgment as the Justice ought to have given. It is therefore considered by the Court that the appellants recover against the appellee the sum of fifty one dollars and thirteen cents with interest thereon from the 9th day of April 1836 the said ~~and the~~ costs expended by the applicants in prosecuting their said appeal (this judgt is subject to a credit of $16.77 of date of 9th April 1836)

+ Saml H. Lewis + Reuben Huffman + Allen B Bryan & Henry T Hartman & Saml Reuben & J McLayton each attended one day at the present Court

Ordered that the Court be adjourned until to morrow Morning at 10 O Clock

S H Lewis

Tuesday March 21st 1837

Present

+ Samuel H Lewis President + Henry T Hartman & Reuben Huffman } Gent Justices

An Instrument of writing purporting to be the last will and testament of Alexander McGilvray dec'd was presented in Court & proved by the oaths of John Dougherty & Charles A Burnett the subscribing witnesses thereto and ordered to be recorded and it appearing from said will that the testator appointed no executor On Motion of William B McGilvray who made oath thereto according to law and together with William G Stevens Isaac G Coffman & Allen B Bryan his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $4000 conditioned as the law requires which bond

is ordered to be recorded. certificate is granted the said Wm B McGilvray for obtaining letters of administration in due form with the will annexed of Alexander McGilvray decd and it is ordered that David S Jones. Wm Miller. J R Pleckher. Wm M K Wartman and Peachy Rice or any three of them being first sworn do appraise the estate of Alexander McGilvray decd & make report according to law

Upon the petition of Wm A. Maupin & others for the establishment of a road &c. This day came the ~~pet~~ petitioners by their attorney and it appearing that the persons through whose lands the road is proposed to be conducted consent to the establishment of said road It is ordered that said road be established according to the report of the Viewers returned in this cause. and it is ordered that the following tithables be assigned to open the proposed road from the Swift run Gap road to Millers Furnace. to wit. The tithables on the lands of J H & S H Lewis. S H Lewis & Wm Mansfield S Baugher occupied by R B Pleckher jr. John Miller at the Furnace. Burton Craun Jones Lafferty X Heeny Raynes & and it is ordered that John H Lewis be appointed surveyor of said road

X Present. O Sterling & John Burkholder. Gent Justices

Isaac Hardesty a justice of the peace for this county. this day returned an examination of Emily Jane Butler of this county an unmarried white woman. taken before him in writing upon oath. upon which examination. the said Emily Jane Butler charged John T Harris with being the father of her bastard child and the said Justice also returned a warrant issued by him upon the application made to him by the said Emily Jane Butler for the apprehension of the said John T Harris together with a recognizance entered into by the said John T Harris when brought before him. to appear here and to abide and perform such order as this court should make concerning the same. Whereupon the said ~~Obadiah~~ John T Harris appeared accordingly. and the said

Emily Jane Butler and divers witnesses being sworn and examined and the Court not having time to hear all the evidence the further examination of the Cause is continued until tomorrow morning

Ordered that John Bowman . John Lanier Daniel Garber & David Burkholder or any three of them being first duly sworn for that purpose do appraise the personal estate of Frederick Benoist dec'd and report thereon according to law

Samuel H Lewis JP Henry T Wortman . Reuben Huffman . Otway B Stirling & John Burkholder each attended one day during the present term as members of the Court

George Messersmidt (Baker) a native of Hess Darmstadt in Germany and in the province of Oberhesson and town of Pretenhoff this day applied to the court to be admitted to become a citizen of the United States whereupon the said George Messersmidt exhibited a certificate of the Clerk of the Court of the second Judicial District of the State of Maryland ~~Court~~ for Talbot County that more than two years ago he had declared on oath in the said Court his intention to become a citizen of the United States which certificate is in these words . State of Maryland Talbot County to wit At a County Court of the second Judicial District of the State of Maryland begun and held for Talbot County at Easton in Talbot County on the third Monday of November of November being the ~~three~~ nineteenth day of the same month in the year of our Lord one thousand eight hundred and forty nine . Present The Honorable Ezekiel F Chambers chief Judge Philemon B Hopper & John B Eccleston associate Judges . among other were the following proceedings to wit . George Messersmidt a native of Hess Darmstadt

in Germany, and in the province of Oberhessen and town of Pretenhoff, comes into the County Court here and makes oath, on the Holy Evangely of Almighty God, that it is bona fide his intention to become a citizen of the United States, and to renounce and abjure forever all allegiance and fidelity to every foreign prince, potentate State and sovereignty whatever, and particularly all allegiance and fidelity to the Grand Duke of Hesse Darmstadt to whom he was heretofore subject. State of Maryland, Talbot County to wit, I hereby certify that the aforegoing is truly taken and copied from the record of proceedings of Talbot County Court. In Testimony whereof I hereto subscribe my name and affix the Seal seal of the Circuit Court for Talbot County this 13th day of March A.D. 1854 Sam'l Hopkins, Clk. Circuit Court Talbot County And it being proved to the satisfaction of the Court by the deposition of Nicholas P. Stitcberry and Columbus Elliott, citizens of the United States, who testified in said Deposition, that since the arrival of the said George Messersmidt as aforesaid, he has resided within the United States five year at least, and during that time has behaved as a man of good moral Character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, and it being further proved by the oath of A.S.C. Spainkel that the said Gerge Messersmidt has resided within this State one year at least, and he the said Gerge Messersmith declared, on oath in open court, that he will support the Constitution of the United States and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, States or sovereignty, whatever and particularly to the Grand Duke of Hesse Darmstadt in Germany And thereupon the said George Messersmidt is admitted a citizen of the said United States

