

**ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA**

MINUTE

BOOK

28

1856

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(A)

State of Virginia

At a Court held for Rockingham County
at the Court house thereof on Monday the
31st day of January 1856

Present

Isaac Hoardesty, Clk. Sterling } Gent
John A. Hooring & Samuel Ruebush } Justices

The Clerk of this Court returned into Court a list of Deeds &
other writings admitted to record in his office during the month
of December 1855 which being seen and inspected by the Court
is ordered to be entered on the minutes as follows to wit

- ✓ 1 of A Deed of Bargain & Sale from Delilah Lyall to Henry Rogers
- ✓ 2 \ same from Felix T. Sheets to John Attaffer
- ✓ 3 of same from Robert A. Grayson to John H. Biscoe
- ✓ 4 of same from John Moore wife to Daniel Frank
- ✓ 5 \ same from Philip Liggitt to Elizabeth Dixon
- ✓ 6 of A Deed of Trust Mary K. dofland to Wm. C. Smith In Trust for Wm. K. Kyle
- ✓ 7 \ A Deed of Bt from Jacob D. Williamson to Jacob D. Williamson Jr
- ✓ 8 of A Deed of Trust from James Lee wife to David H. Gordon In Trust for M. H. Ralston
- ✓ 9 \ A Deed of Bt from George W. Lutz wife to Moses Genger
- ✓ 10 of A Deed of Release from George W. Miller to Wm. D. Livingston
- ✓ 11 \ A Deed of Bt from Elizabeth Hoover to William Williams
- ✓ 12 of same from Nicholas M. Kurtz wife to Pleasant A. Clarke
- ✓ 13 \ same from John Zyglar wife to John R. Hoorman
- ✓ 14 of same from Wm. Mauley wife to Benj. & Saml. Bowman
- ✓ 15 of same from Adam Shank wife to Jacob I. Thomas
- ✓ 16 \ same from Adam Thomas wife to Adam Shank
- ✓ 17 \ same from James M. Dinkel wife to Andrew Rogers
- ✓ 18 \ same from same to Robert M. Dinkel
- ✓ 19 of same from same to Samuel Dinkel
- ✓ 20 \ same from same to Wm. H. Dinkel
- ✓ 21 \ same from Samuel Dinkel to James M. Dinkel
- ✓ 22 of same from Eli Long wife to Erasmus Fletcher
- ✓ 23 \ same from Peter Kyger to Richard Runcel

- ✓ 24 ✓ A Deed of Bargain & Sale from Hopkinst & Kisting To M^r O'Brien
 ✓ 25 ✓ Of same from Daniel (Draver) wife To Michael Roller
 ✓ 26 ✓ Same from Philip Keller wife To Catharine Gilbert
 ✓ 27 ✓ Of same from Jacob Lidam wife To D Perrybacker
 ✓ 28 ✓ Of same from M^r Brown wife To same
 ✓ 29 ✓ Same from P^r Clarke To Andrew & J^r Trustees
 ✓ 30 ✓ An agreement between John & Winfield & Samuel Coates wife
 ✓ 31 ✓ An obligation from John & Winfield To Samuel Coates
 ✓ 32 ✓ Of A Deed from Samuel Coates wife To John & Winfield
 ✓ 33 ✓ Same from Susanna Ueriger To J^r Miller Trustee for Elizabeth Sandy
 ✓ 34 ✓ Of A Deed release from Erasmus Coffman To John & Beery
 ✓ 35 ✓ A Deed of Trust from Isaac J^r Grove to Wm A Harris Trust for M^r J^r Mayerhoeffer
 ✓ 36 ✓ A Deed of W^t from Daniel Frank wife To John Meine
 ✓ 37 ✓ Same from John Miller wife To Abraham & Rankin
 ✓ 38 ✓ Same from Catharine Flory & Michael Flory -
 ✓ 39 ✓ Same from Michael Flory wife To Daniel Bryerly
 ✓ 40 ✓ Same from Wm S Brothwaite To M^r Gamble Trust for And & Co. & Co.
 ✓ 41 ✓ Same from M^r Harvey Coffinger wife To J^r Henry Long
 ✓ 42 ✓ Of same from Geo Sauley wife To James Branham
 ✓ 43 ✓ Same from Geo Kiser wife To John Smith
 ✓ 44 ✓ Of same from Taber, farce wife To Patterson Bungep
 ✓ 45 ✓ Same from John Smith wife To George Kiser
 ✓ 46 ✓ Same from Same To same
 ✓ 47 ✓ Of same from Henry H Dunkel wife To George F Dunkel
 ✓ 48 ✓ Of same from Erasmus Fletcher wife To Michael Sellers
 ✓ 49 ✓ Same from Nelson Sprinkel wife To William Peters
 ✓ 50 ✓ Same from M^r Harvey Coffinger wife To John W Dear

Settlements of the estates of Christian & Cover dec^d Geo Sillery dec^d
 Samuel Bowman dec^d - Jacob Martz dec^d - Anna Mayer dec^d - Jacoblick dec^d
 J^r Seely dec^d - Jared Povee dec^d - Joseph Bryerly dec^d - Margaret Ciler dec^d
 Catharine Dundore dec^d - Henry Keffer dec^d - J^r Hooke dec^d - Abm McKay dec^d
 Robert Hooke dec^d - Jacob Dunkel dec^d - Henry & Perkey dec^d having been filed
 in the office for the time prescribed by law. were returned into Court
 and ordered to be recorded

Settlement of the Guaranty of Joseph Burkholder. Raphael Moyers
Andrew J. Moyers. Allen B. Moyers. Isaac S. Pennybacker & Sons
Burkholder having been filed in the office for the time prescribed
by law, were returned into Court and ordered to be recorded

Settlement of Michael Hornum committee of David Hornum having
been filed in the office for the time prescribed by law was returned
into Court and ordered to be recorded

Settlement of the accounts of Anderson M. Newman receiver of Isaac S.
Pennybacker's heirs having been filed in the Clerk's office for the time
prescribed by law was returned into Court and ordered to be recorded

Settlement of Henry Neff Trustee's fund was returned into Court and
having been filed in the office for the time prescribed by law, ~~was~~ is ordered
to be recorded

Thomas S. Yancey who has been duly appointed a Notary Public
for this County, this day produced a commission under the
hand of the Governor of Virginia and the Seal of the Court
~~thereupon~~ ^{and} together with Littleton W. Gamble entered into and
acknowledged a bond with the penalty of \$500 conditioned
as the law requires and thereupon the said Yancey took
the several oaths required by law

On Motion of George Keiser John Smith has leave to transfer
his licence as a Merchant to said Keiser.

Benjamin H. Ralston	Plff	} upon a Notice on Motion docketed & continued
John H. Ralston	Def	
Egle Hoffman & Co	Plffs	} On Notice & The same Order
Jepe Burkholder	Def	

Present Samuel H Lewis Justice

Frances Burkholder orphan of David Burkholder dec^d being upwards of 14 years of age appeared in Court & made choice of David H Lanes as her guardian and thereupon the said David H Lanes together with Henry C Beery his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires

The Court do appoint Henry C Beery guardian for Catharine Abraham David & Margaret Burkholder orphans of David Burkholder dec^d who are under the age of 14 years thereupon the said Henry C Beery together with David Lanes & Abraham H Beery his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2500 conditioned as the law requires

Erasmus Coffman who was appointed executor by the last will and testament of Richard S Manfunt dec^d appeared in Court and refused to take upon himself the burden of the execution of said will

The last will and testament of Philip Parrott dec^d was presented in Court and proved by the oaths of Erasmus Coffman & S H Coffman the subscribing witnesses thereto and ordered to be recorded and on motion of Branson M Parrott & Jeremiah Parrott the executors therein named who made oath thereto and together with Abram Showalter Joseph Blaine John A Rice & Henry Philip their securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of fifteen thousand dollars conditioned as the law requires. certificate is granted the said Branson M Parrott & Jeremiah Parrott for obtaining a probate of said will in and in form ordered that John Pansel, Eli Bowman, Nathan Austin, Henry Philip, George Meheromith & John A Rice do

Appraise the estate of said Philip Barrett dec'd

On the motion of Abraham W Beery who made oath there to according to law and together with Joseph Rhodes Richard A Stephens David Sanders & Connylo Beery his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of Ten thousand dollars conditioned as the law requires. certificate is granted the said Abraham W Beery for obtaining letters of administration in due form upon the goods and chattels of David Burkholder dec'd. Ordered that Levi Shafer Daniel Brerly John Sanders and George W Effinger do appraise the said estate and report thereon according to law

Hoorn & Dever Plffs
vs Jacob Ettinger Deft } On a motion to

On Motion and it appearing to the Court that the attachments last awarded being returned not executed it is ordered that a new attachment be awarded according to law

Brown & Maury Plffs
vs Same Deft } On a motion to
The same order

Wm H C Brarley & Bro Plffs
vs Same Deft } On a motion to
The same order

Amos Lago & Plffs
vs George Relutz Deft } On a motion to

On Motion & for reasons appearing to the Court it is ordered that the power & authority of the Deft as administrator of Jacob Shafer dec'd be revoked and annulled.

On the motion of Peter S Roller who made oath thereto according to law and together with Andrew Lago his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2800 conditioned as the law requires certificate is granted the said Peter S Roller for obtaining letters of administration de bonis non upon the estate of Jacob Pifer dec^d.

Wm S Stephens & Phoebe Stephens orphans of Jno Stephens dec^d being upwards of 14 years of age by an instrument signed under their hands and acknowledged before a justice of the peace made choice of Richard A Stephens as their guardian and thereupon the said Richard A Stephens together with William McLarson & Abraham B Beery his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires

Josiah S Roller who has been duly appointed a Notary Public for this County appeared in Court and together with Peter Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires thereupon the said Josiah S Roller took the several oaths required by law

John E Brown constable	Plff.	} In Chancery
John Hottinger	Def.	

This cause came on to be heard this 21st day of January 1856 on the bill exhibits filed therewith and on the subpoena issued the defendant returned executed and more than one month having elapsed since the filing of the bill the same is therefore taken for confessed and it appearing from the averment of complainant in the bill which has been taken for confessed

that the rents and profits of the real estate property (land mentioned in the bill and on which the judgment of Maason Bane & Henry Thompson is a lien will not satisfy the said judgment in five years. The Court doth adjudge order and decree that Augustus Hedder be appointed a commissioner to sell the said real estate of said Hedder in the Bill mentioned at public auction for cash to the highest bidder first advertising the terms time & place of sale at the Store house of the said Bane & Brammer in Timkenice at the Store house of J. G. Coates & Co. and at the Store house of belonging to D. I. McInfield at Broadway and at four other as public places as possible near the place of sale by written advertisement for four weeks time and from the sale shall first pay all the expenses of this proceeds of this suit. The legal commission allowable to Commissioners to himself and then pay to Maason Bane the sum of fourteen dollars and 96 cents with interest from the 5th day of April 1846 till paid 85 cents costs with interest from the time it was payable the sum of twenty five dollars and seventy eight cents with interest from 9th November 1849 85 cents costs with interest from the time it was payable also one dollar with interest from 12 December 1840 and 85 cents costs with interest from the date it was payable to William G. Thompson and also to Henry Thompson the sum of \$11.13 cents with interest from the 22nd May 1840 till paid & \$1.30 cents cost with interest from time it was payable together with any other costs on the Magistrates Court overlooked if any and if any amount remains from the sale of said proceeds after the payments aforementioned to pay the same to the said Hedder. The said Commissioner first to give good and sufficient security in the sum of \$1000 previously to acting which bond may be given before the Clerk of this Court

William K. Dever Orphan of Allen Dever do^c being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Giles Dever as his guardian and thereupon the said Giles Dever together with Samuel A.

Offman David Holler & Nathan Custon his securities (who justified as to his sufficiency) entered case in writ and acknowledged a bond in the penalty of \$6000. conditioned as the law requires

✓ Andrew Clouck having obtained an attachment against the estate of Patrick O'Neal who intends to remove his effects out of this Commonwealth so that there will probably not be therein sufficient effects of the said O'Neal to satisfy the claim of said Clouck when judgment is obtained therefore should only the ordinary process of law be used to obtain such judgment and ^{the sheriff} ~~a constable~~ of this County having returned said attachment "Levied" to and thereupon came the Plaintiff his attorney and sundry witnesses being sworn and examined touching the premises and the Court being satisfied of the justness of the Plaintiff's demand judgment is granted for \$69.82 with interest thereon from the 1st day of December 1855 till payment and the costs in this behalf expended: and it is ordered that the officer who levied the said attachment make sale of the attached effects and report to the Court according to law

Wm Silbert having obtained an attachment against the estate of Peter Harrison who intends to remove his effects out of this Commonwealth so that there will probably not be therein sufficient effects of the said Harrison to satisfy the claim of the said Wm Silbert when judgment is obtained therefore should only the ordinary process of law be resorted to obtain such judgment and a constable of this County having returned said attachment "Levied" to and thereupon came as well the said Wm Silbert & said Harrison by their attorneys and sundry witnesses being sworn and examined touching the premises the Court are of opinion that the said attachment illegally issued it is therefore

in the judgment aforesaid. it is therefore considered that the appellee recover against the appellants and Joseph L Brathwaite their security the sum of one dollar and fifty cents with damages thereon at the rate of 10 per centum per annum from the 26th Jan'y 1855 till paid and \$1.70 costs recovered before a justice of the peace and the costs by by the appellee about his defence in this behalf expended

W L S Butler appellant
 v
 Amatha D Brock appellee } upon an appeal from the
 Judge of Justice of the peace

This day came the parties by their attorneys and by consent the judgment of the Justice aforesaid is affirmed and that the appellee recover against the appellant her costs in this behalf expended. and the appellant hath leave to sue out execution against the appellee for the sum of twenty five dollars with interest from the 21st day of July 1855 till paid and \$3.19 costs the judgment of the Justice aforesaid

Morrey vs Baeth's & Williams vs Slaughter on Motion these causes are dismissed

Diceth vs Ervine on Motion continued until next term at the costs of Plaintiff

On Motion it ordered that Warren T McGahey admr of Jacob Hearn's dec^d render an account of his administration shak before Robert M Morrey who is hereby appointed a special comr to ~~state~~ examine, state and settle said administration account and report to the Court according to law.

Harrison vs Miswander upon a rule. The summons awarded in this cause being returned & executed and not appearing it is ordered that an attachment be awarded according against him

Shull vs. Anderson Upon a Notice upon a forthcoming bond
On Motion said Notice is docketed and continued

F W Shirkman Petiff } upon an appeal from the judgment
 vs }
 Wm Brundey Deft } from a justice of the peace

This day came the parties by their attorneys and sundry witnesses being sworn and examined. the Court are of opinion that there is error in the judgment aforesaid, it is therefore ordered that the same be ~~affirmed~~ reversed and annulled and that the appellant recover against the appellee the costs by him in this behalf expensed

Wm Van Lear Deft } Upon a Notice
107 }
Wm W. Hooke admr of } Defts }
Robert Hooke Sr. decd }

This day came the parties by their attorneys, and by consent of the parties the power of said Mem^r McHooke adm^r of Robert Hooke sen. dec^d. be revoked and annulled ~~unless~~ ^{thereupon} he give a new bond with good and sufficient security. On the motion of William McHooke who together with Jonathan Pease & Benjamin T. Walker his securities (who justified as to their sufficiency) entered into and acknowledged a new bond in the penalty of five thousand dollars conditioned as the law requires.

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

S. M. Lewis.

Tuesday January 22nd 1856

Present

+ Samuel H Lewis of John A. Herring } Gent
+ O. Sterling } Justices

12
The Munapah Rail Road Company Plff.

vs
John R. Hoorman

Def.

} On a Notice &c.

This day leave the parties by their attorneys and on motion the Court doth appoint Daniel Harrison, Isaac Reed, Michael Shaver, Joshua Jennings & George Rhodes or any three of them after being first sworn for that purpose do go upon the land of the Defendant ~~and~~ on the 12th day of February next and ascertain the damages to the Defts land by reason of the construction of the Plffs road through his land and report thereon to the Court according to law

Wm McCall vs Rumsey continued until next Court

Joseph Miller having been duly summoned as a witness on behalf Wm P McCall vs Rumsey who has been duly summoned to being solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of March Court next to shew cause if any he can why he shall not be fined for his failure to appear

John Robertson, Moses Joseph & John Joseph having been duly summoned as witnesses on behalf of Rumsey and Wm P McCall. The same order as above

On motion John R O'Neal to have leave to transfer their tavern license to Jno M Steele

Wm P McCall

appellant

vs
George W Rumsey

appellee

} upon ~~the~~ an appeal from the judgment of a Justice of the Peace

This day leave the parties by their attorneys and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion that there is ~~no~~ error in judgment

afforded and that the same be reversed and annulled and that the appellant recover against the appellee five dollars with and twenty five cents with interest thereon from the 8th day of Sept^r 1855 till paid and the costs by the appellant ~~and~~ in this behalf expended

Ordered that the rules this day entered against Joseph Miller & John Robertson be discharged

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

S. H. Lewis

At a Court Summoned and held for the County of Rockingham on Thursday the 31st day of January 1856 for the examination of Milton Drummond who stands charged with a felony by him committed in this that he did on the day of November 1855 in Rockingham County one bond for the payment of forty dollars and of the value of forty dollars the said Bond at the time of committing the felony aforesaid being the property of William Robinson and the sum of forty dollars payable and secured by and upon the said bond being due and unsatisfied to the said William Robinson the proprietor thereof feloniously and steal take and carry away

Present

+ Mr. McVining + Peter Paul + Andrew Horch } Gent
+ Jacksonborn + Reuben Huffman } Justice

The prisoner appeared in personance to his recognizance entered into by him before a justice of the peace for this County and on Motion of the Attorney for the Commonwealth the examination is continued until the next regular Court and thereupon on the motion of the prisoner is admitted to bail for his appearance

at the next Court in the sum of \$500⁰⁰ for himself and the like sum of \$500⁰⁰ for his security. and thereupon the said Milton Drummond together with Eli Keeran

his security — entered into a recognizance as follows: Be it remembered that on this 31st day of January 1856 person(s) appeared in open Court and acknowledged themselves to owe and be answerable to the Commonwealth, the said Milton Drummond in the sum of \$500 and the said Eli Keeran in the like sum of \$500 to be levied upon their respective good and chattels, lands & tenements and for the use of the Commonwealth, yet upon this condition that the said Milton Drummond shall make his personal appearance before the Justices of the County Court of Rockingham on the first day of the February term next of said Court then and to be examined for a felony by him committed as aforesaid and not depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force.

Be it remembered that Alexander Berry Allen Robinson — — — — — this day in open Court entered into & acknowledged a recognizance in the sum of \$100⁰⁰ according to law, conditioned for this personal appearance before the County Court of Rockingham on the 1st day of February next as witnesses on behalf of the Commonwealth against Milton Drummond.

And thereupon the Court arose

L. Herring

At a Court Summoned and held for Rockingham County at the Court house thereof on Monday the 4th day of February 1856 for the examination of Patrick Hanefen & Thomas Hanefen who stand charged with a felony by them committed, in this, that they did on the night of the 22nd of January 1856 in this County unlawfully, maliciously & feloniously

cut & stab Patrick Gorman with intent to maim or disfigure. disallow
since the said Patrick Gorman

Present

+ Samuel & Lewis O'John & Henry } Gent
+ John Burkholder Reuben & Buffman & Jackson & Son } Justices

The said Patrick Hanefin was led to the bar in custody of
the Sheriff of this County and the said Thomas Hanefin appeared
in discharge of his recognizance and thereupon on the motion of the
attorney for the Commonwealth the examination is continued
until the next term. and thereupon on motion Thomas
Hanefin by his attorney he is admitted to bail in the sum of
\$500⁰⁰ and the like sum of \$500⁰⁰ for his securities. and
thereupon Be it remembered that the said Thomas Hanefin
together with Allen & Bryan

his securities appeared in court and acknowledged themselves
to owe and be indebted to the Commonwealth the said Thomas
Hanefin in the sum of \$500⁰⁰ and the said Allen &
Bryan _____ in the like sum of \$500⁰⁰

to be levied of their respective goods and chattels, lands & tenement
and for the use of the Commonwealth. Yet upon this condition
that the said Thomas Hanefin shall make his personal
appearance ^{before} the County Court of Rockingham on the first
day of the February term next, then and there be examined
for a felony by him committed. ~~and~~ ^{and} if he shall
depart thence without the consent of the Court then this recog-
nizance to be void, otherwise to remain in full force

Reuben Smith & for Be it remembered that Reuben Smith
James Long Patrick Clarke & Thomas Brown
appeared in court and acknowledged themselves to owe and be
indebted to the Commonwealth in the sum of \$100⁰⁰ each
to be levied of their respective goods and chattels, lands and
tenement and for the use of the Commonwealth. Yet upon
this condition that the said Reuben Smith James Long
Patrick Clarke & Thomas Brown shall make their

personal appearance before the County Court of Rockingham on the first day of the February Court next the said Reuben Smith & ~~John~~ Long to testify and the truth to speak on behalf of the Commonwealth against Patrick Harvifen & Thomas Harvifen and the said Patrick Clarke & Thomas Brown the truth to speak on behalf of said Patrick Clarke & Thomas Brown Patrick Harvifen & Thomas Harvifen who stand charged with a felony by them committed then this recognizance to be void otherwise to remain in full force

Ordered that Abraham S Byrre Sheriff of this County be summoned to appear here forthwith to show cause if any he can why he shall not be fined ^{not} to being ⁱⁿ attendance upon this Court this day

Commonwealth

Abraham S Byrre Shff

} Up a rule

This day came the Defendant and offered his excuse which not being deemed ^{not} reasonable it is considered by the Court he be fined \$20 for his contempt in failing to attend upon the Court on this day. and also for failing to return the warrant to summon a Court for the examination of Patrick Harvifen & Thomas Harvifen. and that he pay the costs of in this behalf expended.

Abraham S Byrre Sheriff moved the Court to rescind the order fining him \$20. for a contempt by him offered to the Court on consideration whereof the Court took overrule said motion and thereupon the Deft by his counsel tendered a bill of exceptions to said opinion in these words. "Item" which exceptions the Court refused to sign on the ground that though the facts set forth therein are correctly stated yet no exception lies to their opinion in this case

and thereupon the Court arose

St. Lewis

At a Court summoned and held for
Rockingham County at the Court house thereof
on ~~Monday~~ Thursday the 14th day of February 1856 for the Exam-
ination of John Black who stands charged with a felony by him
committed in this that he did on the 4th day of February in the
year 1856 in this County unlawfully maliciously and feloniously
cut and wound Aaron Armentrout with intent to maim
disfigure disable and kill him the said Aaron Armentrout

Present

Michael H Harris John Burkholder Andrew Houck
Henry T Wartinan & O. Sterling } 4 Justices

The Prisoner was led to the bar in custody of
the Jailor and thereupon sundry witnesses were sworn and
examined and the Court having fully heard ~~the evidence~~
~~arguments of counsel~~ ~~and upon mature deliberation~~ the Court
in its opinion apart of the evidence and not having ~~time~~ to
through with the case it is ordered that the prisoner be remanded
to Jail and that the Court be adjourned until to Morrow
at 10 O'clock

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

O. Sterling

Friday February 15th 1856

Present

+ Michael H Harris John Burkholder } Gent
+ Andrew Houck + O. Sterling + Henry T Wartinan } Justices

This day John Black who stands charged with a felony by him
committed in this that he did on the 4th day of February 1856 in this County
unlawfully maliciously and feloniously cut wound Aaron Armentrout
with intent to maim disfigure disable and kill him the said

Aaron Armentrout, was this day led to the bar in custody of the jailer of this Court and several witnesses being sworn and examined touching the premises, and the Court upon mature deliberation are of opinion that there is not probable cause to charge the prisoner with the offence aforesaid. it is therefore ordered that he be discharged from custody

Benjamin Reidecker who was sworn in Court on yesterday being solemnly called and not appearing it is ordered that an attachment be issued against him returnable forthwith

Samuel W. Hoacker ordered that the attachment issued against the Deft be dissolved

And thereupon the Court arose

M. A. D. A. 1856

At a Court held for Rockingham County
at the Court-house thereof on Monday the 18th
day of February 1856

Present

+ Samuel H. Lewis of O. C. Sterling Jackson County Gent
+ Henry T. Meadman of Rockingham } Justices
+ David Huffman.