It is ordered that the order of this Court, made at the [illegible] term 1853 establishing the Melrose road & the order made at the July term requiring the hands assigned to work on sundry other precincts to work not more than two days in opening

said road are suspended and Col John H Hopkins is appointed a commissioner to examine & report to the Court on the expediency or inexpediency of establishing or inexpediency of requiring the hands on other precincts or any portion of them to work in opening said road

Ordered that the Court be adjourned until to morrow morning at 10 O'Clock

S R Lewis

Wednesday March 23rd 1853

Present

+Samuel H Lewis President +Henry T Chairman } Gen^l
Reuben Huffman +C Sterling +Jno Burkhalter } Jus

It appearing to the Court that Archibald Rutherford has been erroniously assessed and paid taxes upon a certain house & lot in the town of Harrisonburg for the years 1850. 1851 1852 & 1853. that said House & Lot belongs to Jno Foster who has also been assessed and paid the taxes for said years upon the same on Motion the above facts are ordered to be certified to the auditor of public accounts

Andrew Neil & wife Pltffs
vs
Alexander Knupp & c Defts } In Eqty

On Motion of the plaintiffs by attorney It is ordered that Littleton McGamlee be appointed Guardian ad Litem to represent the interest of the infant Defendants to this suit

Commonwealth
against
John T Harris } Upon a recognizance charging Deft with being the father of a Bastard Child &c

This day came the parties by their attorneys and all the witnesses were examined the Deft being also examined

on oath & fully heard in his defence. this Court upon the whole circumstances of the case doth adjudge that the said John T Harris is not the father of the said bastard child & that the prosecution be dismissed and that Defdt recover of the Overseers of the poor his costs about his defence in this behalf expended

D-

David Ralston was brought before the Court for a contempt by him offered to the Court by being intoxicated & disorderly in the Court room and ordered that he be committed to the Gaol of this County until it this Court adjourns this evening

S H Lewis W H T Wartman Reuben Kauffman O G Sterling & J McBurkholder each attended this day as members of the Court

Jones wife Pltffs
&c
Smith & others Defts } In Chancery

This day this cause came on to be again heard on the papers formerly read in the cause and was argued by counsel and it appearing to the Court that Chas Strayer who was appointed as commissioner in this cause cannot act it is therefore adjudged ordered and decreed that Jacob N Liggett be appointed in his stead who upon giving the proper security before the Clerk of this Court shall execute the former decrees of this Court and make a report of his proceedings to this Court in order to a final decree

Ordered that the Court be adjourned sine die this April Term next

S H Lewis

Virginia To wit

At a Special Session of the County Court of Rockingham County held on the 10th day of April 1854. for the examination of George W Caspday alias George W Back alias George W Hoover charge with Felony in this. that he did on the night of the 24th of March 1854. feloniously enter the Stable and dwelling house of Joseph Miller of Daniel. and steal take and carry away therefrom a horse of the Value of one hundred and ten dollars a saddle of the Value of twelve dollars and a watch of the Value of twenty dollars

Present + Samuel H Lewis P.J. Wm W Carpenter Gent
+ Wm A Dice + Ob Sterling + Daniel Harrison } Justices

The prisoner was led to the Bar in custody of the Jailor and thereupon sundry witnesses being sworn and examined and the prisoner fully heard in his defence. the court upon mature deliberation are of opinion that there is probable cause to suspect the prisoner with the offence wherewith he stands charged and ought to be tried before the Circuit Court of Rockingham County. Whereupon the said George W Caspiday alias Geo W Back alias Geo W Hoover was remanded to the Jail said Circuit Court

Robert Bowman Wm K Gailey. Jo Miller. V Andrew Showalter. severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of $500 each to be levied of their respective goods chattels and lands tenements and for the use of the commonwealth. yet upon this condition that the said Robert Bowman Wm K Gailey Jo Miller V Andrew Showalter shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next Term thereof. to give evidence on behalf the commonwealth against Geo W Caspiday alias George W Back alias Geo W Hoover charged with Felony. and not depart thence without the leave of said Court

Ordered that the Court be adjourned

S H Lewis

Virginia to wit

At a court held for Rockingham County at the Court house thereof on monday the 17th day of April 1834

Present

Samuel H. Lewis Pl. & Henry T. Martin and Gent. & Reuben Huffman & Isaac Harnsberger } Justices

The clerk of this Court returned into court a list of Deeds and other writings admitted to record in his office during the month of March 1834 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

March Deeds

B & A Deed for Land from Isaac Erickenbarger & wife John Landes
B & same from Solomon Huffman to R. M. Harrison Entitled for Andrew Mentzer
B & same from Isaac R. Jordan & wife to George W. Crush
B & same from Hugh Dever & wife to Francis M. Dever
B & same from Wm. Swecker & wife to Elizabeth Price
+ of same from M. Donough Harris & wife to Wm. B. Avery
B & A Lis pendens Sarah Spitzer Pltff vs Levi Rhodes Deft
+ of Deed for Land from Richard Mansfield to Derrick Pennybacker
B & same from Jacob Driver & wife to George Hogan
B & A Deed of Trust from Ann Foley to Isaac Foley & Trust for Ann Foley
B & same from Christopher Mohler to Jo. Harnsberger & Trust &
B & A Deed of B & L for Land from Christian Shoemaker & wife to John K. Nelson
+ of same from Wm. Armentrout to James Borden
B & same from James Ford & to Richard Mansfield
B & same from same to Jacob Mayers
B & same from Samuel Fuller & wife to Wm. & Cooke
same from Samuel Dare & wife to Henry Parker
B & same from Lewis F. Moyerhoeffer & wife to Samuel Fuller
+ of same from Geo. Harnsberger & wife to same
Recd A & Atty from David Keller to John Keller Recorded
Recd in 1853 B 27 50 + same from Ann Keller & to same Recorded
+ of A Deed for Land from John & Boyce & to Daniel E. May
B & same from John A. Lewis to Jacob Fisher & wife

+ of A Deed from Jacob Rohr Senr. to Joseph T Rohr
B/S same from Elizabeth Morris to Wm K Gailey & Trust for Sam'l Bare
+ of same from Alfred Slaughter to M Harvey Effinger
B/S same from John Capsiday to Jno Slinespring & Trust for Wm Slinespring
B/S same from George Moore & wife to Wm R Wearren & Trust for Eli H Wearren
B/S same from Jacob Nicely & wife to Lewis Winkle
B/S same from Levi Hendle & wife to David Flook
B/S same from David Jones & wife to John Woodson
+ of same from John Alldaffer & wife to Samuel Carpenter
B/S same from Samuel Bare & wife to Henry Parker
+ of same from Jacob Leistar & wife to Absalom Richie
B/S same from Peter Dinkle to Wm H Wampler
+ of same from Jacob Christ & wife to Elias Ritenour
B/S same from Deborah Bare to John Hinegardner
B/S same from Richard H Yancey to Robt L Yancey
+ of same from Augustus Rice to Jacob Miller Senr.
+ of same from Frederick Walters & wife to Archibald Fultz
+ of same from Josiah L Roller Com'r to Jas H & B B Burgess
B/S same from Samuel Flory to William Rodekoffer
B/S same from Wm Rodekoffer & wife to Henry Beam
B/S same from Margaret E Wilkins to John Slinespring
B/S same from St Clair Detamore & wife to Jonathan Funk
+ of same from Samuel M Austin & wife to Robt H Palmer
B/S same from John A Miller & wife to George Beamer
+ of same from Patrick Rupert & wife to William Silvers
B/S same from Daniel Wine Jr & wife to Samuel Flory
B/S same from James L Wampler & wife to John H Coodell
+ of same from Neil Rogers to James H Wampler
B/S same from Lewis Dinkel & Trustee to Wm R Speck & trustee
+ same from Christian Yeakle to Samuel R Herring & Trust for Wm Rodifer
+ B/S same from Peter Zimmerman & wife to Benjamin Driver
B/S same from Hugh Dwyer & wife to Henry Coulter & Co
+ of same from John R Kogler & wife to John Deatrick
B/S same from Augustus Waterman to John H Hopkins
B/S same from William Fletcher & wife to Noah Kelley

+ X A Deed from Elisha Hooks to J. T. Hoffee In Trust for Smith Darnall
B/f same from Abraham Rife & wife to Noah Burkholder
+ B/f same from A. W. Blecker & wife to N. K. Trout In Trust for Wm. L. Bruffey
B/f same from Strawther Sheets & wife to Henry Sheets
B/f A Power of Atty from Catharine Paxton to Samuel W. Paxton
B/f same from Jacob McFord & wife to David J. Ford &c
B/f A Deed of B/S from same to James A. Harris &c
+ B/f same from Samuel Shachlett & wife to Jacob Rodgers
B/f same from Michael Whitmore & wife to David Ramsburg
+ B/f A Deed of Trust from David Ramsburg to N. K. Trout In Trust for M. Whitmore
B/f A Deed from Ann Whitmore to Daniel May
X X B/f same from David B. Roper to J. T. Sheets In Trust for Benj. Metzger Jr. X X
B/f same from John A. Miller & wife to Thomas Lemen
B/f same from Richard W. Brashears &c to John G. A. Lewis
B/f same from Algernon S. Gray to Jacob Shank
+ B/f same from Solomon M. Hunter to Andrew B. Frick

Settlements of the estates of Daniel Leedy dec'd Peter Driver dec'd Jos. Billhimer dec'd & Martin Showalter dec'd were returned into Court by the Clerk thereof, and having been filed in the Clerk's office for the time prescribed by law, were examined by the Court, and ordered to be recorded

Settlements of the Guardian accounts of Nicholas Unger & Marshall McCeney & A. Waterman were presented in Court by the Clerk and having been filed in his office for the time prescribed by Law, were examined by the Court and ordered to be recorded

Peter Heatwole & Elizabeth his wife }
and Magdalen Rhodes } Pltffs
against
Anna Rhodes, Frederick Rhodes } Defts
Susanna Henry & Samuel Rhodes }

In Chy

On Motion of the Plaintiffs in this cause Littleton & Gamble

is assigned as guardian ad litem to the infant defendants and thereupon filed their answer and for reasons appearing to the Court the Court doth adjudge order and decree that Michael Flory John T Myers and Abraham Flory who are appointed commissioners for that purpose being first duly sworn do examine the saw Mill property in the Bill mentioned and report to the Court whether in their judgement the said property is susceptible of partition among the seven heirs of Samuel Rhodes and further report whether a sale of said saw mill property would impair the value of the remaining real property of said Samuel Rhodes dec'd beyond the price for which it might sell and what would be a fair price for the saw Mill property if sold on customary terms and further to report what would be a suitable and proper quantities of land to sell with the saw Mill and to designate the same by metes & bounds and make report to this Court at its next term

Peter Roller &c commissioners appointed at a former term of this Court to devise certain precincts &c as at this day made their report and the Court doth order that said precincts be established as set forth in said report and that Peter Roller be appointed Surveyor of the first precinct Abner Yodough of the second & Samuel Slusser of the third.