The Clerk of this Court returned unto Court a list of Deeds and other writing admitted to record in his office during the month of January 1856 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

1 A Deed of B. S. from John D. Dandene to Jacob S. Piper

2 Same from same to same

XX

- 3 ✓ of A Deed of Bargain & Sale from Aba S Baughner to Henry McDaniel
- 4 ✓ of A Deed of Trust from Evan Keen to John Woodson Trust for R M Kyle
- 5 ✓ of Same from Jackson Ford to Jacob Meyer
- 6 ✓ of Same from S M Keen to S M Simmons Trust for Harriette Hoffman
- 7 ✓ of Same from Jacob Bowler to R D Hise Trust for Mrs. Brundage
- 8 ✓ of A Deed of B/S from John James wife to Reuben Cuffman
- 9 ✓ of Same from George Faircliff to Daniel Hook
- 10 ✓ of Same from Roachy Sheets wife to Strawther Sheets
- 11 ✓ of A Deed of Gift from John Burkholder to Frances J. Clive
- 12 ✓ of A Deed of Trust from Jacob Bear to John Woodson Trust for R M Kyle
- 13 ✓ of A Deed of B/S from Harrison (Dinkers) wife to Allen W Brown
- 14 ✓ of Same from W H C Barley to Madison Avery
- 15 ✓ of A Deed of Trust from John White to Wm Mc Harris Trust for Benj. Wheeler
- 16 ✓ of Same from John Mc Caddins to R W Palmer Trust for the Orphans
- 17 ✓ of A Deed of B/S from Michael Cargy wife to John Carhart
- 18 ✓ of A Deed of Trust from Austin Williams to J D Gilmer Trust for Sam. Lipe
- 19 ✓ of A Power of Attorney from Michael H Kaylor wife to Peter Kaylor
- 20 ✓ of Same from Reuben Kaylor wife to Same
- 21 ✓ of Same from John Kaylor wife to Same
- 22 ✓ of Same from Sylvester Rayer to Same
- 23 ✓ of A Deed of B/S from Jacob Rypar wife to Benj. Snellett
- 24 ✓ of Same from Samuel Grace wife to Simon Whitze
- 25 ✓ of Same from Samuel Hefner wife to Matthias W. Miller
- 26 ✓ of Same from Crawford C. Strayer wife to John Sam Miller
- 27 ✓ of Same from Peter Kaylor wife to Hopkins Whisling
- 28 ✓ of Same from Same to Same
- 29 ✓ of Same from John R. Smalls wife to Philander Herring
- 30 ✓ of Same from Jacob R. Effinger to John A. Meyers
- 31 ✓ of Same from Anna & Sarah to Same
- 32 ✓ of Same from Jewett M. Fitch wife to Peter Blofer
- 33 ✓ of A Deed of Trust from Wm W. Cooke to John Woodson Trust for J. Pease
- 34 ✓ of A Deed of B/S from Peter Sheets wife to George Dove
- 35 ✓ of A Deed of Trust from G. W. Rimes to Jno. Applegate Trust for J. H. Lavin
- 36 ✓ of A Deed of Bargain & Sale from S. C. Long wife to David Garland Trust for
- 37 ✓ of Same from Al Gray to Wm S. Brathwaite Trust for

38 ✓

1 Ad. Deed of Loan from Prof. Harsklinger to James Dove

39 ✓

2 Ad. Deed of Bargain & Sale from (Darius) Garberruf to G. E. Donsale

40 ✓

3 Same from Wm Ritchie to wife to Edwin Threlk

41 ✓

4 Same from Warren T. McGahey to George W. Maunzy

Settlements of the estates of David H. Gilmore dec^d - William Taylor dec^d having been filed in the Clerk's office of this Court for the time prescribed by law. were examined by the Court and ordered to be recorded.

Settlements of the accounts of Michael H. Harris Guardian for Joseph H. Huffman & Anthony Huffman Guardian for Ann Eliza Keller. having been filed in the office for the time prescribed by law. were examined by the Court & ordered to be recorded.

On the motion of William Walden adm^r of Samuel Dennis dec^d. The estate of William Harmon dec^d is committed to the Sheriff of this County for administration according to law.

Joseph S. Effinger Plff
vs
John Bridges Deft } In Debt

On Motion of the plaintiff he has leave to withdraw the original notes filed in this case upon leaving attested copies with the Clerk of this Court.

Edw. Switzer Plff
vs
Anthony Hockman Deft } In Debt
This cause having been removed from before a justice of the peace for this County ordered that the same be docketed.

W. W. Burkett Plff
vs
Miller & Grove Deft } In Debt
The same order

Silbert & Bournan appellants } upon an affidavit from the
 vs } magorment of a justice
 Wm Coarshenter Appellees } of the peace

On Motion of the appellants by their attorney
 this cause is ordered to be docketed

Daniel Byerly James Davis
 who have been duly drawn & summoned to serve as jurors during
 the present term. appeared in court and on their motion were
 discharged from service during the present term.

R. M. Harrison Deff }
 vs } Upon an Attachment
 Abraham Miswander Deft }

This day came the parties by their attorneys and it
 appearing to the Court that the attachment in this cause was improper
 & if used it is ordered that the same be dismissed and
 that the Deft recover against the Deff his costs in this behalf
 expended.

Elizabeth S. & Elame orphan of John D. Elame dec^d. being over 14
 years of age. appeared in Court and with the approbation of the
 Court made choice of Daniel Cluffman as her guardian, and
 thereupon the said Daniel Cluffman together with Reuben
 Cluffman his security (who justified as to his sufficiency) entered
 into and acknowledged a bond in the penalty of twenty five
 hundred dollars conditioned as the law requires, which bond
 is ordered to be recorded.

On the motion of John Egler and Daniel Egler ~~to be made~~ with
 their attorney according to law and together with Samuel Cline John J
 Bournan, Samuel Egler & William G. Thompson & Henry Neff
 his securities (who justified as to their sufficiency) entered into and
 acknowledged a bond in the penalty of twenty five thousand dollars
 conditioned as the law requires. Certificate is granted the said

John Zigler & David Zigler for obtaining letters of administration in due form upon the goods & chattels of John Zigler dec^d & the widow of the Deceased having relinquished her right to administer upon said estate. and it is ordered that Martin Garber, David Leime, George Branner, Henry Thompson do appraise the said estate

On Motion of Jacob Runcle who made oath thereto according and together with Henry Miller ^{or R. M. Mowry} his security (justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires. Certificate is granted the said Jacob Runcle for obtaining letters of administration in due form upon the goods and chattels of Nancy Runcle dec^d and it is ordered that B. B. Leav. W. M. Maury, J. O. Baser, W. M. S. F. Turnfields do appraise the said estate

On Motion of Michael O'Harris who made oath thereto according to law and together with James O'Harris his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires. Certificate is granted the said Michael O'Harris for obtaining letters of administration in due form upon the estate of Susan Plecker dec^d and it is ordered that Wm O'Byrne, Peter S. Roller, Silas Skelton, George Lutz & James Courney do appraise the estate of said Susan Plecker dec^d

On Motion of Peter S. Roller who made oath thereto according to law and together with Jacob McConen, John Allebaugh & Josiah S. Roller his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Seven thousand five hundred dollars, conditioned as the law requires. Certificate is granted the said Peter S. Roller for obtaining letters of administration in due form upon the goods & chattels of James Williams dec^d. It is ordered that Allen M. Brown, Geo. Dunkel, St. Clair & Co., Fred. Heck, Jos. Sellers & others do appraise the said estate

The last will & testament of Lydia Hedrick dec^d was presented in court and proved by the oaths of T. W. Sellers & John W. Sellers two of the subscribing witnesses thereto and ordered to be recorded and on the motion of William W. Hedrick the executor therein named who made oath thereto according to law and together with Jacob Ammon Henry Kisting Joseph Manzy & Henry Harnsberger his son of Richard W. Hedrick & George W. Hedrick his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of eight thousand dollars conditioned as the law requires. Certificate is granted the said William W. Hedrick for obtaining letters of adminⁿ a protat of said will in due form and it is ordered that Jacob Ammon Henry Kisting Jo Manzy & Henry Harnsberger do appraise the estate of said Lydia Hedrick

Benjamin H. Ralston *Plff*
 vs
 John H. Ralston & *Deft* } Upon a Notice &

This day came the parties and by consent the power and authority of the said John H. Ralston & Martin Neff as executors of Henry Neff dec^d are annulled and revoked

On Motion of Benjamin H. Ralston who made oath thereto according to law and together with David B. Hopkins Henry Beery Daniel Bowman (of land) & Benjamin Bowman (of land) his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires. Certificate is granted the said Benjamin H. Ralston for obtaining letters of administration with the will annexed of Henry Neff dec^d in due form

The court doth appoint William Saufly guardian for Elizabeth Virginia & Mary Kyger orphans of William Kyger dec^d who are under the age of 14 years and thereupon the said William Saufly together with Alexander Kyger his security (who justified as to his sufficiency) entered into and acknowledged

a bond in the penalty of fifteen hundred dollars conditioned as the law requires which bond is ordered to be recorded

Ordered that John Gunt Isaac Long and George Full be and they are hereby appointed commissioners to assign to Mary Ryger dower in the lands of her deceased husband William Ryger dec^d and that they report thereon according to law

The Court doth appoint John Hecarich Guarantian for Joseph W Seedy orphan of Joseph Seedy dec^d who is under the age of 14 years and thereupon the said John Hecarich together with Samuel Hecarich & Peter Swope 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 which bond is ordered to be recorded

On the motion of Charles Weaver who made oath thereto according to law and together with Henry Argenbright his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twenty five hundred dollars conditioned as the law requires certificate is granted the said Charles S Weaver for obtaining letters of administration is due form upon the goods and chattels of George Seorist dec^d and it is ordered that William Eiler John Dill and Jacob Armentrout J^r Gov^r do appraise the estate of said George Seorist dec^d

Milton H Co (Drummond) who stands charged with a felony by him committed in this to wit that he did on the day of November 1855 in the County of Rockingham one Bond for the payment of forty dollars and of the value of forty dollars the said Bond at the time of committing the felony aforesaid being the property of William Robinson and the sum of forty dollars payable and secured by and upon the said Bond being due and unsatisfied to the said William Robinson the proprietor

thereof. The said Milton & Drummond appeared in Court in pursuance discharge of his recognizance and thereupon by consent of parties by their attorneys this cause is continued until the next term of this Court and thereupon on motion ^{of the deft} ~~has~~ ^{is} admitted to bail in the sum of \$500. and the like sum of \$500 for his security. Then upon Be it remembered that the said Milton & Drummond appeared and Charles Nicholas & John S. Heatwole in open Court acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Milton & Drummond in the sum of \$500. and the said Charles Nicholas & John S. Heatwole ^{jointly} on the like sum of \$500. to be levied of their respective goods & chattels and lands and tenements and for the use of the Commonwealth yet upon this condition that the said Milton & Drummond shall make his personal appearance before the Justice of the County Court of Rockingham on the first day of the March ^{Term} next then and there to be examined for a felony wherewith he stands charged and not to depart thence without the leave of said Court then this recognizance to be void otherwise to remain in full force and virtue.

Bradley vs Gordon	On Bond Notice provided & awarded
Gilmore vs Smith	The same order
Same vs same	The same order
Same vs same	The same order
Hack vs same	The same order

Long & Wynn vs Holiday. On motion this cause is docketed and continued

Alexander Johnson a free negro a blackman five feet three inches high between 21 & 22 years of age has a scar or put on the end of the nose & crease that he be registered accordingly to law

On motion of John H. Trunkhouse & or of Benjamin Denton dec^d ordered that William Chinnorth, Abraham Oyer Joseph Lamberly and Maxwell Remick do appraise the estate of Benjamin Denton dec^d situated in Randolph County

Commonwealth
vs } Upon a capias pro fine
Baldwin & Harris

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and on motion of the Deft the court doth remit \$80 of the fine imposed upon him at a former term of this Court and doth fix the fine upon said Harris at ~~Twenty five~~ ^{fifty} or less fifteen dollars

On the motion of William Saufley the Court doth appoint Alexander Wyger, Peter Howaller and Christian Hartman commissioners to assign and lay off to Eliza Long widow of Aaron Long dec^d in a lot conveyed to W Saufley by ^{George Saufley trustee} Aaron Long containing one acre by deed bearing date April 15 1844

Philip Liggett aff }
vs } Upon the report of a com^r
Re Mauck Def

The summons issued by the commissioner in this cause ~~was~~ being returned & executed and the Defendant not appearing to answer certain interrogatories filed by the Plff it is ordered that he be summoned to appear here on the first day of the next Court. ~~for~~ to shew cause why he should be fined for his contempt aforesaid

Eli McKortz foreman. (Daniel Keller, ^{Joseph} P Rohr, David Sinauweaver, Wm Armentrout, John Bauer (David Armentrout Philip Miller, Joseph B McLarnberger, Joseph Good, Clements Brown, J P Slusher William Howaller, George Iceland Simon Whittey & Edward Huffman were sworn a Grand Jury of inquest for the body of this County and having received their charge withdrew and after sometime returned into Court and presented an indictment against Joseph Google for conveying instruments to said Google a prisoner in jail convicted of Felony to aid him to escape "at large". an indictment vs Richard Jarred for retaining

ardent spirits without license 'a true bill'. an Indictment vs John P
 Brock for B.B. a true bill. an Indictment vs John Kealey
 for retailing ardent spirits without license 'a true bill'. an Indictment
 against John Wiswanda ^{for retailing ardent spirits without license} 'a true bill'. an Indictment against
 Zachariah McDaniel for disturbing a religious assembly 'a true bill'.
 an Indictment against Andrew Delagtor for B.B. a true bill.
 an Indictment against William Mumick for B.B. a true bill.
 and the Grand Jury having no farther business before
 them were discharged.

Ordered that summons be issued against the several
 persons against whom the Grand Jury this day found
 Indictments, which summons to be made returnable
 to the first day of the May term next of this Court

Commonwealth

vs

Joseph Google

} Upon an Indictment

This day came as well the attorney for the Commonwealth
 as the Deft by attorney, and thereupon the defendants pleaded
 Not guilty and filed a general Demurrer to the Indictment, and
 the cause is continued, and on the motion of the attorney for
 the Commonwealth, Richard Robinson or some one for him
 is required to enter into a recognizance in the sum of five hundred
 dollars with sufficient security in the like sum of \$500, conditioned
 that Harvey a slave the property of said Richard Robinson shall
 be before the County Court of Rockingham on the 1st day of the May
 term next, to give evidence on behalf of the Commonwealth as to
 Joseph Google, which recognizance may be given before this Court
 or any justice of the peace for this County

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

St. Louis.

Tuesday February 19th 1856

Present

+ Samuel H. Lewis P. J. O. Sterling Henry T. Gent
+ Wartmann, Jackson & Reuben H. Hoffman } Justices

Samuel Sarman Deft. }
vs } upon the report of a Com^r
John N. Manning Deft.

Ordered that the report in this case be filed

Andrew Horick Deft. }
vs } upon the report of a Com^r
Same Deft.
The same order

Mary Swanson Deft. }
vs } upon the report of a Com^r
J. M. Caldwel Deft.
The same order

H. C. Harshbarger Deft. }
vs } upon the report of a Com^r
W. D. Bowman Deft.
The same order

A. B. Sprinkle for H. Hoffman Deft. }
vs } upon the report of a Com^r
Mauck & Harris Deft.
The same order

Hy Baughner vs of W Baughner appellant

vs
By Zachariah Rains

appellee

} upon an appeal from the Just
of a Justice of the Peace

On motion of the appellant this cause is docketed

Gilmer vs Manning & on Bond Notice Moved & returned awarded

Rosenberger vs Anderson

Same order

Louman for vs Leedy & Co

Same order

Leffinger for vs Bowman &

Same order

Olson vs Bowman &

Same order

Day vs Roadcraft &

Same order

Bear vs Armentrout &

Same order

On the motion of the Court doth appoint Preston T Burkholder a committee for Sarah M Kratzer a person of unsound mind and thereupon the said Preston T Burkholder together with Joseph Burkholder his security 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 and certified to the Board of Directors of the Western Lunatic Asylum

W W S Butler

appellant

vs
Amanda P Brock

appellee

} upon an appeal from the Just
of a Justice of the Peace

This day came the parties by their attorneys and on motion of the appellee by attorney the ~~order and judgment~~ who filed a notice to quash the ~~order and judgment~~ in this cause entered in this case at the last term of this Court is set aside which notice is docketed and ~~granted~~ and the case reinstated on the Docket

On the motion of Joseph LeBrathwaite the grantor in a deed of Trust to Isaac G Coffman as trustee for the benefit of W G Arncliffe, A Houch, A Houch and others creditors of said Joseph LeBrathwaite executed on the 29th day of November 1855 and duly recorded in the Clerk's office of this Court. William M K Wartmann is appointed as trustee on said deed of Trust in place of said Isaac G Coffman it appearing to the Court that said Isaac G Coffman

declines to accept the said trust and it also appearing to the Court that the grantee in said deed of Trust and the creditors, securities & endorsers intended to be secured by said deed have also had legal notice of this motion according to the Statute

John Robert Coffman orphan of Abalom Coffman dec^d being upwards of 14 years of age by an instrument of writing made choice of David Stinespring as his Guardian and the Court doth appoint David Stinespring Guardian for Sarah F. Coffman, Mary E. Coffman, Joseph H. Coffman & Barbara Ann Coffman orphans of said Abalom Coffman dec^d who are 14 years of age and thereupon the said David Stinespring entered together with Ephraim Ueinger Abraham Paul & Co J. Mayrhoeffler his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty five hundred dollars conditioned as the law requires which bond is ordered to be recorded

Ordered that the agent for this County have any necessary repairs needed on the jail of this Court

Patrick Heanahan who stands charged with a felony by him committed in this that he did on the 22^d day of January 1856 in the County of Rockingham feloniously and of his malice did kill and murder on Patrick Gorman The said Patrick Heanahan was led to the bar in custody of the jailer of this Court and sundry witnesses being sworn and examined on the Court upon mature deliberation are of opinion that there is probable cause to suspect the prisoner ~~of~~ of the felony where with he stands charged it is ordered that he be remanded to jail for trial before ^{the circuit court of this County or} the first day of the next term ~~of the~~ of Circuit Court of this County and thereupon the prisoner is remanded to jail

Best remembered that John Long appeared in Court and acknowledged ^{himself} to owe

and be indebted to the Commonwealth in the sum of \$100 to be levied of his respective goods chattels & lands & tenements and for the use of the Commonwealth. Yet upon this condition that the said John Long shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof then and there to give evidence before in behalf of the Commonwealth against Patrick Hanafan who stands charged with a felony by him committed and not depart thence without the leave of said Court then this recognizance to be void otherwise to remain in full force

Thomas Hanafan who stands charged with a felony by him committed in this that he did on the 22^d day of ~~February~~ 1856 in this County feloniously and of his malice do kill and murder one Patrick Hanafan. The said Thomas Hanafan appeared in discharge of his recognizance and the Court after hearing the evidence are of opinion that there is not probable cause to suspect him of the felony aforesaid. It is therefore ordered that he be discharged

Ordered that Thomas Hanafan be required to enter into a recognizance for his good behaviour for the space of twelve months from this day said recognizance to be in the penalty of \$100 for himself and the like sum of \$100 for his security which recognizance may be taken before this Court during the present term or any justice of the peace for this County

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

S. M. Lewis

Wednesday, February 20th 1856

Present + Samuel M. Lewis P^r + C. Sterling Henry T. } Gent.
+ W. A. Mann Jackson + C. R. Ruten + C. Huffman } Justices

Hansfers admt^s as Horke in Motion continued for the Debt
Baumex as Sterling The same order

WWS Butler
vs
Annantha P Brock

appealant } upon a notice given
by appellee to quash
Appellee } return

This day came the parties by their attorneys and the cause being argued by Counsel the Court upon mature deliberation quash the execution mentioned in the Notice filed in this cause and reinstate the cause upon the Docket.

Est H Warren Plff.
 vs }
 Wm J Points Def. before a Justice &

This day came the Def. under a witness being sworn and examined the Court ~~and~~ being satisfied of the justness of the Pliffs demand. It is therefore considered that the Pliff recover against the Def. the sum of \$164.48 the amount paid by the Pliff as security for the Def. with interest thereon at the rate of six per centum per annum from the 17th of May 1854 till paid and damages thereon at the rate of five per centum per annum from the 17th day of May 1854 till paid and the costs by the Pliff about his motion in this behalf expended

Effinger & Stevens
 vs
 James Albarneslee

Deft
 Deft

} upon a suggestion

This day as were the Plffs by attorney as of Bonds. by his attorney ^{to assist said suggestion} and thereupon came said James Campbell who being sworn and examined in Court and it appearing to the Court that there was such liability upon the Debt as alleged by the Plff. It is therefore considered that the said Bonds recover against the Plff his costs by him in this behalf expended

Commonwealth ~~vs~~ ^{vs} No 5

Ulrich Matzig } upon an indictment for retailing
ardent spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit Jeph Trunk, Reuben Kingree, John Swartz, Isaac Miller, William Sife, George Carhenter, Samuel Miller, Addison Royer, Lewis (Drew), B. F. Heckman, Philip Miller and Abraham Andes who being selected tried and sworn the truth to speak upon the issue joined and after hearing the evidence retired from the bar and after some time returned into Court returned and upon their oaths do say "We the jury find the Defendant Not Guilty" and it is considered that judgment be entered accordingly

Commonwealth vs Blankenship the sums last awarded against him not being returned & executed. It is ordered that a new summons be awarded against him according to law ~~that~~

Commonwealth vs Muttelarger. The ~~Copies~~ ^{not} last awarded in this cause being returned & executed. It is ordered that a new ~~Copies~~ ^{Deputies} be awarded against him according to law

Commonwealth vs Bille. The same order

Commonwealth vs ~~Hewner~~ ^{same as} Haast & Barnes B. F. Hurner on motion severally continued until the next term

Commonwealth vs Blofer (Cases) on motion and for reasons appearing to the Court are dismissed

Commonwealth vs Rader, same as Trunk, same as Gralier, same as Fisher & same as Trunk on motion severally continued until next term

An instrument purporting to be the last will and testament of Peter (Dorward) was presented in Court & proved by the oath of

De Witt Le March one of the subscribing witnesses thereto and the same is continued for further proof and Emmanuel Davies one of the ^{therein named} executors appeared in Court & refused to take upon himself the burden of the execution thereof

William P Byrd Pltff
vs
Austin Blackaby Deft } In Chancery

For reasons appearing to this Court it is ordered that Peter S Roller be made a party defendant to this suit and that the Plaintiff have leave to file his original bill against Austin Blackaby & the said Peter S Roller

Commonwealth
vs
Abner Blain } Upon a rule &

The rule awarded against the Defendant being returned executed and he solemnly called and not appearing. it is ordered that the said rule be made absolute and it is ordered to an attachment be awarded against said Abner Blain for his contempt aforesaid. and made returnable to the next ^{May} term of this Court

Baldwin G Harris who has been duly summoned to appear here as a witness on behalf of the Commonwealth against James Long 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 if any he can why he shall not be fined for his contempt aforesaid

Commonwealth
vs
Henry Fried } Upon an Indictment

This day came as well the attorney prosecuting for the Cometh as the Deft by his atts. and by consent the Deft confessed judgment for the costs expended

in prosecuting said Indictment

Commonwealth
vs No 8 } upon an Indictment v
Ulrick Wittig

This day came ~~the parties~~ as well the attorney prosecuting for the Commonwealth as the Deputy attorney and by consent the Dept. confessed judgment for the costs expended in prosecuting said Indictment

Commonwealth
vs No 1 } upon an Indictment v
Ulrick Wittig

This day came the parties by their attorneys and for reasons appearing to the Court it is ordered that this cause be dismissed.