John Hedrick a native of Germany this appeared in Court this Court being a Court of record with common law jurisdiction a clerk and seal and on oath declared it was bona fida his intention to become a citizen of the United States of America and to renounce forever all allegiance he may have or owe to any foreign prince potentate state or sovereignty whatever and particularly to Lewis King of Hesse.

Peter Wick Deputy Sheriff for A S Byrn Sheriff of Rockingham Co this day returned a poll of the election of a Mayor & Council for

the town of Harrisonburg which ~~he~~ ordered to be filed

Littleton W Gamble vs Henry T Wartman admr of Webster McLaughlin decd. This day came the parties and the said Wartman failing to give the said Gamble counter security is a new bond. It is ordered that the powers of said Wartman as admr of Webster McLaughlin be revoked and annulled

Jones Kirtley & Smith trustees Plffs
vs
I B Yost's heirs Defts } In Chancery

This day this cause came on to be argued and heard on the papers formerly read in the cause and was argued by counsel and it appearing to the court that C E Strayer the commissioner in the cause has made his report and tender his resignation as a commissioner. it is therefore adjudged ordered and decreed that Jacob M Liggett be appointed a commissioner in his stead who ~~upon giving~~ bond with the proper security before the clerk of this court in his office shall execute the former decrees of this court and have power to make and prepare the necessary deeds of conveyance between the parties and have all other needful powers to carry out the said decrees &c. and make a report of his proceedings to this court in order to a final decree

Samuel M Summers this day produced a commission appointing him a Notary Public for the County of Rockingham. the said Summers together with Isaac G Heffner ~~as~~ his security entered into and acknowledged a bond in the sum of $500 conditioned as the law requires and the said Summers took the several oaths required by law

Ordered that the tithables assigned to the road over which Harrison Bateman is overseer be also assigned to

work that portion of the road leading from Harrisonburg to the ford over the Shenandoah river near New Haven which lies between said ford & the road leading to the Port Republic Bridge

Jacob T Beery &others Pltffs
against
the Infants & heirs of Abraham Beery Defts } In Chancery

The Commissioners heretofore appointed in this cause to assign dower and make partition having failed to report to the Court doth thereupon this 17th day of April 1854 rescind the order which was made for that purpose and doth appoint Richard L Mauzy, Silas Benton & Franklin Pence Commissioners who agreed after being duly sworn to assign dower to the defendant Magdalene Shank in the real estate of said Abraham Beery by metes & bounds the allotting to her one equal third thereof including the mansion house having due regard to quality & quantity and make report to this Court at its next term

On the motion of Julia Smith executrix of Edward H Smith dec'd It is ordered that Maj. Abraham Byrd, George Keezle, Philip Cole and Jonathan Peale or any three of them do appraise the estate of said Edward H Smith dec'd and report thereon to the Court according to law

On the motion of John Pence who made oath thereto according to law and together with Peter Wise & Peter Roller his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the sum of $2500 conditioned as the law requires which bond is ordered to be recorded Certificate is granted the said John Pence for obtaining Letters of Administration in due form upon the estate of Nancy Pence dec'd and it is ordered that Abraham Bowman Samuel Flory, Daniel Miller & John Haught or any three of them do appraise the estate of said Nancy Pence & make report according to law

On the Motion of Josiah S Roller who made oath thereto according to law and together with Peter Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of $3.000 conditioned as the law requires which bond is ordered to be recorded certificate is granted the said Josiah S Roller for obtaining letters of administration in due form upon the estate of Samuel W Burgess dec'd

Timothy Kelly a native of Ireland this day appeared in Court this Court being a court of record with common law jurisdiction a clerk and seal and upon oath in open court declared it was bona fide his intention to become a citizen of the United States of America and to renounce forever all allegiance he may have or owe to any foreign prince potentate state or sovereignty whatever and particularly to Victoria Queen of the United Kingdom of great Britain & Ireland

Nathan Houston Appellant
vs
Cornelius Gralick Appellee } on an appeal

This day came the parties by their attornies and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion that there is error in the judgment of the justice below. The Court doth now proceed to give such judgment as the justice aforesaid ought to have given. to wit. that the said Gralick recover against the said Houston the sum of fifteen dollars with interest thereon from the 28th day of January 1832 until paid & the costs by said Gralick expended in defending the said appeal

Wm Grimsley vs Giles Dever By consent of parties this cause is continued until the next term of this Court (and notice is waived by parties of the fact of trial at the next term)

no p 474

Ordered that the Sheriff of Rockingham County summon the Justices to appear here on the 2nd day of the June Court next to ~~May~~ the County Levy. & for the rail road tax & for a county license for ordinary & merchants & retailers & for other purposes