Commonwealth
vs } upon an Indictment for Petit Larceny
Isaac Algers

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit William Liff James Sevel Jefe Trunk Addison Royer Benjamin Snell Isaac Miller Reuben Kingree Benj. F. Lockman Samuel Miller John Swartz William Rodheffer and Philip Miller who being elected tried and sworn the truth to speak upon 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. "We and upon their oaths do say" etc the jury find the Defendant guilty as in the indictment alleged against him and after a view the term of his imprisonment in the County jail of this County to be ~~ten months~~ for the term of two months" whereupon on the motion of the Attorney for the Commonwealth a writ of capias is awarded against the Defendant to be directed to the Sheriff of this County commanding him to take the said Defendant if he be found within his bailiwick and him safely keep so far as to have him on the first day of the next May term of the Court here ~~to come~~ to shew if any thing he hath to say why the Court shoud not proceed to pronounce judgment against him according to law

Isaac Rinehart who has been duly summoned to appear here ~~on this day~~ as a witness on behalf of the Commonwealth against Madison Glover. being solemnly called and not appearing. it is ordered that he be summoned to appear here on the 2nd day of the May term next of this Court to show cause if any he can why he shall not be fined for his contempt aforesaid.

Patrick Clarke & Thomas Brown appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia. each in the sum of one hundred dollars to be levied of their respective goods & chattels. lands and tenements and for the use of the Commonwealth yet upon this condition that the said Patrick Clarke & Thomas Brown shall make their personal appearance before the Judge of the Circuit Court for this County on the first day of the next term thereof. then and there to give evidence on behalf of Patrick Hanahan who stands charged with a felony by him committed. and not to depart thence without the leave of said Court then this recognizance to be void. otherwise to remain in full force.

Commonwealth
vs
Sandy Bird } Upon an Indictment for retailing and
spirits without license

This day came as well the attorney prosecuting ^{for the Commonwealth} as the Deft by his attorney. and thereupon came a jury to wit Samuel Huffman. Samuel Ware. Lewis Driver. Alfred Sprinkel. Samuel Hitchens. Abalom Wofford. George Carpenter. Amos Scott. Alfred Rohr. Peter Kintz. George McRumney & Abraham Andes who being elected tried and summathe truth to speak upon the issue joined. and having heard the evidence. retired from the bar to consider of their verdict. and after some time returned into Court and upon their oaths did say 'we the jury find the defendant guilty'. It is therefore considered that the Commonwealth recover against the Defendant the sum of Thirty dollars the fine imposed by law.

and the costs expensed in prosecuting said indictment

Commonwealth

vs No 1

Jefferson Morris

} Upon an Indictment for retailing ardent
Spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney who pleaded Not guilty and filed a Demurrer to each count of the Indictment which demurrer was argued by counsel the Court doth sustain the demurrer to the ~~second~~ count of and overrule the demurrer to the first count. and thereupon came a jury to wit John Swartz, Samuel Miller, Jefe Funk, Benjamin Small, Abraham Andes, Lewis Deiver, William Life, Isaac Miller, Samuel Hutchens, Eli H. Kuntz, James Leve, ~~James Leve~~ & Samuel Base, who being elected tried and sworn the truth to speak when the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oath do say "We the jury find the Defendant not guilty" and judgment accordingly.

Miller vs Harris & on Bond Notice proved & term awarded

Commonwealth

vs No 2

Jefferson Morris

} Upon an Indictment &

This day the Defendant pleaded Not guilty & filed a demurrer to each count of the indictment and the issue is continued until the next term

Same vs Same No 3

The same order

Same vs Same No 4

The same order

Same vs Same No 5

The same order

Same vs Same No 6

The same order

Bank of Valley in March on Bond. notice from & Extra awarded	
Gibbons & Davis vs Harnsberger &	The same order
Gibbons vs Same	The same order
O'Brien vs Epitzler	The same order
Huffman vs Lee &	The same order

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

St. Lewis.

Thursday February 21st 1856

Present

+ Samuel H. Lewis	+ Reuben Huffman	+ C. Sterling	Gent
+ Henry D. Wartmann	+ Jackson Horn		
			Justice

Jackson Guarantor	Deft	} In Chancery
vs		
Daniel Cookley & others	Defts	

Ordered that Silveston W. Gamble Guardian ad litem for the infant defendants and thereupon this cause came on to be heard on this 21st day of February 1856. upon the plea the answer of W. Gamble Guardian ad litem & the summons having been returned executed on the defendants more than one month since the filing the plea the same is taken as confessed as to them. the exhibits filed in the cause & the depositions of witnesses thereupon the argument of counsel being heard the Court doth order a judge and decree a sale of the land of the infant heirs of Turner M. Jackson in and to the land which descended to them by the death of Daniel Cookley dec'd and Adam Rader is hereby appointed a commissioner for that purpose who shall proceed to sell said land on the following terms to wit one third in hand or at the option of the purchaser in 30 days with interest from the day of sale one third in six months from day of sale the remaining third in 12 months from the day of sale or if said Commissioner

Done 21st

think it wise provide the sale he may extend the time so that the last payment shall not exceed 18 months from the day of sale purchase. the sale shall be by way of public auction after giving 30 days notice of posting in the public places in the vicinity of the land & the said Commissioner is required to report to the next term of this Court after he makes sale of the proceedings had under this decree. the said Commissioner shall not act under this decree until he shall file with the Clerk of this Court. bond in the penalty of \$2000. conditioned according to law

The Last will and testament of Peter Devrow dec^d was again presented in Court and fully proved by the oath of P. D. Kooty one of the subscribing witnesses thereto and ordered to be recorded and on the motion of Eli H. Kooty one of the executors therein named who made oath thereto according to law and together with Peter D. Kooty his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Ten thousand dollars conditioned as the law requires. Certificate is granted the said Eli H. Kooty for obtaining a probate of said will in due form and it is ordered that George Rhodes, Joshua Jennings, George Martz & Reuben Sellers do appraise the estate of said Peter Devrow dec^d

Upon the Petition of D. B. Cranshaw & others who filed their petition and on their motion is referred to John H. Hopkins & Augustus Rice who are hereby appointed Viewers to examine and report upon said petition according to law

The Rule made at a former term of this Court against John H. Peyton for failing to attend as a witness on behalf of the Commonwealth against John H. Murry upon an indictment for a misdemeanor the summons issued against the said John H. Peyton being returned & executed and he being solemnly called and not

appearing. on the motion of the Attorney for the Commonwealth. is made absolute. and it is ordered. that an attachment be issued against the said John W. Peyton for his said contempt returnable here on Friday day of the May term next

Amos Miller who has been duly summoned to appear here as a witness on behalf of the Commonwealth against Elias Hall. 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 show cause if any he can why he shall not be fined for his contempt aforesaid

Commonwealth vs Rader. same vs Trunk. same vs Gracie. same vs Rifer. same vs Trunk same vs Owens. same vs McDorman & same vs McDorman. same vs Long. same vs Glover. same vs same. same vs Murry (7 cases). same vs Rader. same vs Wiswain (50 cases) same vs Rader (30 cases) on motion severally continued until the next term

Gillaspie & Ellis Plffs
vs
George Fawcett & Defs } In Debt

This day came the parties by their attorneys and by consent judgment is granted the Plff against the Defs for \$2125⁰⁰ with legal interest thereon from the 3^d day of October 1855 till paid and the costs by Plff in this behalf expended. This judgment is subject to a credit of \$1775. of date the 10th Octo 1855 also the sum of \$50. of date 10th Octo 1855. which fifty dollars is ~~controversy~~ in controversy between the parties. and the defendants plead payment as to said \$50. to which the plff replied generally and the issue is continued

Alexander R. Givens Plff
vs
Hudson & Darnell Defs } upon a notice to

This day came the parties by their attorneys and a witness being

sworn and examined in court and the court after hearing the argument of counsel it is considered that the Plaintiff recover against the Deft the sum of Two hundred and forty nine dollar eleven cents with interest thereon to be computed after the rate of six per annum from the 5th day of March 1855 till paid and the costs by the Deft in this behalf expended.

Commonwealth

vs No 1
Elias Hall

} Upon an Indictment for retailing ardent
Spirits

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit Isaac Miller. Eli H. Krontz. Wm. R. Hoff. Peter Krontz. B. H. Lockman. Addison Royer. George Carpenter. Samuel Huffman. Alfred C. Rohr. Wm. Andes and Jefe Trunk who being elected tried and sworn the truth to speak upon the issue joined and after having heard the evidence return from the bar to consider of their verdict and after some time returned into court and upon their oaths do say 'We the jury find the defendant guilty'. It is therefore considered that the Commonwealth ^{recover} against the Deft the sum of \$30 the fine imposed by law and the costs expended in prosecuting said indictment.

Commonwealth

vs No 2
Elias Hall

} Upon an Indictment for retailing ardent
Spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit John Swartz. Benjamin Snell. Samuel Hutchins. Reuben Kingree. Amos Scott. Samuel Miller. Lewis Driver. Alfred Sprunk. James Sevel. Al. Jones. George W. Rumney. Samuel Ware who being elected tried and sworn the truth to speak upon the issue joined upon their oaths do say 'We the jury find the defendant guilty'. It is therefore considered that the Commonwealth recover against the deft the sum of \$30 the fine imposed by law and the costs expended in prosecuting said indictment.

Commonwealth

vs No 3

Elias Hall

} Upon an Indictment for retailing ardent
spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit Samuel Huffman. Eli H. Kooty Wendell Abraham Andes. B. F. Heckman. Addison Royer. Philip Miller. Wm. Rodcheffer. George Carpenter. Peter Kooty. Jefe Trunk & Isaac Miller who being elected tried and sworn the truth to speak upon the issue joined and upon their oaths do say we the jury find the defendant guilty. It is therefore considered that the Commonwealth recover against the Deft \$30 the fine imposed by law and the costs expended in prosecuting said indictment.

Same

vs No 4

Same

} Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit the same jury as in case No 3. who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into court and upon their oaths do say we the jury find the Deft guilty. It is therefore considered that the Commonwealth recover against the Deft \$30 the fine imposed by law and the costs expended in prosecuting said indictment.

Same

vs No 5

Same

} Upon an Indictment

This day came the parties by their attorneys & thereupon came a jury to wit the same jury as in case No 3. who upon their oaths do say we the jury find the Deft guilty. It is therefore considered that the Comth recover against the Deft the sum of \$30 the fine imposed by law and the costs expended in prosecuting this indictment.

Commonwealth
vs No 6 } upon an Indictment
Elias Hall

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit the same jury as in case of Cometh vs Hall (No 9). whereupon their oaths do say "we the jury find the defendant guilty". It is therefore considered that he be fined the sum of \$30. the fine imposed by law and the costs expended in prosecuting said indictment

The rule made at a former term of this Court against Abner Blain for failing to attend as a surety on behalf of the Commonwealth upon an indictment against H. L. Owens for a misdemeanor the summons issued against the said ^{Abner Blain} ~~H. L. Owens~~ being returned executed and he being solemnly called and not appearing on the motion of the Attorney for the Commonwealth is made absolute and it is ordered that an attachment be issued against the said Abner Blain for his contempt returnable here on the first day of the May term next of this Court

Commonwealth vs Murray (7 cases) James Stineback James Mitchell James A. Miller James W. Miley & James Burge on motion severally continued until the next term.

Commonwealth
vs } upon an Indictment for Lechivious
Noah Life & Sarah Ann Loker } Cohabitation

This day came as well the attorney prosecuting for the Commonwealth as said Noah Life by his attorney who elects to be tried separately and thereupon came a jury to wit George McMurray Isaac Miller Amos Scott Samuel Base James Leve Peter Kounty Samuel Huffman George Carpenter Wm Rodcheffer Samuel Miller Wm Life & John Swartz who being elected tried and sworn the truth to speak upon the issue joined after hearing the evidence retired from the bar to consider of their verdict and after some time returned and pronounced their oaths do say "we the jury find the Defendant guilty Noah Life guilty and after his amercements at one hundred & twenty five dollars"

It is therefore considered that the Commonwealth recover against said Noah Sipe the said sum of \$125⁰⁰ and the costs by expended in prosecuting said indictment.

Commonwealth

vs
Noah Sipe & Sarah Ann Looker } upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft Sarah Ann Looker by her attorney and by consent and agreement is confessed for facts it is therefore considered that the Commonwealth recover against the said Looker the costs expended in prosecuting said indictment.

James McDowell Govt for }
vs
William K Gailey } In Case

On Motion of Deft this cause is continued until the next term. It appearing to the satisfaction of the Court that the Michael Bledine for whose benefit this writ was brought is not an inhabitant of this Commonwealth on the motion of the officers of this Court it is ordered that this writ be dismissed at the next term unless security for the payment of the fees which will become due from the Plff to the officers of this Court be given with the Clerk within sixty days from this time.

Commonwealth vs Harrison same vs Gordon same vs Miller
same vs J Miller same vs Allen & Hamey Silbert & Bowman on
motion continued until the next term

Commonwealth vs Scott ~~on~~ The summons last awarded in
this cause being returned executed It is ordered that a new
summons be awarded according to law

Buttlers vs W Valley Turnpike Co. Haspers heirs vs Green & Rockingham
Turnpike Co. vs Bryan. Noble vs Turk. Keester vs Pith. White & Grove

Powell's heirs vs Powell ex. Canada vs Thompson Gailey vs Roars ex
 Skull vs Anderson & Hinton vs Hinton ex. Miller vs Herling. Maugzy
 vs Bader. Varrick vs Smith. Sager vs Same. Coffman vs Halvey
 McRae vs Hornan Dr. Samers vs Gray. Same vs Same. Samers Diggs
 Samers vs Same. Samers vs Effinger. Bauman vs Miller. Maier vs
 Holsinger. Sprinkel vs Connor. Dea vs Connor. Dean Long vs Miller
 Herley vs Miller. Same vs Same. Liskey vs Simpson. Baris vs Trifer. Brown
 of Port vs Albright. Miller vs Diggs. Mepick's Petn. Rhodes vs Perkins
 Estleaver vs Petn. Sellers vs Hughes. Horn & Over vs Ellinger. Brown & Maugzy
 vs Same. Barley & Bros vs Same. Harrison vs Hackley. Beard & Kinser vs Humand
 Harrison vs Base. Harman vs O Neal. Coffman vs Burkholder &
 McRae vs McRoman. On motion the aforesaid several causes
 are continued until the next Court.

Anders vs Saunders & Hylers vs Warren. On motion & for reasons
 appearing to the Court this cause is continued the aforesaid causes
 are dismissed.

Peter S. Roller	Plff	} In Case
as		
Wm K Gailey	Def	

This day came the parties by their attorneys and
 by consent the Defendant confessed judgment (saving equity for
 \$22.87 with legal interest from the 28th day of January 1846 & also
 paid also the further sum of \$2.95. Costs expended in prosecuting
 suit Gailey for vs Shipman in the County Court of Augusta and the
 costs by the Plff in this behalf expended.

Surtzer vs Lattelle ad. On motion this cause is dismissed.

Campbell vs Roadcap ex. On motion the Plff has leave to amend
 his declaration & file additional bill of particulars and the def
 by attorney filed pleaded the Statutes of Limitation and
 the issue is continued until next term.

Blain vs Bligh. Barnes vs McCall. Decoursey Laferriere vs Humphreys
 Phillips vs Dever. Seigler vs Silley & Miller vs Eutzler on
 Motion continued until next term

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

St. Louis.

Friday February 22^d 1856

Present

+ Samuel H. Lewis of Jackson Horn Oettinger } Gent
 + Reuben Huffman & Henry Martinmann } Justices

Hlook vs Byerly & Lenton. Bowers vs Heller Brathwaite vs Keely
 Haynes vs Haynes Seedy vs O'Rourke. Darnall vs Miller & Miller
 Perry vs Miller. Thomas vs Rains. Horn Nicholas & Co vs Mauch
 & Byerly vs Sprinkle
 Mayes vs Reed, On Motion continued until next term

Brathwaite vs Seedy. On Motion continued until next term at
 the Court of Deft

Phoebe Ann Foley } Plff
 vs }
 Jacob Pifer & Co } Defts } In Chancery

This cause came on to be heard this 22^d day of February
 1856 upon the bill & exhibits and it appearing to the Court that the
 subpoenas having been returned executed on the defendants more
 than one month after filing the bill the same is taken as confessed
 as to them upon the answer of W. Gamble Guardian ad litem
 for Robert & Jacob Pifer infants of tender years whereupon the
 argument of counsel being heard the Court doth order adjudged
 decreed that W. Donough Harris Peter S. Allen & John Brown be and
 they are hereby appointed commissioners to lay off and assign
 to Phoebe Ann Foley one third in the tract of land conveyed
 by James Foley to Jacob Pifer in which the commissioners are to take

into consideration the value of the dower as well as the number of acres and be governed by the value and not by quantity. which tract of land is bounded as follows to wit Beginning at 2 pines near a draft Sagittaleys old corner thence N 37° E 11 poles to a white oak thence S 83 1/2° E 95 poles to a Stake. thence S 1 1/2° W 84 1/2 poles to a black oak. Thence S 56° W 34 poles to a Stake near a black oak thence S 73° W 56 poles to a dead pine. thence N 16 1/2° W 108 poles to 2 white oak some near a draft thence N 36° E 20 poles to the beginning. If the parties prefer it the said commissioners may suspend the execution of this decree for six weeks to give the defendants an opportunity of compensating the Plaintiff in money for her dower & the said commissioners are hereby authorized to negotiate with and adjust the matter with the defendants by receiving in money what they conceive the dower of said Phoebe Ann Foley with and if they make such arrangements. they shall pay out no money to the said Plaintiff any more unless they report to this Court their proceedings had under this decree which they shall do in either event

Cole Shirk & Co Plffs
 or
 J. W. Effinger Defts } In Debt

This day came the parties by their attorneys and thereupon came a jury to wit John Swartz, B. H. Lockman, Lewis Driver, Isaac Miller, Reuben Kingree, Benjamin Snee, Alfred LeBohr, Wm B. Dittmer, Samuel Hutchens, Samuel Huffman, George Caspencer & J. F. Fink who being elected tried and sworn the truth to speak upon the issue joined upon their oaths & say "we the jury find upon the issue joined on the special plea of set off that the defts are entitled to fifty dollars damages to take effect at the time the note in suit is paid. we therefore find for the Plff \$222.08 the debt in the declaration mentioned with interest from the 14 day of April 1855 till paid subject to a credit for \$162.08 the amount of the judgment heretofore rendered in this cause, & to a further credit of \$40 the effect aforesaid both of which credits are to be taken effect on the said 14 day of April 1855. It is therefore considered that the Plffs recover against the Defts the sum of \$222.08 with legal interest from the 14 day of April 1855 till paid subject to the credits aforesaid and the costs by the Plff in this behalf expended

Charles Nicholas *Plff*
 vs
 F. G. Weary *Def* } *upon a Scife*

This day came the parties by their attorneys and by consent the plea is waived. It is therefore considered that the *Plff* recover against the *Def* \$249.60 with legal interest on \$124.80 part thereof from the 29 July 1852 & on \$124.80 the residue thereof from 29 Octo 1851 till paid and \$5.23 costs expended in prosecuting original suit and the costs expended in prosecuting this scife.

Nicholas vs Weary. On Motion this cause is dismissed.

Commonwealth
 vs
 Elias Hall No 1 } *upon an Indictment &*

This day came the as well the attorney prosecuting for the Commonwealth as the *Def* by his attorney and on Motion of the *Def* by attorney the *Verdict* & fragment entered in this cause on yesterday is set aside and the cause continued

Same vs Same No 2 The same order

Same vs Same No 3 The same order

Same vs Same No 4 The same order

Same vs Same No 5 The same order

Same vs Same No 6 The same order

Commonwealth vs Isaac Rinehart

On Motion this case is Dismissed

Mr Effinger Plff }
 vs }
 Wm Robinson Dft } In Case

This day came the parties by their attorneys and it appearing to the Court that by an agreement between the parties this cause was referred to referees who returned their award in these words To all it which award is ordered to be entered as the judgment of this Court. It is therefore considered that the Dft recover against the Plff his costs about his defence in this behalf expended

Samuel Switzer Plff }
 vs }
 David Spies Dft } In Debt

This day came the parties by their attorneys and thereupon came a jury to wit James Sevel John Bowman Abalom W Jones Addison Royer Wm Lefe Alfred Sprunkel Samuel Base Peter Kootz Amos Scott Philip Miller Eli H Kootz Samuel Miller who being elected tried and sworn the truth to speak upon the issue joined and after hearing the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find upon the issue joined on the plea special plea of set off that the dft is entitled to five dollars damages to take effect when the note in suit falls due. We therefore find for the Plff \$62.52 the amt in the declaration mentioned with interest from the 12th day of August 1854. subject to a credit for \$24.37 in the amount of the payt heretofore received in this cause & to the further credit of \$5.70 the offset aforesaid both of which credits are to take effect on the said 12th day of August 1854." It is therefore considered that the Plff recover against the dft the said sum of \$62.52 with interest thereon from the 12th day of August 1854 till hence subject to a credit of \$24.37 & \$5.70 of date the 12th August 1854. and that the Plff recover his costs expended in prosecuting his said suit

Jacob Bear Plff } In case
 vs
 Washington Jones Deft }

This day came the parties by their attorneys and thereupon came a jury to wit. John Swartz B. A. Hockman Lewis Driver Isaac Miller Reuben Knigree Benjamin Bell Alfred L. Rohr Mem Rockeffer Samuel Hutchens Samuel Luffman George Carpenter and Jefe Trunk who being elected tried and sworn the truth to speak upon the fore joined and after hearing the evidence retired from the bar to consider of their verdict and after sometime returned into court and upon their oath do say "we the jury find for the Plaintiff and assess the damages at three dollars and seventy five cents." It is therefore considered that the Plff recover against the deft \$3.75 with legal interest thereon from this day until paid

J. M. Switzer Plff } Upon a case removed from before
 vs
 Anthony Hockman Deft } a justice of the peace

This day came the parties by their attorneys and sundry witnesses being sworn and examined touching the premises and upon mature deliberation It is considered that the Plff recover against the Deft the sum of \$30. with legal interest from the 20 day of Nov. 1855 till paid and the costs in this behalf expended

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

M. Lewis

Saturday February 23rd 1856

Present

Samuel H. Lewis P. O. C. Sterling Henry T. } Gent
 + Hartmann Jackson + Court + Reuben Luffman } Justice

Jacob Bear

vs

Washington Jones

Plff

Deft

In Trespass

This day came the parties by their attorneys and on the motion of the Plff by his attorney ^{ordered that it} be certified that trespass alleged in the Plaintiff Declaration was untrue. It is therefore considered that the Plaintiff recover against the Deft his costs by him about his suit in this behalf expended.