Ordered that at the Election to be held on the Fourth Thursday of May next at the several places of Voting in the County for the purpose of electing a Sheriff Commissioners of the revenue & other officers of Rockingham the same Commissioners appointed at the April Term 1833 be appointed with the following exceptions. ~~for the purpose of electing for Sheriff and other officers~~ holding an. viz. at Port Republic John Dundore in the place of Jas O'Brien. at Mt Crawford Hiram Leffman in place of Peter Bierly. at Bridgewater Augustus Rice in place of Garnett Strinkel & at Keezletown Wm D Bowman in place of Geo Harder & and Harrisonburg Henry B Haarnberger in place of Isaac Hardesty and Otway C Sterling in place of St Clair Kyle

John Lowman vs Livingston Johnston. Commissioner Dr Liggett having made a report in this cause that he had issued a summons vs Deft commanding a Constable to summons the Deft to appear before him to answer certain interrogatories which summons was duly executed, and said Johnston failing to make his appearance. It is ordered that he be summoned to appear before this court at the next term to shew cause why an attachment shall not be issued against him for his said contempt

Isaac Reamer assignee of Cyrus Rhodes vs Same.
The same order

Wm Smith & Wm Driver appellants
vs
David Byrd appellee } upon an appeal from the Judgment of a Justice of the Peace. The papers in this cause was returned into court and on Motion. Docketted and continued until next term

Isaac R Jordan appellant } upon an appeal from
vs } the judgment of a justice
Trustees of the Town of Dayton appellee } of the peace

This day came the parties by their attorneys and sundry witnesses being sworn and examined, and upon mature deliberation the court is of opinion that there is no error in the judgment of the justice below. Therefore it is considered that the Trustees of Dayton recover against the said Jordan the sum of $23.15 the amount of the Tax bill filed in the papers & $4.10 the costs expended in prosecuting the cause before the justice and the costs expended in defending this appeal

S H Lewis. H T Wartman. R Kiffmeyer & J Hardesty each attended this day as members of the Court

Lutz vs Fisher. Dismissed by order of the Plaintiff

Ordered that the Court be adjourned until the Third monday in May next

S H Lewis

Virginia. Rockingham to wit

At a Court held for Rockingham County at the Court house thereof on Monday the 15th day of May 1854 (being the third Monday in the Month)

Present

Samuel H Lewis & Isaac Thomas } Gent Justices
& Fountain N Layton

The Clerk of this Court returned into Court a list of deeds and other writings admitted to record in his office during the month of April 1854 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

April Deeds

By A Deed from Abraham Fisher to Thomas Linden. In Trust for Daniel Mayo
By A Deed for Land from Georgell Lutz wife to Peter Miller.
By Same from Daniel Sluss wife to same
By Same from Micajah Shipplett wife to Daniel Sluss

April Deeds

03 A Deed for Land from John & Whitmore & wife To Abraham Painter
03 Same from A & W Gamble To same
03 Same from same To John Showalter
03 Same from Jonathan Price & wife To John Whitmore
03 Same from John & Whitmore & wife To A & W Gamble In Trust for Abraham Painter
03 Same from John Sheets To Micajah Shipplett
03 Same from Benjamin Wenger Sen. To Daniel Wenger
03 Same from William Looker & wife To John Looker
03 Same from Robert & Edward & wife To James H Coursey
03 Same from Jacob Barley To William & Joan Frenter
03 Same from George & Clapp & wife To Hellen Dixon In Trust for R M Kyle
03 Same from Felix Shiflett & wife To John McDaniel
03 Same from Joseph Burkholder & wife To Samuel Driver
03 Same from A Clair Kyle & wife To Lewis Barnett
03 Same from Henry P Lutz & wife To George A Trunkhouser
03 Same from Christian R Myers & wife To William Evers
03 Same from Michael A Beery & wife To Jacob D Beery
03 Same from Wm K Bailey & wife To John Smith
03 Same from Andrew B Rick & wife To Solomon M Hunter
03 Same from George W Yancey To Robert A Yancey
03 A Power of Attorney from David Smith to Wm B Smith
03 A Deed for Land from Wm & Collins & wife To Levi Evey & N. Armentrout
03 Same from Levi Evey & wife To Nathaniel Armentrout
03 Same from Christian Foltz & wife To William Armentrout
03 A Lispendens Charles Findley agt Asberry Harrison & Wm & Barley
03 A Deed for Land from Jacob D Beery & wife to George K Mayers & Jno K Beery
03 Same from John Bibler Sen. to Christian & Noah D Brunk
03 Same from Lewis Driver & wife To George K Mayers & Jno K Beery
03 Same from John Swartz & wife to Robert B Jarvis
03 Same from M K Kyle to E J H Warren
03 A Deed of Loan from David Shirkey to Abra Canada
03 A Deed for Land from George W Cooper & wife To Lorancy Shiflett
03 Same from George A Trunkhouser & wife To Henry B Lutz
03 Same from Catharine Berkey & ux To Joseph A Trunkhouser
03 Same from Phil J. Bibler & wife To Henry Swartz
03 Same from Michael Miller & wife To Harrison Rinker

A Deed for Land from Wm & M. D. Harris & to Ro Gratten. In Trust for M. & Harris
Same from Samuel Sandy & fro Stinespring In Trust for D. & Stinespring
Same from Calvin M. Keezel to Archibald Taylor
Same from S. W. Gamerce Clk to Philip Bibee
Same from Same to Abraham Coffman
A Ponce & wife &c to David Stinespring
Same from George W. Hickle & wife To George Keezle
A Deed for Personal est from Thos. Sterling to S. W. Gamerce. In Trust for O. Sterling
A Deed for Land from Philip Liggett & wife to Charles McCaver
Same from Jacob T. Rhodes & wife to Noah Rhodes
Same from Samuel Shank & wife to Same
Same from Philip Liggett & wife to James Brightman