On Motion of Andrew B. Dick administrator of James Carroll dec^d who was security of David Whitmore and John Whitmore executors of David Whitmore dec^d a rule is awarded against David Whitmore surviving executor of to shew cause why he shall not give a return and ~~and~~ his powers be revoked. said rule to be made returnable to the first day of the next term

Abraham H. Shoveler

vs

John D. Mahan & Sam Van Fleet

Plff

Defts

In Debt

This day came the parties by their attorneys and by consent it is considered that Plff recover against the Deft Samuel Van Fleet the sum of \$80 the debt in the declaration mentioned from 20th day of July 1855 till paid and costs by the Plff in this behalf expended this judgment is subject to a credit of \$28.70 of date Aug 20th 1855 which amount of \$28.70 is in controversy between the parties and the cause is continued as to that sum

M. J. Jones for

vs

James Long

Plff

Deft

In Debt

This day came the parties by their attorneys and thereupon came jury to wit. Amos Scott. Jeph Thumik Samuel Bari James Sevel Isaac Miller Alfred Sprunkel Eli H. Kovvitz Philip Miller Al Jones Addison Rayer Samuel Miller & O B Heckman who being elected tried and sworn the truth

to speak upon the issue joined and the truth to speak upon the issue joined and upon their oaths to say, we the Jury find for the Plaintiff the debt in the declaration mentioned with interest thereon from the 1st day of October 1853 till paid subject to a credit August 15 1854 of \$25.43 - it is therefore considered that the Pl^{ff} recover against the Deft the sum of \$35. with legal interest from the 1st day of October 1853 till paid subject to the credit aforesaid and that the Pl^{ff} recover against the Deft his in this behalf expended.

Long & Byrnes Pl^{ffs}
or
Hiram Goldsayer Defts } Upon a Notice

This day came the Pl^{ffs} by their attorneys and the Notice ~~was~~ against the Defts being returned & excused on ass of the Defts except Madison & Brown. it is therefore considered that the Pl^{ffs} recover against the Defendants Hiram Goldsayer Peter Zilly & Jacob K. Manzy the sum of \$35.55 with interest from the 18th day of July 1853 to the 18th day of January 1854 also the further sum of \$12.62 with legal interest from 22 day of May 1853 till the 18 of Jan'y 1854. also the sum of \$12.29 1/2 with legal interest from the 26 day of January 1854 till the 11 day of November 1854 with damages at the rate of fifteen per centum per annum on the sums of \$35.55 & \$12.62 from the 18 of January 1854 till paid and damages at same rate upon \$12.29 1/2 from the 11 day of November 1854 till paid and the costs by the Pl^{ffs} in this behalf expended

William Woodcock Pl^{ff}
or
Joseph Beery Deft } In Case

This day came the parties by their attorneys and thereupon came a jury to wit Isaac Miller Alfred R. Rho John Swartz Samuel C.uffman B. A. Lockman George Frontier Philip Miller Samuel Miller New Jones Lewis Driver Joseph Funkhouser & Rodiheffer

who being elected ~~trials~~ and sworn the truth to speak upon the
 issue joined and after hearing the evidence retired from the bar to
 consider of their verdict and after sometime returned into Court and
 upon their oaths do say 'We the Jury find for the Plaintiff for damages to the
 amount of three dollars' and on motion of the Plaintiff the court
 doth certify that the trespass set forth in the Plaintiff's declaration
 was lawful it is therefore considered that the Plaintiff recover
 against the defendant his costs by him about his suit in
 this behalf expended

Commonwealth }
 or No 1 } Upon an Indictment
 Elias Hall }

This day came again as well the Defendant
 attorney prosecuting for the Commonwealth as the Deft by his att.
 and on motion of the attorney for the Commonwealth the
 order entered on yesterday setting aside the Verdict & judgment
 rendered in this cause be revoked and the said Verdict &
 judgment rendered on Thursday last is hereby affirmed and
 made the judgment of the Court

Same as Same No 2

The same order

~~Same as Same~~

Same as Same No 3

The same order

Same as Same No 4

The same order

Same as Same No 5

The same order

Same as Same No 6

The same order

Stinespring vs Brathwaite & Burke Hoos Miller & Grove

On Motion severally continued until next Term

Warren vs Paul On Motion continued since next term at the table of the Deft

Order that the following persons be allowed the sum affixed to their respective names. viz Samuel Miller \$2.25 John Swartz \$2.25 Jeph Trunk \$2.50 Lewis Driver \$1.75 B. H. Lockman \$2.25 Peter Komitz \$1.75 Addison Royer \$2.25 Eli H. Komitz \$1.75 Abram Amos \$2.50 Philip Miller \$2.25 Reuben Kingree \$1.50 A. C. Rohr \$1.00 Samuel Huffman \$1.75 Samuel Bare \$2.00 James Leavel \$2.00 Isaac Miller \$2.50 Wm. Life \$2.50 Amos Scott \$1.50 Geo. Carpenter \$2.25 A. Sprinkle \$1.00 Wm. Rodheffer \$1.75 Saml. Hutchon \$1.50 A. W. Jones \$1.00 G. W. Rumney \$1.50 Benj. Snee \$1.50 which sums are to be paid by the commonwealth

Ordered that the following persons be allowed the sums affixed to their respective names. viz Samuel Miller \$2.25 John Swartz \$2.25 Jeph Trunk \$2.25 Lewis Driver \$2.50 B. H. Lockman \$2.25 Peter Komitz \$2.50 Addison Royer \$2.25 Eli H. Komitz \$2.50 Abram Amos 75⁰⁰ Philip Miller \$2.25 Reuben Kingree \$2.50 A. C. Rohr \$2.75 John Boumen (of the) \$3.00 Saml. Huffman \$2.50 Saml. Bare \$2.25 Jeph Trunk \$2.25 Isaac Miller \$2.25 Wm. Life \$2.25 Amos Scott \$2.50 Geo. Carpenter \$2.25 Alfred Sprinkle \$2.00 Wm. Rodheffer \$1.75 Saml. Hutchon \$1.75 A. W. Jones \$2.25 G. W. Rumney \$0.25 Benj. Snee \$1.75 Ordered that said sums be paid by the County of Rockingham

Kephart & Darby Plff } In Case
vs

Wm. G. Galey Def }

This day came the parties by their attorneys and the Def by the attorney pleaded Not Guilty & Demurred to the Plff Declaration & also filed an account of offsets & the issue continued

William Peters Plff } In Case
vs
Jacob Bear Def }

This day came the parties by their attorneys and the Def pleaded not Non est & issue continued until the next term

Whitmore vs Taylor. On Motion this cause is continued until next term.

Bank of Rockingham vs Braco. Ballard vs Hunt vs Henders. Blackett & Bruffy vs Henton. same for vs Henton. Reid & Davis vs Fawcett & Stevens vs same on motion the aforesaid several causes be dismissed.

Wm H. Hammon Plff }
vs } Indelt
J. R. Brothwaite Deft }

This day came the parties by their attorneys and the defendants by their attorney pleaded non est factum to which the plff replied generally and thereupon the judgment obtained in the office is set aside and therefore continued.

Jacob Bare Plff }
vs } Indelt
Lewis Serfold Deft }

This day came the parties by their attorneys and the Defendant by his attorney pleaded a failure of consideration paid in the procurement & breach of warranty and payment to which the plff replied generally and therefore continued.

Ordered that the court be adjourned until Monday morning at 10 o'clock

M. Lewis.

Monday February 25th 1856

Pl. Present
+ Samuel G. Lewis Presiding Justice }
+ Reuben Huffman & C. Sterling Henry } Gent
Wartman & Jackson Clerks } Justice

Augustice Rice Plff }
vs } Indelt
Daniel Nichol Deft }

This day came the parties by their attorneys and by consent

of parties it is considered that the Plff recover against the Deft the sum of \$24.96 with legal interest thereon from the 1st day of January 1856 till paid and the costs by the Plff in this behalf expended.

On Motion of Wm J C Tarflinger the estate of Jacob Kincaid is committed to the Sheriff of this County for administration according to law.

Fountain McLayton Plff }
vs } Upon a petition
Benj. Meeker Deft }

On Motion of the Plff it is ordered that the Deft as
✓ Guardian for Thomas Woods heirs be summoned to appear here on the 1st day of the next term of this Court to show cause if any he can why his power and authority as Guardian for the heirs aforesaid shall not be revoked or that the Deft shall give the Plff good counter security.

Simon Hoarman Plff }
vs } In Debt
George Fawcett Deft }

This day came the parties by their attorneys and by consent of the parties judgment is granted for the Debt in the declaration mentioned ^{with interest and costs} subject to a credit of \$300.00 of date Octo 30 1855. also the further credit of \$10. of date 4th of August 1855. which ~~ten dollars~~ is in controversy between the parties and the cause is continued as to said \$10. to which the Deft pleads payment & the issue continued.

Isaac Hardesty the receiver of this Court this day made a report in writing which account was examined by the Court and ordered to be filed.

Jacob R Brather a/c presented in Court an account against the Commonwealth amounting to \$160 which being sworn to

was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Harvey Kyle

vs

~~Hom~~ John H. H. H. H.

} Upon a suggestion that the Deft are indebted to Hom Kyle, Jacob Bear & Charles O. Smith

This day came the parties by their attorneys and the said Deft being sworn and examined and it appearing to the Court that there is no such liability on the Deft as alleged by the Plff and that the Deft recover against the Plff in this behalf expended

Jacob Bear &c

appellants

vs

Isaac Richford

appellee

} Upon an appeal from the judgment of a justice of the peace

This day came the parties by their attorneys and the appellants moved the Court to set aside the judgment rendered by the Court at the last term. it is ordered that said motion be ~~denied~~ ~~dismissed~~

Same

appellants

vs

Nicholas McCloud

appellee

} Upon an appeal from the judgment of a justice of the peace

The same order

Be it remembered that Thomas Hanafan, Andrew Houch & C. A. Shands appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Thomas Hanafan in the sum of \$100. and the said Andrew Houch & C. A. Shands jointly in the like sum of \$100. 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 Thomas Hanafan shall be of good behavior to all the Citizens of this Commonwealth for the space of one year from Tuesday last (at which time he was required by said Court to enter into this recognizance) then this recognizance to be void otherwise to remain in full force and virtue

Upon the petition of John A Dice and others for the establishment of a road &c. This day came as well the petitioners by their attorneys as Francis McEwine by his attorney and sundry witnesses being sworn and examined and the court not having time to hear all the evidence the case is continued until to morrow morning

Be it remembered that Richard Robinson Alsom Mc Jones & R M Shurfey appeared in court and acknowledged themselves to owe and be indebted to the Commonwealth the said Richard Robinson in the sum of \$500. and the said Alsom Mc Jones & R M Shurfey ^{jointly & severally} in the like sum of \$500 to be levied of their respective goods chattels, lands and tenements and for the use of the Commonwealth Yet upon this condition that the said Richard Robinson shall come to appear before the County Court of Rockingham on the 1st day of the May term next his Slave Harvey which Slave Harvey then and there to give evidence on behalf of the Commonwealth against Joseph Google (a free negro) charged with a misdemeanor and not to let said Slave depart from it without the leave of the Court

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

L. H. Lewis

Tuesday February 26th - 1856

Present

+ Samuel H. Lewis J. P. + O. Sterling, Henry T. Gent
+ Westman R. R. Ruffman + Jackson Down } Justices

Urm & Co Barley appt. Pltff

Joseph Stern

Deft

} upon an Attachment

On Motion this cause is docketed and continued

Wm B McCall appellant
 vs
 G W Rumsey Appellee } upon an appeal from the Judge
 of a justice of the peace
 This day came the parties by their attorneys and the
 appellee moved the Court to set aside the judgment rendered in this
 cause which motion is overruled

Ordered that John Garber be appointed surveyor of
 precinct No 2 of road called the road from Mt Crawford to Warm Springs
 Turnpike road in place of Mr A Miller resigned

Solomon Rex road appellant
 vs
 Daniel Good appellee } upon an appeal from the Judge
 of a justice of the peace
 On motion of the appellant this cause is ~~doctored~~
 and continued

R M Kyle vs Thos A Gish on motion and by consent of parties
 this cause is dismissed

Upon the petition of John A Dice & for the establishment
 of a road this day came again as well the petitioners as the
 A M Ervine by his attorney and the Court having fully heard
 the evidence are of opinion that the said road is not of
 public utility it is therefore ordered said petition be
 dismissed and that the said Ervine recover his costs by
 him about his ~~suit~~ defence in this behalf expended but
 it is ordered that in taxing the costs on behalf of said Ervine
 the Clerk shall not tax the attendance of more than ten ~~or~~ witnesses
 in attendance at this term

Ordered that John H Hopkins John A Herring & Fred Speck
 & John H. H. be allowed each the sum of Two dollars for services rendered
 as viewers in locating a road upon the petition of John
 A Dice

Hooker Plff }
 " }
 Hooker Deft } In Chancery

On Motion Littleton W Gamble is appointed
 Guardian ad litem for the infant defendants

Pegram Paynter & Davis }
 " }
 W T McGahey } In Debt

This day came the parties by their attorneys
 and the Deft demurred to the Plff declaration which
 demurrer being argued by counsel the Court sustained
 said demurrer and by consent the Plff has leave to amend
 his declaration and the cause continues

Rawling & Miller Plff }
 " }
 Same Deft } In Case
 The same order

Bonnett & Beers Plff }
 " }
 Same Deft } In Case
 The same order

Norris, Leal & Co Plff }
 " }
 Joseph C Brathwaite Deft } In Debt
 The same order

John Sites Plff }
 " }
 James N Stephens Deft } In Chancery

This cause came on for the finally hearing on the 26th day of
 February 1856 upon the bill of complainant and it appearing to

the court that although more than one month hath elapsed since the return of the subpoena executed upon the defendant James T. Stephens and he having failed to answer the complainant's bill the same is therefore taken for confessed whereupon the argument of counsel being heard and the court being of opinion that the plaintiff in his bill hath shown grounds of equity sufficient to relieve him from the payment of the judgment mentioned in the bill the court doth therefore adjudge order and decree that the injunction heretofore awarded in this case be perpetuated and that the plaintiff in the judgment aforesaid the Sheriff of Rockingham and all others be perpetually restrained from all further proceedings for the collection of the judgment ~~for~~ against the complainant rendered at the May term 1850 for \$24.57 Debt and \$5.94 costs The court doth further adjudge order & decree that the complainant recover against the defendant James T. Stephens his costs experienced in the prosecution of this suit and have leave to sue out execution for the same

Ordered that Robert Black be allowed \$2.50 for his services as a surveyor employed in locating a road petitioned to agents county for by Jno A. Price

Present Isaac Hardesty, absent S. H. Lewis. Gent Jms Andrew J. Van Pelt Petff
vs
Wm Smalleywood Deft } upon an Attachment

This day came the parties by their attorneys and the Deft by his attorney moved the court to quash the attachment issued in this cause on the grounds that it was improperly issued which motion was argued by counsel the court doth sustain said motion it is therefore ~~ordered~~ considered that the said attachment be dismissed and that the Deft recover against the Petff ~~recover against the Petff~~ his costs by him ~~in this~~ about his defence in this behalf expended

Henry Lamb
Anderson Beazley & Tison an attachment

This day came came the parties by their attorneys
and motion of the Plff this cause is continued until next
term

Ordered that the Court be adjourned until the next term

J. W. A. Estey

At a Court held for Rockingham County
at the Court house thereof on Monday the 17th
day of March 1856

Present

+ Samuel H. Lewis J. O. C. Sterling Henry T. } Gent
McCartmann Reuben H. Puffer and Peter P. Koorat } Justices

The Clerk of this Court returned into Court a list of Deeds &
other writings admitted to record in his office during the month of
February 1856. was seen and inspected by the Court and ordered
to be entered on the minutes as follows to wit

- 1 ✓ Of A Deed of Bargain & Sale from Reuben Kingree to James Baker & trustees
- 2 ✓ Same from Franklin Pierce to Wm. B. Telfair
- 3 ✓ A Deed of Trust from Morgan Keister to Wm. H. McCartney Trust for Cyrus Wren
- 4 ✓ Of A Deed of Bargain & Sale from John Sanger wife to Samuel Sanger
- 5 ✓ of Same from Samuel Sanger wife to A. Bourman & trustees for Church
- 6 ✓ of Same from Same to George E. Deneale
- 7 ✓ Same from Jacob Dinkel wife to Harriah Williams
- 8 ✓ of Same from Charles Nicholas wife to John Eastham
- 9 ✓ of Same from Jacob Swartz wife to Joseph T. Holt
- 10 ✓ Same from John Cowen to John B. Smith
- 11 ✓ of Same from John G. Effinger to Anthony Lockman
- 12 ✓ A Deed of Trust from J. H. Huffman to D. H. Huffman Trust for Dan Huffman

- 13 ✓ of A Deed of Bargain & Sale from John T Harris comr to John A. Meyerhoeffer
 14 ✓ of Same from Evan Leighton wife to Robert Leach
 15 ✓ of Same from John W Brown wife to M & L Harris
 16 ✓ Same from George Kilmore wife to W T McGahery
 17 ✓ Same from David Dick wife to Same
 18 ✓ Same from Warren T McGahery to James McGahery
 19 ✓ A Deed of Trust from Same wife to Thomas H Vancey Trust for Allen (Bryan)
 20 ✓ Same from Same to Same Trust for Frances McGahery
 21 ✓ A Deed of Bargain & Sale from Barley & Bros wife to Joseph Kern
 22 ✓ A Deed of Bargain & Sale from John A Miller wife to Michael H Harris
 23 ✓ Same from Eli H Kornitz wife to Isaac Beamon & Estelle
 24 ✓ A Deed of Trust from Samuel Melancton to G H Vancey Trust for S H Harris
 25 ✓ A Deed of Bargain & Sale from Adam Rammelburg wife to Sam Trunkhouser &
 26 ✓ Same from Daniel Lowmyer to George & Isaac Lohr
 27 ✓ of Same from George W Kern wife to Laurinda Crawford
 28 ✓ of Same from Joel Glick wife to Polley Kearney
 29 ✓ Same from Allen W Brown wife to Ed H Harrison
 30 ✓ Same from Henry Hef Trustee to Giles Dever
 31 ✓ of Same from Nimrod Wood wife to Mem D Maiden
 32 ✓ Same from David H Young comr to Robert M Young
 33 ✓ of Same from Felix Sanger wife to Adam Thomas
 34 ✓ A Deed of Trust from Emily A Coke to B A Walker Trust for M Meyerhoeffer
 35 ✓ A Deed of Bargain & Sale from Evan Leighton wife to Joseph Leighton
 36 ✓ An Agreement between the Bank of Rockingham & Andrew B Brick
 37 ✓ A Deed of Bargain & Sale from the Bank of Rockingham to Andrew B Brick
 38 ✓ Same from Benjamin Leighton ex to Mem Robinson X
 39 ✓ A Deed of Trust from Leir Lorichone agent to W Braden Trust for M H Leighton
 40 ✓ A Deed of Bargain & Sale from David Blofer wife to Joseph Blofer
 41 ✓ Same from John Lander wife to Morris Lowenbach
 42 ✓ of Same from George Hawcutt to George H Vancey
 43 ✓ Same from John Rexroad to Henry Road
 44 ✓ Same from Weaver to Joseph Trunkhouser X
 45 ✓ of Same from David Mefick wife to Christian Esthormaker

Settlements of the estates of James Deane dec^d Joseph Miller dec^d

Joseph Smith Jr. dec^d. John Still dec^d. Solomon Garbon dec^d.
 (David. Moyers dec^d. Christian Miller. Henry Powell dec^d. John
 Knopf dec^d. & Rachael Dany dec^d. Having been filed in the
 Clerk's Office for the time prescribed by law. were examined
 by the Court. and no exceptions being offered thereto the same
 are confirmed and ordered to be recorded

Settlements of the Guardians with the following named
 wards. to wit. Mary & Barbara Beery, (Daniel & Huffman
 Rebecca Enowen, Susannah & Mary Hemdale. Leah & Mary
 Jacob Toland & Richard & Thomas. Having been filed in the
 Clerk's Office of this Court for the time prescribed by law. were
 examined by the Court. and no exceptions being offered thereto
 the same are affirmed and ordered to be recorded

John Manning Appellant

vs

John Leedy

Appellee

} Upon an appeal from the
 Judgment of a Justice

On Motion this Cause is ordered to be docketed

James Gray

Appellant

vs

Jacob Long

Appellee

} Upon an appeal from the
 Judgment of a Justice

The same order

Edw Ramsey

Appellant

vs

Wm P McCall

Appellee

} Upon an appeal from the Judgment
 of a Justice

The same order

Mountain M Layton

Plff

vs

Benjamin Meeker

Def

} Upon a Motion &

This day came the parties by their attorney and by
 consent the deft is required to execute a new bond as Guardian

for the heirs Richard L. Elijah G. John D. James N. V. Alexander Wood
orphans of Thomas Wood dec^d and thereupon the said Benjamin
Weller appeared in court and together with ^{William P. Rains} ~~John A. Austin~~
Thomas Burke 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 the motion of Thomas L. Gancey who made oath thereto
according to law and together with William S. Miller his security
(who justified as to his sufficiency) entered into and acknowledged
a bond in the penalty of six hundred dollars, conditioned as
the law directs. certificate is granted the said Thomas L.
Gancey for obtaining letters of administration in due form upon
the estate of William D. Straughn dec^d and it is ordered
that Wm. A. Corwin John H. Rice Jacob Selat David H. Gamble
J. & John G. Effinger or any three of them do appraise the estate of said
William D. Straughn dec^d

On the motion of Nathaniel Howard who made oath thereto
according to law and together with Berilem McHarrison & Samuel
Allebaugh his securities (who justified as to his sufficiency) entered
into and acknowledged a bond in the penalty of one thousand dollars
conditioned as the law requires ~~and~~ certificate is granted the said
Nathaniel Howard for obtaining letters of administration in due form
upon the estate of Michael Howard dec^d and it is ordered that
Joseph Rhodes Andrew Henton John Andes & John Bryerly or any
three of them do appraise the estate of said Michael Howard dec^d

Elloffman & Pless }
vs } On a Notice &
Jepe Backholder Deft }

This day came the Pless by their attorney and the summons
avaunced against the deft being returned executed and he failing to
appear it is ordered that his power as executor of Richard M. Mansfield dec^d
is revoked and annulled

(Bellist Coffman one of the executors named in the last will and testament of Richard S. Manheim dec^d appeared in Court and refused to take upon himself the burden of the execution thereof)

H. H. Clifton & Co. Plffs }
vs } Upon an Attachment
Joshua M. Crawford Def }

On Motion this Cause is docketed & continued

The Last will and testament of Peter Royer dec^d was presented in Court and proved by the oaths of Peter Miller & Nicholas Miller the subscribing witnesses thereto and ordered to be recorded and on the Samuel Royer one of the executors therein named appeared in Court and refused to take upon himself the burden thereof and Addison Royer the executor therein named who made oath thereto according to law and together with Charles McLeaver his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$7500⁰⁰ conditioned as the law requires. Certificate is granted the said Addison Royer for obtaining a probate of said will in due form: and it is ordered that Peter Miller, Hy. Angenbright John Boyers & Emanuel Armentrout do appraise the estate of said Peter Royer dec^d.

On the motion of Samuel Miller who made oath thereto according to law and together with Joseph Miller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires for obtaining letters of administration upon the estate of Jacob Sheets dec^d and it is ordered that Certificate is granted the said David Kagy, David Garber John Miller & John Garber or any three of them do appraise the estate of said Jacob Sheets dec^d. The widow of said decedent by an instrument of writing refused to administer upon said estate

Robert Bourman presented in Court ~~his~~ accounts against the Commonwealth for \$12.60 and ~~for~~ \$17.90 which

being sworn to, was examined and allowed by the Court and ordered to be certified to the auditor of public accounts.

—
 S^r M^r Bowman Deputy for A^r B^rner S^r B^r presented in Court an account against the Commonwealth amounting to \$17.20 — and being sworn to, was examined and allowed by the Court and ordered to be certified to the auditor of public accounts.

—
 The last will and testament of Margaret Baxter dec^d with a codicil annexed, was presented in Court and so was proved by the oaths of Allen Bryan & Daniel Smith two of the subscribing witnesses thereto and the said codicil proved by the oaths of Allen Bryan & John B. Becker the subscribing witnesses thereto and ordered to be recorded and on the motion of E^t H. Warren, ^{he executed therein} who made oath thereto according to law and together with William R. Warren & Abraham S. Beyer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000⁰⁰ conditioned as the law requires, which certificate is granted the said E^t H. Warren for obtaining a probate of said will in due form: and it is ordered that S^r W. Gamwell Robert Bowman, John Foster & David Jones do appraise the estate of said Margaret Baxter dec^d.

—
 Ordered that Peter P. Keenly be appointed surveyor of fire in A^r No 4 of road No 20 called the Pop Valley Road, in place of George Roads —

—
 The Court doth appoint John Wiswamander Guardian for Lucy Laine Williams orphan of James C. Williams who is under the age of 14 years and thereupon the said John Wiswamander appeared in Court and together with Humphreys and son, Hiram Coffin and Jacob Thomas his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500⁰⁰ conditioned as the law requires, which bond is ordered to be recorded.

—
 A^r Nicholas presented in Court an account against the Commonwealth amounting to \$3.90 which being sworn to, was examined by the Court

and allowed and ordered to be certified to the auditor of public accounts

On motion of Joseph H. Leonard who made oath thereto according to law and together with Leonard McKite his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three hundred dollars conditioned as the law requires certificate is granted the said Joseph H. Leonard for obtaining letters of administration ~~upon the estate~~ in due form upon the estate of Zachariah Kerwin for a d. c.

Upon the petition of John Swank for a charge of public road &c. This day came the petitioner by his attorney & filed the said petition and on motion the same is referred to DOR Hopkins Geo H. Hopkins & John Miller who are hereby appointed viewers to act and report upon said petition according to law.

On the motion of Frederick Heck executor of Wm B. Speck dec. it is ordered that there remain an account his executorship before John G. Brown who is hereby appointed a special commissioner to examine & settle said account and report thereon to the court according to law.

Ordered that Enoch Keagle be appointed school commissioner in District No. in the place of Geo. Keagle deceased.

Milton H. Drummond who stands charged with a felony by him committed in this that he did on the day of Nov. 1855 in the County of Rockingham one bond of the value of \$40 & payment of \$40 and of the value of \$40 the said bond at the time of committing the felony aforesaid being the property of William Robinson and the sum of forty dollars payable and secured by and upon the said bond being due and unsatisfied to the said William Robinson the proprietor thereof feloniously did steal take and carry away This day came as well the

attorney prosecuting for the Commonwealth as the prisoner by his attorney and sundry witnesses being sworn and examined and the Court not having time to hear all the evidence the further examination is continued until to morrow morning at 10 O'clock

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

St. Louis

Tuesday March 18th 1856

Present

Samuel & Co Lewis J. & Peter O'Konty } Gent
Obed Sterling & H. Westmann & Reuben Huffman } Justices

James Wilson

Deft

vs

Christman & Bruffy

Defts

In Chancery

^{having been pending more than seven years &}
This cause, not being prosecuted, it is ordered that

the same be dismissed

On the motion of Mary Elizabeth Maupin who made oath thereof according to law and together with Mary Lincoln, John Miller (Lemick Pennybaker & Michael Homan her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$20000. conditioned as the law requires. certificate is granted the said Mary Elizabeth Maupin for obtaining letters of administration de bonis non with the will annexed of Richard S Maupin dec'd in due form. and it is ordered that De Witt Coffman, John R. Homan, Peter Duckert & Gideon Krieger do appraise the estate of said Richard S Maupin dec'd

Maria J. C. Drummond who stands charged with a felony by him committed in this that he did on the day of November 1855 in the County of Rockingham one bond for the payment of \$400 of the value of \$100 the said bond at the time & committed the felony & for so a bond

the property of William Robinson and the sum of \$40 payable and secured by and upon said bond being due and convertible to the said William Robinson the proprietor thereof feloniously did steal take and carry away. This day came again as well the attorney prosecuting for the Commonwealth as the prisoner by his attorney and the Court having heard the evidence as well on behalf of the Commonwealth as the on behalf of the prisoner and the Court upon mature deliberation are of opinion that there is not probable cause to charge the prisoner with the offence aforesaid. It is therefore ordered that the prisoner be discharged -

The Court doth appoint Mark Strickler Guardian for his son Milton Strickler who is under the age of fourteen years and thereupon came the said Mark Strickler and together with Michael Egan and his security (who justified as to his sufficiency) entered into and acknowledge a bond in the penalty of \$1000 conditions as the law requires which bond is ordered to be recorded

The Court doth appoint John McManaler Guardian for Margaret Billhimer orphan of Jacob Billhimer and thereupon the said John McManaler together with John Porter ^{his security} (who justified as to his sufficiency) entered into and acknowledge a bond in the penalty of Three hundred dollars condition as the law requires -

Peter O'Kornitz a Justice of the Peace of this County having returned an examination of Sarah Fussy said County single woman taken before him in writing upon oath upon which examination the said Sarah Fussy charges Franklyn Fishback with being the father of her bastard child and the said Justice also returned a warrant issued by him upon the application of the said Sarah Fussy for the apprehension of this said Franklyn Fishback together with her cognizance and servants of the said Franklyn Fishback when brought before him to appear here and to abide and perform such order

and this Court should make concerning the same. Whereupon the
 said Franklin Fishback appeared accordingly and the said Sarah
 Furry and said witnesses being sworn and examined and the said
 Franklin Fishback fully heard the Court upon the whole circumstances
 of the case the Court are of opinion that Franklin Fishback is
 not the father of the bastard child aforesaid. It is therefore ordered
 that the said warrant be dismissed and that the Defendants
 recover against the overseers of the poor for this County his costs
 about his defence in this behalf expended

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

St. Lewis.

Wednesday March 19th 1856

Present

+ Samuel H. Lewis Of Peter P. Keenly Gent
 + Key W. Hartmann Of Sterling P. Ransom & Hoffman Justice

Henry Base appellant } upon an appeal from
 so the judgment of a justice
 Henry Gilmore appellee } of the peace
 On Motion of the appellant this cause is docketed

William W. Hooske & others Deft }
 so } In Chancery
 Lucy M. Hooske & others Deft }

This cause came on by consent to be heard this 19th day
 of March 1856 upon the bill of complainants exhibits & the answer of the
 infant defendants by their guardian ad litem whereupon the argument
 of counsel being heard and the Court being of opinion that the tract of
 22 acres of land which is mentioned in the commissioners report
 filed as an exhibit and designated as lot No. 1 on the plat is not
 susceptible of division among the heirs of John Hooske deceased agreeably
 to their respective interests. The Court doth therefore adjudge and order

and decree that William W. Cooke who is appointed a commissioner for that purpose, do proceed to give four week notice of the time and place of sale by advertisement inserted four successive weeks in the Rockingham Register and having given such notice shall at public auction on or near the premises the tract or lot of land designated on the plat filed in this cause as No 1 on the following terms viz one third of the purchase money within 60 days from the day of sale with interest from the day of sale and the residue in three equal payments from the day of sale without interest until due the purchaser being required to give bond with good personal security and the title to be retained until the whole of the purchase money is paid. But before said commissioner receives any money under this decree he shall execute a bond with good security in the clerk's office of this Court in the penalty of \$2500. with condition agreeably to the act aforesaid, and said commissioner is required to report to this Court at its first term after the sale.

William W. Cooke & others

Deft.

vs

James S. Harrison & wife & others

Deft.

In Chancery

This cause came on to be further heard this 19th day of March 1856 upon the papers heretofore read, the proceedings heretofore had and the report of Commissioners Robert Gratton Jacob Strayer & William W. Vancey, to which there is no exception & the same is hereby confirmed and it appearing to the Court that during the pending of this suit, the parties have submitted all questions of advancements and all questions of indebtedness of the estate of the intestate John Hearnick to his children or their indebtedness to him to the arbitrament of Samuel C. Lewis John C. Hopkins and John A. Herring, who have made out and signed & delivered an award in writing and no exception to the award, which is filed among the papers in this cause save an error apparent on the face of said award viz the omission of an advancement to

James S Harris wife of \$970 with interest from January 1st 1855. The court doth therefore further adjudge order and decree that said award be corrected by the insertion of a charge \$970 and interest thereon from the 1st of January 1855 as an advancement to James S Harris & Sarah Jane his wife and with this correction said award is confirmed and adopted and the court doth further adjudge order and decree that the personal estate of said John Hedrick be settled and distributed in accordance with said award as corrected, and that William M Hedrick recover from said estate the sum of \$2500 for the services of himself and his negro man & Richard B Hedrick recover from said estate for his services the sum of two hundred & fifty dollars with interest on these sums from the 1st day of January 1855 and the court doth further adjudge order and decree that the costs of this suit the costs & charges of the commissioners who made partition including \$5.00 each to the arbitrators be paid by the guardian administrators of said John Hedrick out of the personal assets who shall have credit for the same in their administrative accounts. And it further appearing to the court from the report of Commissioners Gratian Strayer & Yancey that \$8250 was the aggregate value of the two thirds of the slave property of which they made partition among the heirs and agreeably to said report some of the seven heirs received more and others less in value than one seventh of that sum the court doth therefore further adjudge order and decree that the inequality of the value of the shares be equalized out of the personal estate which was distributed among the heirs after the widow's third had been deducted by adding in money to the shares of those who received less than one seventh of \$8250 and deducting from the shares of those who received more than one seventh of that sum in value of slave property in the partition

The Manassas Gap Rail Road Company

Michael Hoonan

Perff

By

upon the report of com
missioners

The commissioners having made and filed their

report in this cause in the words of James to wit "We" &
 and thereupon came as well said Rail Road Company
 as Michael Hornan by their attornies and sundry witnesses
 being sworn and examined touching the premises. and
 Court ^{apt} of order that the said report be confirmed and
 made the judgment of this Court. and that the said Company
 stand seized of the land condemned in the said report
 and that the said Company recover against the ^{Def} their
 costs by them in this behalf expensed

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

St. Lewis.

At a Court held for Rockingham County at the
 Court house thereof on Monday the 21st day
 of April 1856

Present

+ Samuel H. Lewis J. Reuben Huffman Esq
 + O. Sterling ~~Esq~~ } Justices

The clerk of this Court returned into Court a list of Deeds &
 other writings admitted to record in his office during the month of
 March 1856 which being seen and inspected by the Court is ordered to
 be entered on the minutes as follows to wit

- | | | | |
|---|---|----|--|
| 1 | ✓ | of | A Deed of Bargain & Sale from Hugh Swisher to John Young |
| 2 | ✓ | of | same from Abraham Young to Hugh Swisher |
| 3 | ✓ | \ | same from John G. Effinger to Henry Ott |
| 4 | ✓ | \ | A Deed of Trust from Benjamin Hoover to Bern. Warren Trust for Mrs. Hoover |
| 5 | ✓ | of | A Deed of Bargain & Sale from John Looker to Samuel Bowman |
| 6 | ✓ | of | A Deed of Trust from George R. Lutz to J. L. Weaver Trust for J. L. Weaver |
| 7 | ✓ | \ | same from Bern. Randall to B. F. Kemper Trust for Ann. Scott |
| 8 | ✓ | of | A Deed of B. & S. from W. K. Kogler to Joseph C. Williams |
| 9 | ✓ | of | same to same |

- 10 ✓ \ A Deed of Trust from Jacob Carrier To John Stinespring Trust for Dunning
- 11 ✓ ~~of~~ A Deed of Bargain & Sale from Abraham Brydson To Abraham & Bryd
- 12 ✓ \ same Samuel Meine wife To George Meine
- 13 ✓ \ A Deed of Trust from Charles DePoy To SR Brebough Trust for John Miller
- 14 ✓ of same from Fortunatus Liley To SW Coffman & Trust. D Perry & Acker
- 15 ✓ \ A Deed of Trust from David Gray wife To Michael Lamm
- 16 ✓ \ same from Hopkins & Kinsling wife To Reuben May
- 17 ✓ \ same from George Deets wife To William Merice
- 18 ✓ of same from Kristina Vandam To John & Brown
- 19 ✓ of same from John Dunkel wife To John Long
- 20 ✓ of same from Jacob Reck To Alexander Kyger
- 21 ✓ \ same from Adam Reck wife To Isaac Deane
- 22 ✓ \ same from David Price wife To Charles L Warden
- 23 ✓ \ same from Thomas McQuinn To William Matheny
- 24 ✓ of same from Reuben Bare wife To John Ogler
- 25 ✓ of same from Alexander Kyger wife To Jonathan & J. Miller
- 26 ✓ \ same from Loreal May wife To David Bowman
- 27 ✓ of same from R Koogler wife To John Rice
- 28 ✓ of same from Geo Faircloth To John Kerlin
- 29 ✓ of same from Peter Hatcher wife To SW & W Kaylar
- 30 ✓ \ same from Mary M Lever To Henry M Jordan
- 31 ✓ of same from Peter Boyer To Madison Boyer
- 32 ✓ \ same from Joseph Maury wife To Henry Bishop
- 33 ✓ \ same from Peter Shreckline wife To John Maffey
- 34 ✓ \ A Deed of Trust from W C Keller To J Shavetter Trust for Jacob Reebush
- 35 ✓ \ A Deed of Trust from John R Koogler wife To Jonathan Rank
- 36 ✓ of A Deed of Trust from Henry Lane & Wm Lane Trust for W Cornelissen
- 37 ✓ of A Deed of Trust from Wm Kessler wife To Derrick Perry & Acker
- 38 ✓ \ same from blacksmith To R N Harrison
- 39 ✓ \ same from John Allalough wife To Jacob H. Lygett
- 40 ✓ \ same from Mathias Seab To Joseph Seab
- 41 ✓ of same from SW Rice comrs To Christopher Kyger
- 42 ✓ \ same from Franklin Pence wife To Isaac Hardisty
- 43 ✓ \ same from Isaac Hardisty wife To Franklin Pence
- 44 ✓ \ same from Edw and Jones To William P. Cluff

- 44 ✓ ✓ of A Deed of Bargain & Sale from Elvenger Kinney wife to Sarah Susan Leavies
 46 ✓ ✓ \ same from same to Wm R Leavies Trust for Isaac & Hardesty
 47 ✓ ✓ of same from M to Effinger wife to Wm Rehner
 48 ✓ ✓ \ A Deed of Trust from David Ropp to Abigail Bryan Trust for J. Frankhouser
 49 ✓ ✓ of A Deed of Btl from Elizabeth Stevens to Andrew & Cornelius
 50 ✓ ✓ \ same from John Bowman wife to John W Bowman
 51 ✓ ✓ \ same from John Meyerhoffers wife to Charles A Van Lear
 52 ✓ ✓ of Jacob R Stevens wife to Rockingham Male & female Seminary
 53 ✓ ✓ \ A Dispendens J M Effinger against A Gray &
 54 ✓ ✓ \ A Deed of Btl from M A Probst to Noah Rothman
 55 ✓ ✓ \ same from Elizabeth Stevens to Isaac Hardesty
 56 ✓ ✓ of same from George Frankhouser wife to Elijah Quindone
 57 ✓ ✓ of A Deed of Trust from John Menger wife to Jacob Beam Trust for Adam Leary
 58 ✓ ✓ \ A Deed of Btl from Benjamin Denton's ex to Richard Robinson
 59 ✓ ✓ \ same from Jacob H Dietrich wife to Adam M Shultz
 60 ✓ ✓ \ same from John McLean wife to Wm E Webster
 61 ✓ ✓ X same from John Effinger wife to M Harvey Effinger
 62 ✓ ✓ \ same from Samuel Grabel wife to William Sandy

Settlements of the estates of Emanuel Harmsberger dec^d
 Nicholas Baugher dec^d, Adaline Sellers dec^d, Christopher Burner dec^d
 John Clearich dec^d, Philip Baker dec^d, John Turner dec^d, John
 Wampler dec^d & Catharine Perkey dec^d having been filed in
 the office for the time prescribed by law were examined by the
 Court and ordered to be recorded

Settlements of the accounts of the Guardians of Esenbriht's heirs
 J. D. Bowman, Julia A. Burgeff, Wm. Sprad, Turner &
 Stephens, Sarah Zigler & Mary T. Beirne having been filed
 in the office for the time prescribed by law, were examined by
 the Court and ordered to be recorded

Settlements of the estates & debts & demands against the estates of Jacob T
 Gunt dec^d, Jacob T. Beery dec^d & A. Bryn dec^d having been filed in the
 office for the time prescribed by law, were examined by the Court and
 ordered to be recorded

A Settlement of the accounts of Samuel Kline committee of Maria Yount. having been filed for the time prescribed by law, was examined by the Court and ordered to be recorded

John O'neale

affendant

vs

J. B. Effinger

appellee

} upon an appeal from the
Judgment of a Justice

On Motion this cause is docketed

Isaac Hardesty receiver of this Court. this day returned into Court a report of money received & in the case of the Manafalgha Rail Road Company, ^{Michael O'Connor} which report was examined by the Court and ordered to be filed

The Manafalgha Rail Road Company

vs

Michael O'Connor

Plff

Def

} upon a report &

This day came the parties by their attorneys. and it is ordered that Isaac Hardesty receiver of this Court pay to the said O'Connor. the amount of damages ascertained by the report of the commissioners, after deducting the proper commissions

On the Motion of A. B. Rogers Guardian for the heirs of Benjamin Lemmy decd. It is ordered that he render an account of his Guardianship before John G. Brown who is hereby appointed a commissioner to examine & settle said account & report thereon to the Court according to law

The Manafalgha Rail Road Company

vs

O. R. Smith admr to Wm B Smith decd

Plff

Def

} On a Motion &

This day came the Plff by attorney. and it appearing to the Court that notice has been published according to law and the Defendant not appearing it is ~~now~~ considered that

that the plaintiff recover against the defendant \$4. with interest from the 1st day of February 1855. \$6. from the 1st March 1855. \$6. from the 1st April 1855. \$6. from the 1st May 1855. \$6. from 1st June 1855. \$6. from 1st July 1855. \$6. from 1st Aug^t 1855. \$6. from Sept 1855. on \$6. from 1st Oct. 1855. on \$6. from 1st Nov. 1855. on \$6. from Dec. 1855. on \$6. from 1st Jan^y 1856. on \$6. from 1st Feby 1856. and on \$6. from 1st March 1856. Release. and the costs by the plaintiff about the suit in this behalf expended.

On the motion of Jackson Marty who made oath thereto according to law and together with Lewis Strickler, Andrew J. Strickler & Margaret Strickler, his securities (who justified as to their sufficiency) entered into and acknowledged bond in the penalty of twenty thousand dollars conditioned as the law requires. certificate is granted the said Jackson Marty for obtaining letters of administration in due form upon the estate of Benjamin Strickler dec^d and it is ordered that Peter Wiese John Moore, Joshua Price & John Smith do appraise the said estate.

On the motion of Jacob Miller who made oath thereto according to law and together with Henry Neff his security (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 Jacob Miller for obtaining letters of administration in due form upon the estate of John Wiese dec^d and it is ordered that Henry Neff Martin Garber, John Brenner & George Miller do appraise said estate.

On the motion of Michael J. Majorshoeff who made oath thereto according to law and together with George Saufly & John H. Showalter his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2000. conditioned as the law requires. certificate

is granted the the said Michael J. Meyerhoeffer for obtaining letters of administration in due form upon the estate of George Pirkey dec^d. and it is ordered that John Young, Isaac Long Samuel Good & Samuel Flory or any three of them do apprise the estate of said George Pirkey dec^d.

John Wesley, Charles Wesley, & Mary orphans of Jonathan Clary dec^d being upwards of fourteen years of age made choice of Frances Clary as their Guardian, and thereupon the said Frances Clary appeared in Court and together with Jonathan Clary & Hannah Newman her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$1000. conditioned as the law requires, which bond is ordered to be recorded.

The Court doth appoint Eli & Eliza Kootz Guardian for his child Caroline Virginia Kootz, under 14 years of age and thereupon the said Eli & Eliza Kootz together with George Rhodes his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$800. conditioned as the law requires, which bond is ordered to be recorded.

Ordered that Joseph Miller be appointed a survey of precinct No. in the place of Peter Miller resigned.

Wm B Smith Deft } In Chancery
 10
 Alpheus Dover Deft }

It appearing to the Court that the Plaintiff Wm B Smith is dead it is ordered that the cause be proceeded on in the name of W B Smith his administrator thereupon this cause came on to be heard on this the 21st day of April 1856 on the report of commissioner Dever which is hereby confirmed, as he has made sale of the interest in the property decreed to be sold for the sum of sixty five dollars, and

it is adjudged ordered and decreed that the said Dever proceed to convey by deed the property mentioned in the interests therein to Wm J Thompson the purchaser thereof that the said Dever pay his own fees out of the proceeds of the purchase the fees of Counsel as agreed upon & the expenses of the suit and other expenditures of sale that Commissioner Fletcher after a notice to parties interested and all creditors proceed to state an account between the estate of the said Nimrod Dove deceased and all creditors who may come in and agree to bear part of the expenses of this suit and the parties plaintiff & determine pro rata the amount due to each of the creditors according to priority and the amount of their claims charging the amount of legal fees over the amount to be charged against the estate of the creditors and after such estimate the said Dever is hereby ordered to pay the amount left in his hands to the creditors

Upon the petition of D B Cronshaw for the establishment of a road this day the Commissioners heretofore appointed in this cause made their report in these words "To the" & which report is ordered to be filed and that the land holders be summoned to appear here at the next term of this Court to show cause why said road shall not be established agreeably to said report

The last will & testament of John J. Henever was presented in Court and proved by the oaths of Josiah Henever & Jacob May two of the subscribing witnesses thereto and ordered to be recorded and on the motion John J. Henever Jr the executor therein named who made oath thereto according to law and together with John Cline his security (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of \$2000 conditioned as the law requires certificate is granted the said John J. Henever Jr for obtaining a probate of said will in due form and it is ordered that Isaac Riddle Benjamin Rumel & Anderson Rumel & Josiah Henever do appraise the said estate

The Whitescarver ~~is~~ produced in Court a Commission
 issued by authority of the Commonwealth appointing him
 a Notary Public in & for the County of Chester upon the said Whitescarver
 together with Thomas K. Carnabarger his security (who justified
 as to his sufficiency) entered into and acknowledged a bond
 in the penalty of \$500 conditioned as the law requires, which bond
 is ordered certified & recorded

Nathan S. Blakemore who has heretofore been appointed a Notary
 Public for this County this day appeared in Court together with
 Thomas K. Carnabarger his security (who justified as to his sufficiency)
 entered into and acknowledged a new bond in the penalty of
 \$500 conditioned as the law requires, which bond is ordered
 to be certified & recorded

Philip Liggitt of the Peace

vs

R. C. Mauck

Def.