Settlement of the estates of Henry Thomas dec'd. Anna Wright dec'd George Rogers dec'd. Abralom Coffman dec'd Henry Pulse dec'd. Abram Stoner dec'd. John Blazer dec'd. Joseph Altaffer dec'd Abraham M. Key dec'd. Alexander Newman dec'd Hannah Shrine dec'd. were returned into Court by the Clerk thereof and having been filed in this office for the time prescribed by law, were examined by the Court and ordered to be recorded

Settlement of the Guardian accounts Mary M. Beery. Isaac May. Leanna May. Jacob Wise. Conrad Kempfert. Virginia & Conrad & Daniel Thomas & were returned into Court by the Clerk thereof and having been filed in his office for the time prescribed by law, were examined by the Court. and ordered to be recorded.

An Account of the Debts &c against the estate of Emanuel Price dec'd also a Settlement of Thos. McLaud admr of Emanuel Price dec'd was returned into Court by the Clerk thereof and having been filed in his office for the time prescribed by law was examined by the Court and ordered to be recorded

Andrew Wilt & wife Plff
against
Alexander Kemph & others Defts
} Bill Chancery

This cause came on this day to be heard upon the bill and answers of the infant defendants through Littleton W. Gambrill their guardian ad Litem. and it appearing by said answer that the interest of the said infant defendants will not be prejudiced by the partition of said land. the Court doth therefore adjudge order and decree that Daniel Coffman, William G Thompson and George Branner be appointed commissioners to divide the land of which Andrew Kemph in the county of Rockingham died seized. and that they lay off and allot to the said Andrew Wilt & Mary his wife the full one seventh part of said land according to quantity and quality. and that the said commissioners report the partition and allotment so made to the Court with an account of the expenses reasonably incurred in making the same at or before the August term of this Court in order to a final decree

Ordered that the Clerk of this Court register the following free negroes. viz. Lewina a dark mulatto 25 years of age. 5 feet three inches high was emancipated by John Wise by deed dated the 9th day of May 1834 and duly recorded in the Clerk's office of Rockingham County Court on the same day Frances a dark mulatto 7 years old, 2 feet 1/2 an inch high ——— Margaret of dark colour. 4 years old 3 ft 3 1/4 in. high Charlotte a dark mulatto. one year old. 2 feet. 6 1/2 inches high all of the above named negroes were emancipated by John Wise by the deed aforesaid. No permission has been granted to them to remain in this State

Commonwealth vs Miller & Barger The Capias last awarded against the Defendant not being returned executed It is ordered that a new Capias be awarded against him returnable to the August Court next

Commonwealth vs Mitchell abates by return

Whereas by deed from Anthony Rader & wife bearing date Nov. 19. 1842 did convey certain land near Burlytown in Rockingham County conveyed to Isaac Moffett Trustee for the use of Elizabeth Moore wife of Amos Moore of said county during her life time. Whereas Isaac Moffett having declined the trust in said deed Now it is ordered that George M. Moore be appointed trustee in the stead of Isaac Moffett. more than ten days notice having been given to all parties interested

The last will and testament of Jacob Koogler dec'd with a codicil annexed was presented in court and said will and codicil proved by the oaths of Joseph Williams & John Lowman two of the subscribing witnesses thereto and ordered to be recorded and on the motion John R Koogler & Allen L Brown the executors therein named who made oath thereto according to law and together with John R Coalwole Jacob Hainsbergers & John G Brown & W M Devine Gabriel Coalwole his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifty thousand dollars conditioned as the law requires. certificate is granted the said John R Koogler & Allen L Brown for obtaining a probat of said will in due form. Ordered that Jno A Herring. Abraham Click Daniel Bowman & Abraham Paul. do appraise the estate of said Jacob Koogler dec'd & report according to law

The last will and testament of Levi May dec'd was presented in court and proved by the oaths of John Swank. Joseph Swank & John H Miller three of the subscribing witnesses thereto. & ordered to be recorded. and on the motion of John H Hopkins the executor therein named who made oath thereto according to law and together with David R Hopkins. Joseph Burkholder & Allen L Bryan his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty eighteen thousand dollars conditioned as the law requires certificate is granted the said John H Hopkins for obtaining a probat of said will in due form. Ordered that

John Swank George Chrisman Jonathan Trunk & George Smeltzroat to appraise the estate of said Levi May dec'd — and report to the Court according to law

Christian Staubus this day by counsel appeared and resigned his trust as Guardian for the infant heirs of Adam Wise Jr dec'd which resignation was ordered to be entered of record

The Court doth appoint John Earhart Guardian for Christian Wise & Rebecca Wise orphans of Adam Wise Jr dec'd who are under the age of 14 years of age. thereupon the said John Earhart together with John Fulton & Philip Archart his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires, which bond is ordered to be recorded

Sally Beery orphan of Abraham Beery dec'd being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Samuel Shanks as her guardian. and thereupon the said Samuel Shunk together with Christian Brunk & Abraham Trunk his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires which bond is ordered to be recorded

On Motion the Court doth appoint George R Rhodes Guardian for Elizabeth Strickler Minerva Stevens & Elvira Stevens orphans of John Stevens dec'd and thereupon the said George Rhodes together with Isaac Thomas his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Six thousand dollars conditioned as the law requires