Upon a report

V. It appearing to the Court that the summons last
 awarded in this cause not being returned executed on motion
 of the Peace it is ordered that a new summons be awarded against
 him according to law returnable to the next term of this Court.

Ordered that the Overseers of the poor for this County bind
 out according to law John C. McGary son of John G. McGary aged 7
 years to Solomon Beery until he is 21 years of age at the age
 of 18 years the said Solomon Beery is to teach him such trade
 as the apprentice may elect

On the motion of David K. Carrier who made oath thereto
 according to law and together with Ebenezer Knively his security
 (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 David K. Carrier for obtaining
 letters of administration in due form upon the estate of
 Abraham Carrier m. d. and it is ordered that Jesse M. Morris

Christian Shewalter Frederick Left & Peter Whitmore do
appraise the estate of said Abraham Carrier dec'd

copy made
affidavit
(containing)

The Court doth appoint Jeremiah Parrot guardian for his
son David Parrot who is under the age of 14 years and thereupon
the said Jeremiah Parrot together with Peter Paine & Branson
Parrot his securities (who justified as to their sufficiency) entered
into and acknowledged a bond in the penalty of \$8000. conditions
as the law requires which bond is ordered to be recorded

Gabriel Jordan

vs

Deft

Noah Paylor

Deft

upon the report of a Commissioner

On Motion of the plaintiff it is ordered that the
report in this case be filed

George Sites

vs

Deft

Harvey Frank

Deft

upon an attachment

On Motion of the plaintiff attorney this case is
settled and continued

Jacob Miceen

vs

Deft

Same

Deft

The same order

Emanuel Hoover

vs

Deft

Same

Deft

upon an attachment

The same order

Overseers of the Poor

vs

Deft

Benjamin Fishback

Deft

upon a warrant charging the Deft

with being the father a bastard
child of which Sally Ann was delivered

This day came the parties by their attorneys. and the said Sally
 Truitt filed a ^{by file} petition in these words "Rockingham" & and
 thereupon on motion of said Sally Truitt, the judgment
 rendered in this cause at the March term last of this Court
 is set aside and a new trial granted therein, and ~~thereupon~~
 the cause is docketed and continued

John Mefferly Petff }
 vs } Upon an attachment
 John O'Neal Deft }

The said John Mefferly having obtained an attachment
 against the estate of said John O'Neal who hath privately removed
 out of this County or absconded or conceals himself so that the ordinary
 process of law cannot be served on him for debt and the Sheriff
 of this County having made return that he had executed the said
 Attachment on one "horse, wagon & gear" &c. This day came the petff
 by his attorney and the defendant being solemnly called & not
 appearing to reply the same, it is considered by the Court that the
 Warrant recover against the Defendant \$31.75 his debt proved to
 be just with legal interest thereon from the 1st day of April
 1856 till paid and the costs by the petff in this behalf expended
 And it is ordered that the Sheriff make sale of the property levied
 on as aforesaid, as the law directs, and out of the money arising
 from such sale pay and satisfy this judgment to the petff
 and restore the overplus (if any) to the defendant and return
 an account of such sale to this Court

The Court doth appoint Giles Deverly guardian for George A.
 and Ada Leattitt orphans of William Leattitt deceased who
 are under 21 years of age and thereupon the said Giles Deverly
 together with Allen C. Bryan his security (who justified as to
 his sufficiency) entered into and acknowledged a bond with
 penalty of \$5000. conditioned as the law requires, which
 bond is ordered to be recorded

William Runcle orphan of Joseph Runcle dec'd over 14 years of age. appeared in Court and with the approbation of the Court made choice of Joseph H. Conrad as his guardian and the Court doth appoint said Joseph H. Conrad guardian for Charles & Virginia Runcle orphans of Joseph Runcle who are under 14 years of age. and thereupon the said Joseph H. Conrad appeared in Court and together with Conrad & Co. gave his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$150 conditioned as the law requires which bond is ordered to be recorded

Addison Houston is appointed survey of precinct No 2 in the place of Peter F. Earman resigned

Upon the Petition of John Swanik for the alteration of a road &c. This day the commissioners heretofore appointed in this cause made their report in the words & figures following to wit "To the" &c. and it is ordered that the said road be opened and established agreeably to the report aforesaid.

Ordered that James P. the Overseers of the poor for this County bind out according to law James Payne son of Rosanna Payne born the 6th day of January 1844 to Samuel Martz until he is 21 years to learn the business of a farmer & pay at the end of his apprenticeship the sum of \$200 for freedom and but said Martz is not to be bound to give the said boy the education required by law

Manafalga Road Company Plff

Joseph Steffinger

Def

} Upon a report &c

On Motion of the Plff's attorney this cause is docketed and continued

Harrison M. Nemar this day produced credentials of his ordination and also of his being in regular communion with the Methodist Episcopal Church. Took the oath of allegiance to this Commonwealth, and with Michael Sellers his security, 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.

Present Jackson Court Archibald Hopkins Jr Gen Justice

Harvey Meperly alias Lewis who stands charged with a felony by him committed within this that he did on the day of 1855 on the day of 1856 in the County of Rockingham steal, take and carry away one brace, one steel blade square, one gauge, one drawing knife, three brace bits, one hammer one vice, one rule two new hand saws, one new rip saw two braces, one tenant saw, one set level square, one rule, one smoothing plane, one small tripping square, several other squares and smoothing plane, and a number of brace bits, of the value of fifty dollars the property of John O. Long. The said Harvey Meperly alias Lewis was this day led to the bar in custody of the Jailor, and thereupon on motion of the attorney prosecuting for the Commonwealth and for reasons appearing to the Court the examination of the prisoner is continued until the next term of this Court and thereupon he is remanded to jail

The Commissioners heretofore appointed to assign and lay off to the roads of William Byden ^{owner} in his bond this day make their report which is confirmed by the Court and ordered to be recorded

Gemma Gallahugh Deft
vs
Hopewell Cochran Deft
James Steele

This cause which was on application for a new

trial and to set aside the judgment below before ^{with} Justice
in the name of Joseph & Hockman as Germaine Gullish
for \$35.99 came on to be heard and after the filing of briefs
exhibits and the argument of counsel the Court with adjudge
order and decree that in this cause the said judgment
shall be set aside and that the case be sent back to the Court
below and that a new trial be had of the matters contained
in said cause

Schiffen's case
12/1/56

On the motion of Benjamin Hoffmann of Rockingham
County, Virginia, this Court being a Court of record, with a
Clerk and seal, doth certify that it was this day proven
in open Court that Caroline Scheffer is the only lawful
child or heir of Gustav Scheffer deceased late of this County
now living, that Peter Hoaman Scheffer a Brother of said
Caroline Scheffer departed this life in the said County
on or about the year eighteen hundred and forty four
an infant, unmarried, intestate and without issue
and the Court doth further certify that the said Caroline
Scheffer is an infant, and that the said Benjamin
Hoffmann is the only lawful and real guardian of said
Caroline he having qualified as such by giving bond
with good security in this Court

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

St. Lewis.

Tuesday April 22nd 1856

Present

+ Samuel H. Lewis J. P. Reuben Hoffmann } Gent.
+ O. Sterling & Isaac Hancock } Justices

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 an Attorney for the Commonwealth, Sheriff, commissioners of the Revenue, justices of the peace, Constables & Overseers of the Poor that the following named persons be appointed to superintend said election at the several places of voting in this County to wit 1st District at Conrad's Store Joseph H Conrad, Joseph Moyers, William Smith, S B Jennings, A L Woolf & Thomas K Miller. At Mt Gaherpsville Joseph Maury, Peter Miller, Henry Kisting, Jacob Rush & Jacob Ammon. 2nd District. At Taliaferro's Store Wm W Cooke Isaac Long, Leacob Strayer, J Boyer & Samuel Ruebush. At Port Republic Mo Dundore, Charles S Weaver, Charles Lewis, R McDaryton & Joseph L M Harnberger. 3rd District at Mc Craunford S P Slufer, D H Clarke, Peter S Roller, Col Peter Roller & Wm M McDonough & Harris. At Dayton Daniel Byerly, Hiram L Hoffman, Benjamin F Trishback, Jno T Myers & Jno A Herring. 4th District At Bridgewater, Allen W Brown, George R Gibbons, D H Minor, S Clair Kyle, Wm M Williams, Ottaline, Wm L Smith, J M Corvone, Shem & Leavels, David M Henton & John A Dice. 5th District. At Gordons Store Joseph Burkholder, David R Hopkins, David Base, Benj. D Bowman & Archibald Hopkins Jr at Bowman's Mill, S W Coffman, Jacob Miller, John Burkholder, Michael Bowman and Silas Henton. 6th District at the Court house Henry B Harnberger, O Sterling, Joseph D Rohr, Charles D Gray & Wm M K Meartmann, A Kezletown, George Kezle, Anthony P H Hoffman, Elijah D Maley, Eli Keran & David Eiler. 7th District. At Spartapolis Jacob M Coover, Eli H Kromy, John H Carrison, George Rhodes & Wm M Carpenter at Hinton's Mill, Cyrus Rhodes, Jacob Barley, Peter Henton, Daniel H Carrison & Wm Sellen. 8th District at Timberville Geo Branner, John Branner, Wm J Thompson, Martin Garter & Anderson Moffett at the Menonite School house, Richard Welfieser, Geo Rader, Jackson Horn (David & Collier & Jacob A Mitchell. 9th District At Sprinkles Store, Samuel R Sprinkles, Samuel Miller, Wm H Weaver, George W Truck (of S) Jacob Fawley. at Westigs Store, Philip Savaders, James (Dove) Reuben (Dove) Jacob Caplinger & James May and it is further ordered that they be appointed to superintend said election being first duly sworn as superintend the on the several places appointed & make return thereof according to law.

On Motion of Henry Beery Guardian for Abraham Beery Sarah Beery Frances Beery infant children of Abraham Beery dec^d the said Henry Beery as guardian aforesaid is allowed to participate in the division of the assets of the estate of Jacob T Beery dec^d in the third class of creditors to the amount due to said Henry Beery as guardian aforesaid from the said Jacob T Beery who in his life time was guardian of said infants according to the last settlement made by said Jacob T Beery in his life time

On the motion of E D McWarren administrator of Sylvanus A Byrd dec^d the said E D McWarren as administrator aforesaid is directed to pay to the administrator de bonis non of Hugh S McDonnell dec^d the sum of \$666.66 with interest from the 19th day of February 1851, till paid, that being the amount due to said Hugh S McDonnell's estate according to the last settlement of Sylvanus A Byrd who in his life time was administrator

On Motion of Same, the same is directed to pay to the adm^r de bonis non of Samuel B Lowry dec^d the sum of \$650.55 with interest from the 31st of December 1852 till paid, that being the amount due to said Samuel B Lowry's estate according to the last settlement of said Sylvanus A Byrd who in his life time was administrator

J H Keile R M Kyle & C. A. Shamas

vs

Charles B Smith adm^r of Aseneth M Butler dec^d Def^t

Deffs } upon notice

This day the Deffs by their attorney, filed a notice in this which notice has been returned duly executed cause, and on their motion it is ordered that the said Charles B Smith be summoned to appear here on the first day of the next term of this Court, to show cause why he ~~shall~~ if any he can, why other good security, should not be required of him for the performance of his duties, or his power as administrator aforesaid be revoked and annulled

Ordered that the Clerk of this Court renew the register of George Byrd a free negro -

L W Gamblee Plff
 vs }
 Robert L Mauck Deft } Upon a Notice to

This day came the Plaintiff by his attorney & filed
 his Notice. which notice being returned duly executed and the
 said Robert L Mauck being solemnly called and not appearing. it is
 considered that the said Plff recover against the Defendants the
 sum of \$175.00 the amount of a judgment rendered against the Plff
 as endorser of said Deft. to the Bank of the Valley at Staunton with
 interest thereon at the rate of six per centum per annum from the
 1st day of March 1855 and \$185 Charges of Protest and \$7.01 costs of suit
 with Damages upon the whole amount of said judgment (interest
 excepted) at the rate of five per centum per annum from the said
 1st day of April 1856 till paid and the fees by the Plaintiff in this
 behalf expended

Reuben Sellers Guardian Plff
 against }
 Sarah Cowen & others Defts } In Chancery

This cause came on to be further heard this 22^d day of
 April 1856 upon the papers heretofore filed the proceeding heretofore
 had and the report of Commissioner Jacob H Cowan to which no
 exceptions is filed and the same and the sale made by him
 on the 3^d day of March 1856 are hereby approved and confirmed.
 The Court doth further adjudge order and decree that the said Jacob
 H Cowen Commissioner shall proceed to pay out of the money received
 by him the costs of this suit including the usual attorney fee first
 retaining \$5 for his own compensation and expenses of the sale
 It is further adjudged and ordered that out of the residue of the
 cash received by him after the payment of costs and expenses
 said Commissioner shall pay one sixth to each of the adult defendants
 and the remainder to Reuben Sellers the Plaintiff as guardian
 of the minor defendants and said Commissioner is further authorized
 to withdraw the bonds filed with his report collect the same when they become
 due and pay over the money when collected one sixth to each of the defts
 who are adults at the time and the remainder to the guardian of the minors

Manakapah Road Company *Plff*
 vs
 John A. Roman *Def* } Upon a notice &

This day came the parties by their attorneys and the commissioners heretofore appointed, reported that they had not agreed upon the amount of damages that the *Def* was entitled by reason of the construction of the *Plff* work through his land. It is therefore ordered that Jacob Byerly, John D. Myers, Col. Henry Miller, John F. Lewis and Jonathan Peale be appointed commissioners to meet upon the lands of the *Def* on the 5th day of May next to assess the damages to the *Def* as aforesaid and that they be vested with the same power and authority, as vested by the former order of this Court appointing comrs who this day made their report

John O'Neal *appellant*
 vs
 J. S. P. Effinger *appellee* } Upon an appeal from the judgment
 of a Justice of the peace

This day came the parties by their attorneys and sundry witnesses being sworn and examined, and upon mature deliberation are of opinion that there is no error in the judgment of the Justice of the peace aforesaid it is therefore considered that the appellee recover against the appellant the sum of and C. A. Shamas his security in said appeal, the sum of \$34.10 with interest thereon from the 28th March 1856 till paid the 3rd day of April 1857, and eight dollars & 30 cts costs recovered before said justice, with damages at the rate of 10 per centum per annum upon the whole amount of said judgment from the said 3rd day April 1856 till paid, and the costs by the appellee about their defence in this behalf expended.

John H. Kezlee & Maria Calvin Kezlee children of Enos Kezlee being upwards of 14 years of age appeared in Court & made choice of said Enos Kezlee as their guardian and the Court with a provision the said Enos Kezlee as guardian for his children Phoebe Ann

George & Jeremiah T. Kezle who are under the age of 14 years, and thereupon the said Enos Kezle together with Merel Rogers and Allen B. Bryan his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires, which bond is ordered to be recorded.

William McLeadrick & others

vs

E. M. D. Harris wife & James Harris wife

Deff

Deffs

Plthancery

This cause came on by consent to be heard this 22^d day of April 1856 upon the bill, exhibits and answers of the defendants and by consent is set for hearing, whereupon the argument of counsel being heard and it appearing to the Court that partition of the slaves mentioned in the bill, which were assigned to Mrs. Eliza McLeadrick for life cannot be made according to the right of the parties, the Court doth therefore adjudge, order and decree that Thomas K. Hearnalinger who is hereby appointed a special commissioner for that purpose shall proceed ~~shall~~ to give notice by advertisement inserted for four weeks in a newspaper published in Harrisonburg, and also for the like price in a newspaper published in Charlottesville of the time & place & terms of sale and having given such notice shall sell at public auction in McLeahersville the slaves mentioned in the bill on the following terms viz for cash or on a credit of six months with interest from the day of sale, at the option of the purchasers, taking bonds with good personal security from the purchasers who elect to take six months credit the bonds to be made payable to the heirs if they desire it - in proper proportions and shall make report to this Court at the next term after sale. Before the said Commissioner receives any money under this decree he shall execute a bond in the Clerk's office of this Court with good security in the penalty of \$5000 - with condition according to the act of assembly.

Bernard Hall appellant

vs

B. B. Ryerly

appellee

} upon an appeal from the judgment of a Justice of the Peace

This day came the parties by their attorneys, and the

appellant by his attorney moved the Court to dismiss the cause because the appellee had not filed a bill of particulars the Court with overrule said motion to Dismiss the appeal but require the appellee to file such bill of particulars who thereupon filed said bill and thereupon the cause is continued until the next term

John M Marring appellant

vs
John Seedy appellee } upon an appeal from the
Judgment of a Justice of the Peace

This day came the parties by their attorneys and sundry witnesses being 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 appellant & John Melhorn his security in the appeal the costs by ~~the~~ him about his defence in this behalf expended

As Rutherford appellant

vs
John Rader appellee } upon an appeal from the
Judgment of a Justice

This day came the parties by their attorneys 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 it is therefore ordered that the said judgment be reversed and annulled and that appellant recover against the appellee his costs by him in this behalf expended

Same appellant

vs
Same appellee } upon an appeal from the
Judgment of a Justice

This day came the parties by their attorneys 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 it is therefore ordered that the said judgment be reversed and annulled that the appellant recover against the appellee his costs by him in this behalf expended

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

St. Lewis.

At a Court held for Rockingham County on
at the Court-house thereof on Monday the
19th day of May 1856

Present

+ Samuel H. Lewis J^{of} Fountain Mdajlong Gent
Isaac Thomas V. Reuben Dove } Justices

The Clerk of this Court returned into Court a list of Deeds and other writings admitted to record in the Clerk's Office of the County Court of Rockingham during the month of April 1856 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- 1 of A Deed of Bargain & Sale from Daniel Bourman wife to J^{of} H. Siggett
- 2 ✓ of same from John H. Hoephkins contr to Benjamin D. Bourman
- 3 ✓ of same from David Stinespring wife to Harvey Smith
- 4 ✓ of same from John Stinespring trustee to Jacob Baugh
- 5 ✓ of A Deed of Trust from Saml Bourman wife to Edw. Keenan Indent for Saml Shackles
- 6 ✓ of same from Benj. F. Walker wife to Silvert D. Bourman
- 7 ✓ of same from Robert Jones wife to John Scanlon
- 8 ✓ of same from Philander Horning wife to M^{of} Clair Kyle
- 9 ✓ of same from James B. McGill wife to same
- 10 ✓ of same from Mary Smith to David R. Smith
- 11 ✓ of same from Henry Reddy wife to George F. Trunkhouser
- 12 ✓ of same from George F. Trunkhouser wife to Harmon D. Hoaglin
- 13 ✓ of same from same to David W. Ampler
- 14 ✓ of A Deed of Trust from M^{of} Hunter to H. K. Hunter Indent for D^{of} R. Hoephkins
- 15 ✓ of A Deed of B^{of} from Joseph Trunkhouser wife to David Rob
- 16 ✓ of same from David Rob wife to Joseph Trunkhouser
- 17 ✓ of same from Andrew B. Rich wife to M^{of} Harvey Effinger
- 18 ✓ of A Deed of Trust from A. P. Kagy to W. A. Harris Indent for Abm^{of} P. Kagy
- 19 ✓ of A Deed of Gift from Jacob Miller to Sarah Bayler

- 20 ✓ of A Deed of Trust from Daniel Baker to Jno E Brown Trust for Alm Baenaman
- 21 ✓ \ A Deed of BtS from Henry Dinkel wife to John Silant
- 22 ✓ \ same from Henry Learner to John & Moses Learner
- 23 ✓ of same from R M Harrison wife to Noah Hall
- 24 ✓ of A Deed of Trust from Philip Rime wife to J H Kite Trust for J Sitter
- 25 ✓ \ same from J B Bader wife to J L Common Trust for J B Mowry
- 26 ✓ \ same from John Deep to James Kenney Trust for Abraham Moses
- 27 ✓ \ Sister Baders, Wm H Barley agree to Joseph Stern
- 28 ✓ \ A Deed of Bargain & Sale from James Gray wife to John O'Connor
- 29 ✓ \ same from Nelson Bradley wife to Philo Bradley
- 30 ✓ of same from Abraham S Byrd to William Marshall
- 31 ✓ of same from Zebulon D Gilmer comr to Noah Pence
- 32 ✓ of same from Felix & Sheets Trustees to David Blofer
- 33 ✓ \ A Deed of Trust from Joseph Treeze to J H & Arnalinger Trust for Martin Snider
- 34 ✓ of A Deed of BtS from E M D Harris comr to W H Shurtzer
- 35 ✓ of same from Zachariah Rains wife to Henry Shiflett
- 36 ✓ of same from Alex Ryger wife to John Begone
- 37 ✓ \ same from Noah Burkholder wife to Abraham Layman
- 38 ✓ \ same from David Ropt wife to Noah Bowman
- 39 ✓ \ A Deed of Trust from Joel Argenbight to Peter Miller Trust for Chn Argenbight
- 40 ✓ \ same from John Grove to John Sheets Trust for J Hopkins & Kiskling
- 41 ✓ \ A Deed of BtS from Wm Williams to John Allebaugh
- 42 ✓ of same from Nicholas Ryger to John Showalter
- 43 ✓ \ same from Isaac Reamer wife to Eli H Kervitz
- 44 ✓ \ same from George Sanfly wife to James Level
- 45 ✓ \ same from Noah Keller wife to Abraham Koons
- 46 ✓ \ same from Geo Keeze wife to Charles Nicholas
- 47 ✓ \ A Deed of Trust from D N Standon to A B Bryan Trust for Harvey Myle
- 48 ✓ of A Deed of BtS from D H Gamblee trustee to A B Gray
- 49 ✓ \ same from John Malone wife to John Weefly
- 50 ✓ \ same from Daniel J Lerover to Frederick Deep

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 12/28
 12/29
 12/30
 12/31

Settlement of the accounts of the admrs of Peter H Bear dec^d who was surviv-
 ing partner of the firm of J H & H Bear. Settlements of the estates of P H Bear dec^d
 John R Bear dec^d same estate. George Leonard dec^d & (Dane. & Leedy dec^d

having been filed in the office for the time prescribed by law
were presented in court and ordered to be recorded

Settlements of the ap of Lynd with their ward. Sarah C. Morse
Wm H Stevens, Dorcas E Beane & Peter Neff trustee for Oliver
Morse and were presented & ordered to be recorded having been
filed in the office for the time prescribed by law were presented
in court and ordered to be recorded

Samuel Lowman appellant
vs
Abraham Leedy appellee } upon an appeal from the judge of
a justice of the peace
On motion of the appellant it is ordered that this cause
be docketed

SW Coffman appellant
vs
Wm (D) Strangh's ad appellee } upon an appeal from the judge of a
justice of the peace.
The same order.

W S Brathwaite appellant
vs
Same appellee } upon an appeal from
the judge of a justice
The same order

J L Brathwaite appellant
vs
Same appellee } upon an appeal from the
judge of a justice
The same order

John R Beery Deft
vs
Bernard Hall } upon a warrant issued from
a justice of the peace
This cause having removed from before said justice on the motion of the
Deft is docketed and continued

A J Nicholas Constable presented in Court an account against the Commonwealth amounting to \$3,90 which being sworn to was examined and allowed and ordered to be recorded & certified to the auditor of Public accounts

Peter Houshour Constable of Shenandoah County presented in Court an account against the Commonwealth amounting to the sum of \$980 which being sworn to was examined and ordered to be certified to the auditor of Public accounts

On motion and for reasons appearing to the Court it is ordered that Josephine Sites guardian of John & Mary Sites orphans of Sites ^{give a release as such guardian} and thereupon the said Josephine Sites appeared in Court and together with John R. Harman & Benjamin Hoover her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$6000 conditioned as the law requires which bond is ordered to be recorded

An Instrument of writing purporting to be the last will & testament of Samuel Harney was presented in Court and proved by the oaths of Peter Rosenbarger & Martin Pogle two of the subscribing witnesses thereto and ordered to be recorded

Ordered that John Stridley be appointed surveyor of precinct No 2 in the place of Henry Pulee.

Benjamin Trunk this day produced credentials of his ordination and also of his being in regular communion with the Regular Baptist Church. took the oath of allegiance to this Commonwealth and with Edward P. Williams & Timothy Trunk 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

On the motion of Andrew B Rogers guardian for Rebecca & Mary Leury orphans of Benjamin Leury dec'd - he is permitted to resign his trust as guardian aforesaid

An Instrument of writing purporting to be the last will & testament of Peter Shaefer dec'd was presented in Court and proved by the oath of Adam Lickliter & Henry Thompson two of the subscribing witnesses thereto and ordered to be recorded, and on motion of Michael Shaefer one of the executors named in said will who made oath thereto according to law and together with Jacob N. Cowen & David Bowman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$20,000 conditioned as the directs, certificate is granted the said Michael Shaeffer for obtaining a probat of said will in due form, and it is ordered that Martin Garber, Henry Neff, John Brenner & John Hainegramer or any three of them do appraise the estate of said Peter Shaefer dec'd

It is ordered to be certified that it was this day proven in this Court in open Court which is a Court of record, that Abraham Hartman who was the warrantee in a Bounty Land warrant for forty acres N 82251 bearing date January 15 1853, died intestate on the 16th day of January 1853, leaving Susan Hartman his widow and Mary Burkett wife of Nathaniel Burkett, Barbara Sites wife of Ephraim Sites, Christian Harman Saml Hartman Peter Hartman David Hartman Sarah Deal wife of Mathias Deal, Elizabeth Deal wife of David Deal, Melvina Miller wife of John Miller all a duty as his heirs and only heirs at law - surviving him.

It is ordered to be certified that it was this day proven in this Court in open Court which is a Court of record, that Elizabeth Balser who was warrantee in a ~~land~~ bounty Land warrant for 160 acres N 22294 dated April 22^d 1856 died intestate on the 29th day of April 1856 leaving Francis Balser, Joel Balser, Lydia Rogers the wife of William

Res K Lammere
Co. order 20 off + sent
27-

Rodgers and Adeline Flook the wife of Nathaniel Flook all adults
as her heirs and only heirs at law surviving her the said Elizabeth
Balsen

John Shumate Peff.
vs
Mary Shumate & Deft. } In Chancery

This cause came on to be heard this 19th day of May 1855
upon the bill & exhibits thereto by the plaintiff and the answer
of the defendants infants under the age of 21 by their guardian
ad litem and the deposition of witnesses & the argument of counsel
and it appearing to the Court that the house and lot in question
is the only property belonging to said infant children was sold by
John Shumate sometime in the year 1832 and that the said
sale is advantageous to the interest of the infant children It is ordered
and decreed by this Court that the sale be confirmed that the said
John Shumate guardian make a deed to Nancy Rumbo the
purchaser of the said property and that the said John Shumate
give an additional bond in the penalty of \$3000 and it is further
decreed that the said deed shall have reserved upon the face
thereof a lien for the unpaid part of the purchase money -

Angeline Heuley orphan of Mathan Heuley ^{being under 14 years of age} dec. by an instrument
of writing under her hand made choice of Benjamin Rumbo as her
guardian and the Court doth appoint said Benjamin Rumbo
guardian for Mathan & Osborn Heuley orphans of same who are under
14 years of age and thereupon the said Benjamin Rumbo together
with John Earhart his security (who justified as to his sufficiency)
entered into and acknowledged a bond in the penalty of \$1500 condi-
tioned as the law requires

The Court doth appoint Benjamin Rumbo guardian for
Columbia Heuley orphan of Abraham Heuley dec. under 14
years of age and thereupon the said Benjamin Rumbo together
with John Earhart his security (who justified as to his sufficiency)
entered into and acknowledged a bond in the penalty of \$1500

conditioned as the law requires

Joseph Keenton orphan of David Keenton dec^d being upwards of 14 years of age appeared in Court and made choice of John Blain as his guardian and the Court doth appoint ^{John Blain} guardian for Sarah Jane Keenton who is under the age of 14 years and thereupon the said John Blain appeared in Court and together with George H. Anderson his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires

The Manassas Gap Rail Road
Company } Plff
vs }
Benjamin Strickler } Dep^t } Upon a Notice &

This day came the parties by their attorneys and it appearing to the Court that Benjamin Strickler has departed this life and on motion it is ordered that this cause be revived in the name of Jackson Martz administrator of Benj Strickler

John McHill } Plff
vs }
Charles P. Smith } Dep^t } Upon a Notice

This day came the Plff by their attorneys and the said Charles P. Smith having been duly summoned to appear here on this day & being solemnly called and not appearing it is ordered that the power and authority of the said Charles P. Smith administrator of Aseneth M. Butler dec^d be and the same is hereby revoked and annulled

On the motion John McHill, P. M. Kyle & Co. Attorneys the estate of Aseneth M. Butler dec^d is committed to the Sheriff of Rockingham County for administration according to law

Manassas Gap Rail Road vs D. W. Hoffman upon a suggestion on motion this cause is docketed and continued

Trustees of the Rockingham Male & Female Seminary Plff }
 vs } upon a Notice
 Solomon Mc Hunter Def

Same Plff }
 vs } Upon a Notice
 Wm Rehers Def

Same Plff }
 vs } Upon a Notice
 O. Sterling & Son Def

Same Plff }
 vs } Upon a Notice
 Geo Swank Def

Same Plff }
 vs } Upon a Notice
 Henry Miller Jr Def

Same Plff }
 vs } Upon a Notice
 Jacob & Larnberger Def

Same Plff }
 vs } Upon a Notice
 Wm Erving Def

Same Plff }
 vs } Upon a Notice
 D. Jones Def

Same Plff }
 vs } Upon a Notice
 Jonathan Clarys & Co Def

Same Plff }
 vs } Upon a Notice
 Jacob Bear Def

On Motion of the Plaintiff it is ordered that
 the aforesaid several causes be docketed and continued
 until to morrow -

Trustees of the
The Rockingham Male & Female Seminary Plff }
vs } upon a notice
E Ashlands Deft }

On Motion of the Plff by attorney it is ordered that
this cause be docketed & continued until to morrow

Same Plff }
vs } upon a notice
Wm Miller Deft }

The same order

Same Plff }
vs } upon a notice
D H Gamble Deft }

The same order

Zachariah Raine Plff }
vs } upon a notice
Wm & Gaileys Deft }

The same order

Shacklett & Bruffy Plff }
vs } upon a notice
Same Deft }

The same order

Emanuel Hoover having obtained an attachment against the estate
of Henry Frank, who hath privately removed out of this County
or absconds or conceals himself, so that the ordinary process of law can
not be served on him for Debt: and a constable of this County having
made return that he had executed the said attachment "en"
This day came the Plaintiff by his attorney and the Defendant
being solemnly called and not appearing to reply the same
it is considered by the Court, that the Plaintiff recover against the Deft
with legal interest thereon from 28th day of November 1855 three hundred
\$200 his debt affirmed proved to be just, and his costs by him out this

expended. and it is ordered, that the officer ^{who levies said} make sale of the property levied on as aforesaid, as the law directs, and out of the money arising from such sale, pay and satisfy this judgment to the Plff and restore the overplus (if any) to the Defendant, and return an account of such sale to the next Court

James McDonald having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or abroad or conceals himself so that the ordinary process of law cannot be served upon him, and a constable of ^{this County} having returned the said Attachment 'Leired'. This day came the Plaintiff by his attorney, and the defendant being solemnly called, and not appearing to replevy said property, it is considered that the Plff recover against the Deft \$75, his debt proved to be just, with interest thereon from the 23^d day of April 1856 till paid, and the costs by the Plff in this behalf expended, this judgment is subject to a credit of \$11.95 paid on to E. Brown, and it is ordered that the officer who levied said attachment make sale of the attached effects as the law directs, and pay and the money arising from such sale pay and satisfy this judgment to the Plff and restore the overplus (if any) to the Defendant and return an account of such sale to the next Court.

Alexander Colson having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or abroad or conceals himself so that the ordinary process of law cannot be served upon him, for money due by account, and a constable of this County having returned the said process an attachment 'Leired'. This day came the Plff by his attorney to replevy said property, it is considered that the Plff & the Deft being solemnly called and not appearing to replevy the same, it is considered that the Plff recover against the Deft \$128.50, proved to be just with legal interest thereon from the 23^d day of April 1856 till paid, and the costs by the Plff about incurred in this behalf expended, this judgment is subject to a credit of \$6.12 1/2, and it is ordered that the officer who

levied said attachment make sale of the attached effects and out of the money arising from such sale pay and satisfy this judgment and the surplus (if any) restore to the Deft. and return an account of such sale to the next court.

Noah W Beery having obtained an attachment against the estate of Harvey Frank 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 money due by account, and a constable of this County having returned said attachment "levied" &c. This day came the Plff by his attorney and the Deft being solemnly called and not appearing to replevy said property, it is considered that the Plff recover against the Deft \$128.80 the amount proved to be just, with interest thereon from the 25th day of April 1856 till paid, and it is ordered that the officer who levied said Attachment make sale of the attached effects and out of the money arising from such sale pay and satisfy this judgment and restore the surplus (if any) to the Defendant and return an account of such sale to the next court.

Margaret Moyers having obtained an attachment against the estate of Harvey Frank 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 money due by account, and a constable of this County having returned said Attachment "levied" &c. This day came the Plff by his attorney and the Deft being solemnly called and not appearing to replevy the same, it is considered that the Plff recover against the Deft \$115. the amount proved to be just, with legal interest from the 25th day of April 1856 till paid, and it is ordered that the officer who levied said attachment make sale of the attached effects and out of the money arising from such sale pay and satisfy this judgment and restore the surplus (if any) to the Defendant and return an account of such sale to the next court.

Mathias Bowman having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or

abscond or conceals himself so that the ordinary process of law cannot be served on him for ~~the~~ money due by account, and a constable of this County having returned said attachment "Seized". This day came the Plff by his attorney and the defendant being solemnly called and not appearing to reply the same it is considered that the Plff recover against the Deft the sum of \$85. the amount proved to be just, with the legal interest thereon from the 21st day of April 1856 till paid and the costs by the Plff in this behalf expended, and it is ordered that the officer who levied said attachment make sale of the attached effects, as and according to law, and out of the money arising from such sale pay and satisfy this judgment, and restore the surplus (if any) to the Defendant, and return an account of such sale to the next Court.

Benjamin H. Ralston having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or abscond or conceals himself so that the ordinary process of law cannot be served upon him for money due by account, and a constable of this County having returned said Attachment "Seized". This day came the Plff by his attorney and the Deft being solemnly called and not appearing to reply the same it is considered that the Plff recover against the Deft the sum of \$117.50 the amount proved to be just, with legal interest thereon from the 21st day of April 1856 till paid and the costs by the Plff in this behalf expended, and it is ordered that the officer who levied said attachment make sale of the attached effects according to law and out of the money arising from such sale pay and satisfy this judgment and restore the surplus (if any) to the Deft and return an account of such sale to the next Court.

John Stokes having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or abscond or conceals himself so that the ordinary process of law cannot be served upon him for money due by account, and a constable of this County having returned said attachment "Seized".

This day came the Plff by his attorney and the Def being solemnly called and not appearing to reply the same it is considered that the Plff ~~by his attorney~~ recover against the Def \$100. the amount proved to be just, with legal interest thereon from the 22nd day of April 1856 till paid and the costs by the Plff in this behalf expended, and it is ordered that the officer who levied said attachment make sale of the attached effects, and out of the proceeds arising from such sale pay and satisfy this judgment, and restore the overplus (if any) to the Defendant and return an account of such sale to the next Court

Martin Garber having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or absconds, or conceals himself so that the ordinary process of law cannot be served upon him, for money due by account, and a constable of this County having returned said Attachment, "Served". This day came the Plff by his attorney and the Def being solemnly called and not appearing to reply the same it is considered by the Court that the Plff recover against the Def \$116.90 the amt proved to be just, with legal interest thereon from the 22nd day of April 1856 till paid and the costs by the Plff in this behalf expended, and it is ordered that the officer who levied said attachment, make sale of the attached effects and out of the proceeds of such sale pay and satisfy this judgment and restore the overplus (if any) to the Defendant & return an account of such sale of said to the next Court

Wm Little & Co having obtained an attachment against the estate of Harvey Frank who hath privately removed of this County or absconds or conceals himself so that the ordinary process of law cannot be served on him, for money due by account, and a constable of this County having returned the said attachment, "Served". This day came the Plff by their attornes and the defendant being solemnly called and not appearing to reply the same, it is considered that the

Pliff recover against the Debt \$24.00 the amount proved to be just with legal interest thereon from the 22^d day of April 1856 till paid and it is ordered that the officer who levied said Attachment make sale of the attached effects and out of the proceeds arising from the ~~such~~ sale pay and satisfy this judgment and restore the overplus (if any) to the Defendant and return an account of the sale to the next Court

Jacob Miller having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or abroad or conceals himself so that the ordinary process of law cannot be served upon him for money due by account and a constable having returned said Attachment "Leired". This day came the Pliff by his attorney and the Debt being solemnly called and not appearing to replevy the same, it is considered by the Court that the Pliff recover against the Debt \$117.30 the amount proved to be just with legal interest thereon from the 7th day of April 1856 till paid, ^{the costs by the pliff in this behalf expended} and it is ordered that the officer who levied said Attachment make sale of the attached effects and out of the proceeds arising from such sale pay and satisfy this judgment and restore the overplus (if any) to the Debt and return an account of the sale to the next term

Joseph Leupp having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or abroad or conceals himself so that the ordinary ^{cannot be served who he} process of law for money due by account and a constable of this County having returned the said Attachment "Leired". This day came the Pliff by his attorney and the debt being solemnly called and not appearing to replevy the same it is considered that the Pliff recover against the Debt the sum of \$57.80 the amount proved to be just with legal interest thereon from the 10th day of May 1855 till paid and the costs by the Pliff in this behalf expended and it is ordered that the officer who levied said Attachment make sale of the attached effects and out of the money arising from such sale pay and satisfy this judgment and restore the overplus

(if any) to the Defendant, and return an account of the sale to the next Court

George Sites having obtained an attachment against the ~~estate~~ estate of Harvey Frank who hath privately removed out of this County or conceals or absconds so that the ordinary process of law cannot be served upon him for money due by account, and a Constable of this County having ~~been~~ returned "Levied". This day came the Plaintiff by his attorney, and the Deft being solemnly called and not appearing, it is considered that the Plaintiff recover against the Deft \$117.30 the amount proved to be just, with interest thereon from the 7th day of April 1856 ^{and the costs by the Plff in his behalf expended} till paid, and it is ordered that the officer who levied said attachment make sale of the attached effects, and out of the proceeds arising therefrom pay and satisfy this judgment, and restore the overplus (if any) to the Defendant, and return an account of such sale to the next Court

Franklin Bramer having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County, or abscond or conceals himself so that the ordinary process of law cannot be served upon him, and a constable of this County having returned ~~the~~ "Levied". This day came the Plaintiff and the Deft being solemnly called and not appearing, to reply the same it is considered that the Plaintiff recover against the Deft \$58.90 the amount proved to be due, with legal interest thereon from the 22nd day of April 1850 till paid and the costs by the Plaintiff in his behalf expended, and it is ordered that the officer who levied the said attachment make sale of the attached effects, and out of the money arising therefrom pay and satisfy this judgment and restore the overplus (if any) to the Deft & return an account of such sale to the next Court

Mary Rife having obtained an attachment against the estate of Harvey Frank who hath privately removed out of this County or absconded or conceals himself so that the ordinary process of law cannot be served upon him for debt. and a constable of this County having returned said attachment "Leived". This day came the Plff by his attorney and the deft being solemnly called and not appearing to reply the same, it is considered that the Plff recover against the Deft \$80. Due by single bill with legal interest thereon from the 5th day of April 1853 till paid and the costs by the Plff in this behalf expended. and it is ordered that the officer who leived said attachment make sale of the attached effects and out of the proceeds arising therefrom pay and satisfy this judgment, and restore the overplus (if any) to the Defendant, and return an account of such sale to the next Court.

RM Shurfey who entered into a recognizance with Richard Robinson for the appearance of Harvey a slave the property of said Robinson. before this Court to give evidence ~~for~~ on behalf of the Commonwealth against Do Google (a free negro). This day surrendered said slave Harvey in Court. and thereupon it is ordered that said slave Harvey be committed to jail until the said Richard Robinson or the present owner of said slave or someone for him shall enter into a recognizance in the penalty of \$500 conditioned for the appearance of said slave Harvey before this Court. on the third Monday in August next. to give evidence on behalf of the Commonwealth against Do Google. which recognizance may be taken before any Justice of the peace for this County.

On the Motion of Samuel H Lewis. executor of Thomas Lewis dec^d. It is ordered that Ed H. Warren be appointed a special commissioner. where duty it shall be to examine state and settle said executorial account and report thereon to the Court according to law.

Present Samuel Miller Genl Sec

Harvey Mefferly alias Lewis ^(freemason) late of the County of Rockingham who stand charge with a felony by him committed in this that he did on the day of 1853 & on the day of 1856 in the County of Rockingham, steal take and carry away one brace one steel blade square, one gauge, one drawing knife three brace bits, one hammer, one vice, one rule, two new hand saws, one new Rip saw, two braces, one tenon saw, one set bevel squares, one rule, one smoothing plane, one small try square, several other squares, and another smoothing plane, and a number of brace bits of the Value of fifty dollars the property of John H. Long, was this day led to the bar in custody of the jailer and sundry witnesses being sworn and examined touching the premises, the Court upon mature deliberation are of opinion that the prisoner is guilty of the felony aforesaid it is therefore considered that the said Harvey Mefferly alias Lewis for the felony aforesaid be imprisoned in the penitentiary of this Commonwealth for the term of two years, and it is ordered that the Sheriff of this County convey the said prisoner to the penitentiary as soon after the adjournment of this Court, as practicable, and thereupon the prisoner was remanded to jail

On the motion of Abraham Funk guardian of Joseph D Bowman heir of Joseph Bowman dec^d, John J Bowman Samuel Shank Jr. John Zeigler & Abraham Knapp Jun^r appointed commissioners to assign to the widow of Fennia Bowman widow of Joseph Bowman ^{her share} in two thirds of a tract of 51 acres of land belonging to the estate of said Joseph Bowman

John A Lewis John T Myers Jacob Boyerly Jonathan Beale & Henry Miller who were appointed a board of commissioners to ascertain the damages that may accrue to the lands of the said John A Bowman by reason of the construction of the

Managers Gap Rail Road through the same, and it appearing to the Court that John T Myers and Jonathan Peale, two of the said commissioners cannot serve, it is ordered that Samuel Bournan and Jacob H Maury be appointed in their stead, and invested with the same powers conferred upon the said Myers & Peale by the order of this Court at its last term

In the matter of account of James Baker administrator of Jacob D Beery, it appearing to the Court from the statement of Mr Gamble clerk of this Court, that the said Jacob D Beery, on the 28th of August 1853, was indebted to his wards Abram Beery & Francis Beery each in the sum of \$183.57 ¹/₂ and it also appearing from the report of Commissioner Fletcher, that the said amount due the said wards, is not included in the said commissioners report of the Debts & demands against the estate of said Jacob D Beery, it is ordered that the amount due the said wards of said Jacob D Beery, from their guardian be paid to the present guardian of said children before any of the other debts of said Jacob D Beery, and it is further ordered that the said James Baker administrator as aforesaid pay out of the assets in his hands a ratable proportion of the following claims against Jacob D Beery's estate omitted in said report, to wit a Debt of \$4.00 to Silas Beard, and a bond on Jacob D Beery & John H Beery for \$35.00 ¹/₂ payable to Richard S Maupin admr of David Mayers due the 30th of December 1854

~~Ordered that the Court be adjourned until tomorrow morning at 10 O'clock~~

Present Peter Paul. absent H McIntyre & Isaac Thomas
Rogan vs Jones on D Bond notice provided execution awarded

Ordered that the Court be adjourned until tomorrow morning at 10 O'clock
St. Lewis.

Tuesday May 20th 1856

Present

+ Samuel H. Lewis Pf. + Henry H. Martmann + Isaac Thomas
 + Samuel Miller Jackson + Corv. Wm B. Yancey + Mrs G. Brown
 + Jno A. Herrington + M. Layton + Samuel Ruehrich + Reuben Dove } Gent
 + O. C. Herling + Peter Paul + Isaac Handeek + Benj. S. Coover } Justices
 + Reuben Haffman + Wm M. Carpenter + Maason Bare + Andrew
 Houch + John Burkholder + Daniel Harrison + Peter P. Koontz
 + Arch^d Hopkins + Mrs A. Dice + Mrs H. Harris + Mrs R. Kessler
 + Wm D. Hopkins + Jacob Rush

Upon the applications of Silbert + Bowman, Saml Costes John
 Stinespring, Wm M. Galey, Mrs H. Hill, Mrs Sites Mrs Scanlon

and they having paid to the Sheriff the tax imposed by law it is ordered that
 license be granted them for keeping ordinary in this County until April
 Court 1857 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

Upon the applications of J. B. Gilmore, John Lee, Wm Vandear
 John Argabright, Madison West, Jacob Cole, Curtis Yates Wm Maiden
 M. Koontz Mrs Fulse + Evan Leenton they having paid the Sheriff the tax
 imposed by law, it is ordered that license be granted them for keeping
 houses of private Entertainment in this County until the April
 Court 1857. 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

Upon the applications of George Bruff, Harnsberger + Coeffman
 Lewis Meyerhoeffer, Ann Kemper, Michael Meyerhoeffer, Jacob P
 Effinger, Rice + Ott

they having paid the tax imposed by law, certificate is 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 & that their stores are proper place for such purpose

James Jackson a free Mulatto man aged between 22 & 23 years of age. five feet 6 1/2 inches high has a small scar on the nose. also a scar on the knuckle of the fore finger of the right hand. was born free in the County of Rockingham Louisa. it is ordered that the Clerk of this Court register said Negro according to law

upon the application of Jno Lites & Evan Denton who have paid the tax imposed by law a license is granted them for ~~not~~ keeping a bowling saloon in this County. the Court being of opinion that they are persons not addicted to drinking or gaming will probably keep such a saloon as the law requires

Peter Brick jailor of this County presented in Court an account agt the Commonwealth amounting to \$52.30 which being sworn to was sworn to. was examined allowed by the Court and ordered to be certified to the auditor of Public accounts

Jacob Bear

vs

Andrew Brick

Petff

Deft

} Upon an award.

This day came the parties by their attornies and the referees having returned their award in these words. 'We's award it on for by consent said award is ordered that to be made the judgment of this Court. It is therefore considered that the Petff recover against the Deft the sum of \$315.51. with legal interest thereon from the 29th day of January 1856 till paid. and the Costs in this behalf expended.