Eli H Koontz who has been heretofore appointed Guardian for William and Frances Stevens orphans of John Stevens dec'd the said Eli H Koontz this day appeared and together with Isaac Thomas his security (who justified as to their sufficiency) entered into and acknowledged a new bond in the penalty of

Three thousand dollars conditioned as the law requires

On Motion of Zachariah Raynes it is ordered that he have leave to withdraw the original notes in the suit of Zachariah Raines agst Michael Mullen in which judgment was confessed in the Clerk's Office on the day of leaving attested copies of said notes among the papers of this cause

Jacob T Beery & others Plff
against
The Widow & infant heirs of Abraham Beery dec'd Defts } In Chy

This cause came on to be finally heard this 15th day of May 1854 upon the proceedings heretofore had and the report of commissioners Richard L Maupin Silas Hendricks & Franklin Pence to which no exceptions is taken and the same is hereby affirmed and the report is ordered to be withdrawn from the papers in this cause & recorded in the record Book of this County and this suit is ordered to be dismissed neither party recovering costs

George L Mortz Guardian &c Plff
vs
Hiram Mantz &c Defts } On Motion & petition to remove the property of his wards to the State of Iowa. It appearing that due notice of this application has been given by publication in the newspaper this cause is docketed & continued until the next term

John H McMullen child of Isaac McMullen being over the age of 14 years of age appeared in Court and with the approbation of the Court made choice of Joseph McMullen as his guardian who together with Nathaniel Barton & John Dingledine his securities (who justified as to their sufficiency) entered into and acknowledged a Bond with the penalty of $1000 conditioned as the law requires

Ordered that a writ of election be issued commanding

the Sheriff of this County to hold an election on the 25 day of the present month for the election of a Magistrate to fill the vacancy occasioned by the death of Levi May. esqr in the 5th district in this County

Ordered that Wm Sellers be appointed School contr in Dist No 5 in place of Jacob Rhodes and P R Kouns be appointed School contr in Dist 4 in place of Geo Rhodes

Commett vs Miller. same vs Shaver. same vs Boon same vs Bowman upon rules. On motion & for reasons appearing to the Court it is ordered that the rules in the aforesaid Causes be dismissed

Peter Dick jailer of this Court presented in Court an account against the Commonwealth amounting to $81.15 for dieting &c of prisoners in jail. which account was examined & allowed by the Court and ordered to be certified to the auditor of public accounts

David S Jones & others Pltffs
vs
L M Youst & others Defts } In Chancery

This cause came on to be heard at this term of the Court and the report of Col Strayer former commissioner to receive and distribute monies coming into his hands was received and ordered to be recorded. as was the report made by J M Liggett his successor of the State of funds or bonds coming into his hands to which reports no exceptions being taken the same is affirmed and it is further adjudged ordered and decreed that the said J M Liggett shall pay the monies coming to the heirs of John Yost dec'd into the hands of the general receiver of the Court. further it is decreed that unless the parties indebted pay the amounts of their indebtedness to D Commissioner Liggett before the next term of this Court that the D Commissioner shall pursue the strictest legal measures agt them to compel payment of the same

Catharine Browne Pltff
vs
Jno C Beard admr of Jas Beard decd Deft } In Case

This day came the parties by their attorneys and by consent of parties the usual notice is waived and the arbitrators to whom the determination of the matters in difference between the parties was submitted by a rule of this Court on the 22d day of Feby 1834 this day returned their award in these words "We" &c. whereupon pursuant to the said award made and returned between the parties it is considered by the Court and the plaintiff recover against the Defendant the $100 in the said award mentioned with interest thereon from 22d day of April 1834 till paid and his costs by him about his suit in this behalf expended

Commonwealth vs Charles Rader M.G. & General Demeanor & fine cont

Same	vs Jas Funk	The same order
Same	vs Jo Riddle	The same order
Same	vs Isaac Keller	The same order
Same	vs Jo Riddle	The same order
Same	vs Polycarpus	The same order
Same	vs John Tufts	The same order
Same	vs Jas Funk	The same order
Same	vs Wm Rogers	The same order
Same	vs Jackson Riddle	The same order
Same	vs John Smith (B Cases)	The same order
Same	vs Jno M'Dorman Not Guilty	Plea & fine continued
Same	J M'Dorman	The same order

Comick vs Crow The sum in certain award set the Deft in Court returned &c It is ordered that a new sum be awarded returnable to the Augt Ct next

Same vs Owens	The same order
Same vs Mary	The same order
Same vs Sifflitt	The same order

Ordered that the Clerk of this court renew the register of Zachariah McCoy gg free negro heretofore registered in his office

Commonwealth vs David Bear on a rule

On Motion & for reasons appearing to the court it is ordered that the rule be discharged

Same vs Morris on a rule The same order

J H Conrad & other Pltffs
vs
Henry McLofland & Exr of St Clair O'Kirtly dec'd Deft
} On a Motion &

On Motion of the pltff by attorney It is ordered that the said Henry McLofland be summoned to appear here on the first day of the next term of this court to shew cause if any he can why his powers as executor of St Clair O'Kirtly dec'd should not be revoked and annulled.

On the motion of George H Cogan who made oath thereto according to law and together with Jacob Miller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires. Certificate is granted the said George H Cogan for obtaining letters of administration de bonis non with the will annexed of Martin Bromer dec'd in due form

Commonwealth vs Michael May upon an Indictment

This day came the Defendant by his attorney and with the consent of the attorney prosecuting for the Commonwealth, confessed judgment for the costs expended in prosecuting said Indictment

Commonwealth vs Jackson Riddle upon an Indictment

The same order as in the case vs May

An Instrument of writing purporting to be the last will and Testament of James Morris decd. was presented in Court and there being no subscribing witnesses thereto. Benjamin H Fishback David Stinespring & David Stinespring, were sworn and severally deposed that they are well acquainted with the Testators hand writing and verily believe the said writing and the name thereto subscribed, to be wholly written by the testators own hand. whereupon the same is ordered to be recorded as the true last will and Testament of the said James Morris decd. and there being no executor appointed by the Testator in said will. on the Motion of John Stinespring who made oath thereto according to law and together with David Stinespring & Benjamin H Fishback his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of One thousand dollars conditioned as the law requires. Certificate is granted the said John Stinespring for obtaining Letters of Administration in due form with the will annexed of said James Morris decd.

Ordered that Gordon Harrell George Welch Jr. Daniel Bowman & Joseph Miller or any three of them being first duly sworn for that purpose do appraise the estate of James Morris decd and report thereon to the Court according to law

On Motion of the heirs of Henry Miller decd by attorney It is ordered that Joseph McCary be and is hereby appointed a commissioner to examine State and settle the executorial account of Henry Miller & Jacob Miller executors of said Henry Miller decd and make report thereon to the Court according to law

A J Vanpelt : Pltff
vs
Wm Smallwood Deft } On an attachment for rent

On Motion of the plaintiff by attorney This cause is docketed and continued

Upon the petition of Ananias Pirkey & others for the establishment of a road &c in this County. This day came the petitioners by Attorney and the Viewers heretofore appointed returned a report in these words "In pursuance" &c which report is ordered to be filed and the alteration prayed for established agreeably to the report aforesaid

(Order Def

Present-Wm B Yancey & John Burkhalter Gent-Justices

Bowers) ex vs Keller payment pleaded and account of offsets filed. Office Judgment set aside and issue continued

John Harry alias Spangler a free negro late of the County of Rockingham, who stands charged with a felony by him committed in this that he did on the 2nd day of October in the year 1859 in the said County did feloniously Stab and cut with a dirk Knife William Bundy (a free negro) with intent to maim disfigure disable and kill him the said William Bundy. The said John Harry alias Spangler was led to the bar in custody of the Jailor and sundry witnesses being sworn and examined and the said John Harry alias Spangler fully heard in his defence, and the Court upon mature deliberation are of opinion that the prisoner is not Guilty of the offence aforesaid it is therefore ordered that he be discharged from his imprisonment

Ordered that all the causes on the Docket not otherwise disposed of be continued until the next term

On the motion of Wilkins It is ordered that Peachy H Wheeler be summoned to appear here on the first day of the August Term next of this Court to shew cause if any he can why the Indentures binding Jo. Dickens a free boy of color to the said Wheeler shall not be revoked and annulled

~~Ordered that the Clerk~~

James B McGill a Notary Public for this County this day appeared in Court and entered into and acknowledged a Bond in the penalty of $500 conditioned as the law requires with ~~Littleton Ryder~~ his security who also acknowledged said Bond which is ordered to be recorded

James Kenney a Notary Public for this county, this day appeared in Court and together with Littleton W Gamble his security, entered into and acknowledged a bond in the penalty of $500 conditioned as the law requires, which bond is ordered to be recorded

Ordered that the Court be adjourned until tomorrow morning at 10 O'Clock

S H Lewis.

Tuesday May 16th 1854

Present

+ Samuel H Lewis P J + Isaac Hardesty } Gent Justices

X Isaac Thomas

The Clerk of this Court presented the register George Poindexter a free negro which was examined and ordered to be furnished to said Poindexter

Simeon J Harnsberger Deputy for A S Byrd Sh Rh returned into Court a list of delinquents in the State tax which was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Ishn Gordon & Thomas K J Harnsberger Deputies for A S Byrd Sh Rh returned into Court a list of delinquents in the State tax were examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

The Court this day made out a list of Jurors to serve during the year commencing 1st June 1852 & ending 1st June 1853 which list together with the ballots were deposited in a box and placed in the care of the Clerk of this Court

Thomas K Harnsberger Deputy Sheriff for A S Byrd & R returned a list of lands delinquent in part in the County of Rockingham which was by the Court examined allowed and ordered to be certified to the auditor of Public accounts

Ordered that the Court be adjourned until the third Monday in June next

S H Lewis

Ordered

Virginia

In the Clerks office of the County Court of Rockingham July 14th 1852

James Kane a Native of Ireland this day appeared in the Clerks office aforesaid the said Court being a Court of record with common law jurisdiction a clerk and seal and before me Deputy Clerk of said Court on oath declared it was bona fide his intention to become a citizen of the United States of America and to renounce forever all allegiance he may have or owe to any foreign Prince, Potentate State or Sovereignty whatever and particularly to Victoria Queen of the United Kingdom of Great Britain & Ireland

Teste

Wm D Frost DC

No fee to be charged

Samuel Cook's adm's Bearing	Dr 1 Sheet & 3 Copies
Armentrout adm Connick	Dr 1 Sheet & 1 Co.
Keesler vs Fulby	1 Sheet & 1 Co
Carman vs Shaver ———	1 Sheet & 1 Co
Hunter vs Chapman ———	1 " & 1 Co
Grayson vs Kearny	1 " & 2 "
Shaver adm Carman	1 " & 1 "
Lilley's adm Leyden	1 " & 1 "