Dever for vs Simmons Ma & Bond Notice moved for execution awarded

Dever for vs Randolph

same order

Defton & Co vs Same

same order

Price for us Mummy & on Bond Notice proved & then awarded
Bayne Bucknott. is Clifton & The same order
Aylmer for us Norman The same order

On Motion, the term within which Jacob N. Duggett was required to build his law office in the Court-house square is extended six months longer than the term allowed by the original order. - making the term under this order expire with June Court 1887

On the motion of Bryan & Woodson & John Harris the Court appointed a committee of their own body, to examine the law offices built by them on the public square & the said Committee having reported that said offices were built in strict conformity with the plan of elevation filed at the June term 1855: the Court doth order that the said buildings be received & that the said Bryan & Woodson & John Harris, and their successors or assigns be permitted to use and enjoy said offices for the term of fifteen years, according to the original order made at the June term 1833.

Thomas A. Vancey
or
Robert L. O. Beard

Prof.
Def.

McChancery

This cause came on to be further heard on the bill, exhibits and the petition of William Kaylor whereupon it is ordered that the said Wm Kaylor be made a party plaintiff to this cause and the Commonwealth spa may issue against said Robert L R Beard returnable to June next.

Peter S Roller who has been duly appointed a Notary Public in and for the County of Buckingham. appeared in Court and together with Daniel Byerly his security ~~is and for the~~ entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires. and thereupon the said Roller took the several oaths required by law

The Court doth recommend to the Executive of this Commonwealth
Nelson Sprinkel as a fit and proper person to be commissioned to
execute the office of Coroner within this County

The Court doth appoint Perry Hoefflenstine, sealer of weights
and measures for the County of Rockingham, and thereupon the
said Perry Hoefflenstine took the several oaths required by law

The Court doth appoint John T. Lewis a sepo for the first collec-
tion Revenue District for Rockingham County, under an act of the
General assembly of Virginia, entitled "an act providing for a reapportionment
of the lands throughout the Commonwealth" passed March 10th 1856.

The Court doth appoint Peter Paul — a sepo for the ~~second~~
collection Revenue District for Rockingham County, under an act of
the General assembly of Virginia, entitled "an act providing for a reap-
portionment of the lands throughout the Commonwealth" passed March
10th 1856. Thereupon the said Peter Paul appeared in Court together
with Augustus Rice, John A. Dice and David H. Houston (who justified
as to their sufficiency) entered into and acknowledged a bond in
the penalty of five thousand dollars, conditioned as the law requires
and thereupon the said Peter Paul took the oath required
by the aforesaid act of assembly —

The Court doth appoint Jackson Hoon a sepo for the third
collection Revenue District for Rockingham County, under an act
of the General assembly of Virginia, entitled "an act providing for a
reapportionment of the lands throughout the Commonwealth" passed
March 10th 1856. Thereupon the said Jackson Hoon together
with Benjamin Hoover & Mason Base his securities (who justified
as to their sufficiency) entered into and acknowledged a bond in the
penalty of \$5000, conditioned as the law requires, and thereupon
the said Jackson ^{Hoon} took the oath required by the aforesaid
act of assembly.

On the motion of Thomas K. Harmsberger. It is ordered to be certified that the Commissioner of the Revenue, has assessed ~~Mem D Maiden~~ and certified with \$36,66 1/3 the tax imposed by law upon keepers of Ordinary. that since said assessment was made & certified the said Mem D Maiden has declined to keep an ordinary

Rawlins & Miller Plffs
vs
W. F. McGahey Deft } In Case

This day came the parties by their attorneys and by consent of parties the Court proceeded to execute the writ of Enquiry, neither party requiring a jury, and a witness being sworn and examined, it is considered by the Court that the Plff recover against the Deft \$419.59 with legal interest thereon from the 2^d day of March 1855 till paid and the costs by the Plff about his suit in this behalf expended

Bennett & Ozeers Plffs
vs
Same Deft } In Case

This day came the parties by their attorneys and by consent of parties the Court proceeded to execute the writ of Enquiry neither party requiring a jury, and a witness being sworn and examined it is considered by the Court that the Plff recover against the Deft \$13.49 with legal interest thereon from the 3^d day of Sept 1855 till paid and the costs by the Plff in this behalf expended

Pegram, Payner & Davis Plffs
vs
Same Deft } In Debt

This day came the parties by their attorneys and by consent of parties the plea is waived (saving equity) it is therefore considered by the Court that the Plff recover against the Deft \$8501.68 with legal interest on \$86.45 part thereof from the 1st day of April 1854 and on the \$215.23 the residue thereof from the 2^d day of October 1854 till paid, and the costs by

by the Plff in this behalf expended

George Bruffy Plff
vs
Jacob Bear Deft } In Case

This day came the Plff by his attorney, and neither party requiring a jury the Court proceeded to execute the writ of enquiry it is therefore considered that the Plff recover against the Deft \$58.07 with interest thereon from the 1st day of January 1856 till paid, and the costs by the Plff about his suit in this behalf expended

The Sheriff of this County ^{having reported} that John Amos, Dennis McGruder, John Hackley Jr, John Mayers, Sandy Byrd, Samuel Bryan, James Hite, Benjamin Spencer, Calvin Hoad, Jerry Gibson, Allen Strother, Josh Bryan, John Gibson, St Clair Gibson, Madison Maho, Charles Fox and Christian Barnette ^{free negroes} as delinquent for the State Parish & County Tax, it is ordered that the said Sheriff hire out said free negroes according to law

Daniel H Brewer
vs
Jacob W Effinger } In Case

This day came the parties by their attorneys and the Deft by his attorney, plead non assumpsit and thereupon the judge obtained in the office be set aside and the issue continued

Gerard M Effinger Plff
vs
Jacob Bear Deft } In Deft

This day came the parties by their attorneys and the Defendant filed his plea of non est factum to which the Plff replied generally and thereupon the issue judgment obtained in the office is set aside and the issue is continued until the next term

David McKay Plff }
 vs } In Debt
 Henry Miller Deft }

This day came the parties by their attorneys and the Deft pleaded a payment & also filed an account of off sets which he desires to prove. thereupon the judgment obtained in the office is set aside and the issue continued

Mr C Effinger for Plff }
 vs } In Debt
 Wm C Smith &c Deft }

This day came the parties by their attorneys and the Deft pleaded a payment & also filed an account of sett. off. which he desires to prove upon the trial of this cause. thereupon the judgment obtained in the office is set aside and the issue continued

John Archart Plff }
 vs } In Debt
 Elias Bowman Deft }

This day came the parties by their attorneys and on Motion this cause is dismissed and it is ordered that the Deft recover against the Plff his costs about his defence in this behalf expended

William Robinson Plff }
 vs } In Debt
 Wm C Smith Deft }

This day came the parties by their attorneys and the Deft pleaded a payment & also filed an account of sett off. which he desires to prove upon the trial of this cause. thereupon the judgment obtained in the office is set aside and the issue continued until the next term

Hoarway Frank Plff
 vs
 John Q Winfield Def } In Case

This day came the parties by their attorneys, and it appearing to the satisfaction of the Court, that the Plaintiff is not an inhabitant of this State, on the motion of the Defendant by his attorney it is ordered that this suit be dismissed at the next term unless security for the payment of such costs and damages as may be awarded to the Defendant, and also of the fees which will become due from the Plff to the officers of this Court, be given with the Clerk, within sixty days from this time.

Jacob A Mitchell Plff
 vs
 Augustus Reedy Def } In Case

This day came the Plff by his attorney, and on motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term.

Ordered that Peter Kovitz be appointed a committee for to take charge of the person and property of Charles Nicholas a person of unsound mind, and thereupon the said Peter Kovitz appeared in Court and together with George Nicholas & Anthony & Cuffin and his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1500⁰⁰ conditioned as the law requires, which bond is ordered to be recorded.

Felix T Sheets Deputy of AS Byrd SR returned a list of Real estate in part of Rockingham, delinquent for the taxes thereon for the year 1853 which being sworn to was examined by the Court, allowed and ordered to be certified to the auditor of Public accounts.

Felix T Sheets Deputy for AS Byrd SR returned a list of Persons & property Tax in part of the County, delinquent for the year 1855, which being sworn to was examined by the Court, allowed and ordered to be

certified to the auditor of Public accounts

John Mullen a native of Ireland this day appeared in court this Court being a Court of Record with common law jurisdiction all clerk and seal. and upon declared on oath that 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 and Ireland

Giles A Turley (Deputy for AS Byrd SR) returned a list of delinquents in the Capitation & property tax in part of the County of Rockingham for the year 1855. which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

John H Rhodes (Deputy for AS Byrd SR) returned a list of real estate in part of the County of Rockingham delinquent for the taxes due thereon for the year 1855. which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

John H Rhodes (Deputy for AS Byrd SR) returned a list of ~~real~~ ~~estate~~ ~~in part~~ delinquent in the Capitation and Property tax in part of the County of Rockingham for the year 1855. which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Giles A Turley (Deputy for AS Byrd SR) returned a list of real estate in part of the County of Rockingham delinquent for the year 1855 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Ordered that the Sheriff ^{or} the acting Justices of this County to appear here on the 2nd day of the June Court next for the purpose of laying the County levy & for other purposes -

~~Reuben M Baker late of the County of Rockingham who stands charged~~

absent all the Justices except Saml H Lewis J. Isaac

Thomas Saml Miller Arch Hopkins Jr &

M H Harris

} Gent.
Justices

Reuben M Baker late of the County of Rockingham who stands charged with a felony by him committed in this that he did on the 17th day of March 1856 feloniously did steal take and carry away Two twenty dollar Bank notes, one fifteen dollar bank note and forty five dollars in ten and five dollar bank notes in the whole amounting to one hundred dollars and of the value of one hundred dollars, there being the bank notes and property of Peter A Batchelor, appeared in Court in pursuance to his recognizance entered into before a justice of the peace, and sundry witnesses being sworn and examined touching the premises the Court upon mature deliberation are of opinion that there is not probable cause to suspect the said Reuben M Baker with the felony aforesaid, therefore it is ordered that he be discharged from custody

The Court this day made out a list of jurors to serve during the next year which list of were deposited with the clerk of this Court

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

Saml Lewis :

At a Court held for the County of Rockingham at the Court house thereof on Monday the 16th day of June 1856

Present

Samuel H Lewis, J. Isaac Hardisty } Gent
John A Dice & Archibald Hopkins Jr } Justices
/ Samuel Miller

The Clerk of this Court returned into Court a list of Deed & other writings admitted to record in his office during the month of May 1856 which being seen and inspected by the Court the same is ordered to be entered on the minutes as follows to wit -

- 1 ✓ \ Deed of Bargain & Sale from Wm (De)bovington to Jackson Mayant
- 2 ✓ \ same from Wm Howalter wife to John Smith
- 3 ✓ \ same from John Lander wife to Daniel Lander
- 4 ✓ \ same from Geo Gilmore wife to Allison Breedon
- 5 ✓ \ Deed of Trust from Edward Jones to Thomas & Nancy Trust for Richd Manzy
- 6 ✓ \ same from Elizabeth Myakey & John Woodson Trust for S D Dwell
- 7 ✓ \ same from James V Myakey to same Trust for same
- 8 ✓ \ same from W H P Effinger to same Trust for Amy Armentrout
- 9 ✓ \ Deed of Bargain & Sale from Nicholas Corkey to Jeremiah Worney
- 10 ✓ of same from Harrison Burk wife to Bronson O'Beach
- 11 ✓ \ Deed of Trust from W H Sterling to John Woodson Trust for M H Effinger
- 12 ✓ \ Deed of BTL from David B Bowman wife to Christian Sites
- 13 ✓ of \ Deed of Trust from James M Bailey to Joseph Byrd Trust for A W Brown
- 14 ✓ \ Deed of BTL from Elizabeth Myakey to Jacob Leach
- 15 ✓ \ same from same to Wm Leach
- 16 ✓ \ Deed of Trust from L K Harnelberger to K Harnelberger Trust for K Harnelberger
- 17 ✓ \ same from Allison Breedon to G L Armon Trust for Joseph Manzy
- 18 ✓ \ Deed of BTL from Samuel Coats wife to Adam Leese
- 19 ✓ \ Deed of Trust from Jacob Davis to E S Warren Trust for K Harnelberger
- 20 ✓ \ Deed of BTL from Hiram Akite to Wm Debovington
- 21 ✓ \ same from Daniel May wife to James Vanders
- 22 ✓ of same from Thomas Lard wife to Benjamin Bierly
- 23 ✓ of same from Wm Sandy wife to Reuben & Huffman
- 24 ✓ \ same from Adam Rasmberg wife to Hugh D Linn
- 25 ✓ \ same from John Dinkel wife to M A Lall
- 26 ✓ \ same from Daniel Huffman & William Wenger
- 27 ✓ \ same from John & Thomas wife to Alexander Holinger
- 28 ✓ \ same from Peter Shichee wife to John Allabough
- 29 ✓ \ Deed of Trust from John Bargallough to B B Leate Trust for Saml Coates
- 30 ✓ \ Deed of BTL from Peter Swopes son to Reuben Swope
- 31 ✓ of same from George Linn wife to John Lammner

- 32 ✓ ✓ Deed of Bargain & Sale from John Libert wife to Simon Hoarmon
 33 ✓ ✓ Same from Charles D Gray to David & Elgarndee
 34 ✓ ✓ Deed of Trust from Charles Black & Wm McKinnon to Mrs. J. E. Williams
 35 ✓ ✓ Deed of Bargain & Sale from Noah Whitmore wife to Abner McBlain

Settlements of the accounts of the Guardians for Mary F. Beirne & Josephus Sowers. Benjamin Curry's heirs, Jno B. Whitmore & Barbara Ann Christ. Mary Miller. Sarah & Elmatheny & Lydia Morar. having been filed in the Clerk's office for the time prescribed by law. were returned into Court. and no exceptions being offered thereto. same are confirmed and ordered to be recorded.

Settlements of the estates of Daniel Miller dec^d. Abalom Coffman dec^d. John H. Campbell dec^d. John O. Daniel dec^d. Daniel Frymoyer dec^d. Jacob Shavalter dec^d. Peter Holinger dec^d. Richard S. Mainpin dec^d. & Frederick Ullava dec^d. having been filed in the Clerk's office for the time prescribed by law. were presented in Court and no exceptions being offered thereto the same are confirmed and ordered to be recorded.

A Report of a committee respecting the creditors of the estate of Richard Powell dec^d. & a settlement of said estate. having been filed in the office for the time prescribed by law. was presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded.

A Report of a committee of the account of Debts & demands against Benjamin Whitmore dec^d. or his estate having been filed in the office for the time prescribed by law. was presented in Court. and no exceptions being offered thereto the same is affirmed and ordered to be recorded.

A Settlement of the accounts of Abraham Frank committee for George Picard having been filed in the Clerk's office for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded.

Samuel Lowman appellant
 vs
 Abraham Seedy Appellee } upon an appeal from the judgment
 of justice of the peace
 On the motion of the appellant this cause is ordered to be
 docketed

W. C. Coffman appellant
 vs
 W. D. Stranghorne and
 Appellee } upon an appeal from the judgment
 of justice of the peace
 The same order

W. S. Brathwaite appellant
 vs
 Same Appellee } upon an appeal from the judgment
 of justice of the peace
 The same order

H. Brathwaite appellant
 vs
 Same Appellee } upon an appeal from the judgment
 of justice of the peace
 The same order

Wm. H. Barley & Son appellant
 vs
 Henry Frank Appellee } upon an appeal from the judgment
 of justice of the peace
 The same order

John H. Manning appellant
 vs
 Samuel Seedy Appellee } upon an appeal from the judgment
 of justice of the peace
 The same order

Same appellant
 vs
 Same Appellee } upon an appeal from the judgment
 of justice of the peace
 The same order

Jacob Beards appellants
 vs
 John Halvert Appellee } upon an appeal from the judgment of
 a justice of the peace
 On Motion of the appellants it is ordered that this
 cause be placed on the docket

A. Hogan Appellant
 vs
 John O'Neal Appellee } upon an appeal from the judgment of a
 justice of the peace
 The same order

Manafogah Rail Road Company Plff.
 vs
 John R. Connan Def. } upon a motion &

This day came the parties by their attorneys
 and the commissioners heretofore appointed in this cause
 made their report in these words "see" v and on motion and
 for reasons the cause is ~~discontinued~~ continued

The Court doth appoint Joseph Damm Guardian of John Damm
 grand child of Peter Derron dec'd who is under the age of 14 years
 and thereupon the said Joseph Damm appeared in Court and to-
 gether with Jacob N. Connan his security (who justified as to his suffi-
 cy) entered into and acknowledged a bond in the penalty of \$160
 conditioned as the law requires, which bond is ordered to be
 recorded

Hammon Polahn is a survey of precinct No. 26 in the place of
 Mo. Haffman

John J. Miller is appointed survey in place of Reuben Swope.
 George Reed
 Moses Bowman in place of Moses Bowman

On the motion of Samuel Good who appeared with the attorney according
 to law and together with Samuel P. Lang & John Evers this

securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000. conditioned as the law requires, certificate is granted him for obtaining letters of administration in due form upon the estate of John Good dec^d. and it is ordered that Isaac Long (Plaintiff) Miller, Samuel Blaine & Abraham Bauman do appraise the estate of said John Good dec^d.

On Motion of Jehila Ann Arey Guardian for John B. Elizabeth & Samuel & Charles P. Arey orphans of John Arey, she is permitted to execute a new bond thereupon she appears in Court & together with George Arey & William Arey her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law requires which bond is ordered to be recorded.

Written & proved
Attest to 20th 1st do
16th day 16th Mo & 18th day
The instrument of writing purporting to be the last will & Testament of Mahala Leedy dec^d was presented in Court & proved by the oaths of Samuel Kennedy Jr & David Whisker & the persons in the presence thereof and ordered to be recorded and on the motion of Henry Neff the executor therein named who made oath thereto according to law and together with John Heinigardner & David Hoover his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires. Certificate is granted the said Henry Neff for obtaining a probat of said will in due form. ordered that George Bauman, Henry Heinigardner, Samuel Bauman & John Dinkel do appraise the estate of said Mahala Leedy dec^d.

John C. Brown, John C. Sprinkle, John H. Ralston, William B. Worthington, Wm H. Henshaw, E. W. Pollard, James F. Scamman, Adam H. Brewer who have been duly elected constables in and for the County of Rockingham for their respective districts for the term of two years from the 1st day July next. appear in Court and took the several oaths prescribed by law and severally entered into bonds with

absent Samuel Miller. Present Mrs A Dice Gent Geo Steiglafer and Huffman. Notice served and execution awarded

Manassas Gap Rail Road Company
vs
John Q Winfield } Upon a Notice &c.

This day came the parties by their attorneys and the Commissioners heretofore appointed made their report in these words. We "do" and thereupon it is considered that the Pliffs become seized ^(in fee) of the land mentioned in the report aforesaid for the use of their road constructed and to be constructed through said land

On the motion of Peter Kooty who made oath thereto according to law and together with Mellicambs Learpenter & David Flook his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$20,000⁰⁰ conditioned as the law requires. Certificate is granted the said Peter Kooty for obtaining a probate of said will in due form letters of administration in due form upon the estate of Charles Nicholas dec^d. the widow of said decedent having in writing relinquished her right to administer ~~as~~ upon said estate. ordered that David Eiler, Elijah Dudley, Solomon Burton & Robert Cox do appraise the said estate

Elhaman W Pollard who has been duly appointed a Notary Public for the County of Rockingham by a commission from under the hand of the Governor under the Great Seal of the Commonwealth appeared in Court and together with Levi Shaver his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of \$500 conditioned as the law requires. and thereupon the said Pollard took the several oaths required by law

James Kenney who has been heretofore appointed a Notary Public for the County of Rockingham appeared in Court and together with Mellicambs his security (who justified as to his sufficiency) entered

into and acknowledged a bond in the penalty of \$500. conditioned as the law requires

H. A. Clifton & Co. Sheriffs }
vs }
Darius Murry Deft }

Upon the application of Wm. D. Borman who presented in court the sheriff for the tax imposed by law. a license is granted him to keep a house of private entertainment in the County of Rockingham until the next term of this Court. the Court being of opinion that he is a man of good character. not addicted to drinking or gaming

Upon the petition of Henry Ott & others for a road in this County this day filed their said petition. and on their motion is ordered that Joseph Good Robert Cox. Wm. Euler & George Borman be and they are hereby appointed Viewers to act and report upon said petition according to law.

Conrad H. Kite William H. Harrick & Henry A. Harrison who were duly elected commissioners of the Revenue for the County of Rockingham on the 22^d day of May last. appeared in court and executed each bonds ^{with security} for the discharge of their duties in their respective districts. each in the penalty of \$1000⁰⁰ conditioned as the law requires

Abraham S. Byrd who was elected Sheriff of Rockingham County on the 25th day of May 1854 and by an act of the General Assembly of Virginia ~~passed~~ entitled an act concerning sheriffs & commissioners of the revenue their duties and compensation passed March 15th 1856 ^{that the term of office of the Sheriff shall commence on the 1st day of January next} the second section of which provides that the Sheriff now in office shall hold over and continue to exercise the duties & powers of his office until the commencement of the term of office of his successor upon giving bond as now required by law for the discharge of their duties during such continuance in office" appeared in court and

with
 McRee McDear AB Brick, Allen B Bryan AB Harnsberger
 Robert McKyle, Silveston McGarnice & Co. offman his counties
 (who justified as to their sufficiency) entered in and acknowledged ^(by att R McKyle)
 a bond in the penalty of \$90,000⁰⁰ conditioned as the law requires
 and thereupon the said Abraham S. Byrde took the several
 oaths required by law. The said bond was acknowledged in Court
 by McGarnice attorney in fact for Robert McKyle.

Shacklett & Bruffy

vs

Plff

} Upon a Notice

Wm McKailey John Blain & Wm Robinson Defts

This day came the Plff by their attorney and it appearing
 to the Court that the Defts had had legal notice of this motion
 and they being solemnly called and not appearing, it is considered
 by the Court that the Plff recover against the Defts \$33. with legal interest
 on \$3.87¹/₂ part thereof from the 2nd day of January 1852. on \$22.12¹/₄
 the residue thereof from 1st day of January 1852 and on \$7. the
 the residue thereof from the 2^d day of January 1852 till paid. and
 the costs by the Plff in this behalf expended

Nachariah Rains

vs

Plff

} Upon a Notice

Wm McKailey John Blain & Wm Robinson Defts

This day came the Plff by his attorney and it
 appearing to the Court that the Defts had had legal notice of this motion
 and they being solemnly called and not appearing it is considered
 by the Court that the Plff recover against the Defts the sum of \$15.44
 with legal interest thereon from the 31st day of January 1844 till
 paid. and the costs by the Plff about this motion in this
 behalf expended

A J Johnson presented in Court an account against the Commonwealth
 amounting to \$17.02 which being sworn to was examined by the
 Court allowed and ordered to be certified to the
 auditor of public accounts.

On the motion of Abraham S. Byrd Sheriff of this County, Men
 McWarren, Thomas W. Hearnberger, Preston T. Burkholder, John
 McRhodes, Felix A. Sheets, Giles Turley & Peter Trick are permitted
 to qualify as his deputies, and thereupon they severally took
 the several oaths prescribed by law

John Perkey a very black negro, who was emancipated by the
 last will and testament of Leatharine Perkey dec'd late of the
 County of Rockingham, ~~it is ordered that he~~ appeared in Court
 and on his motion it is ordered that the clerk of this Court
 register said John Perkey, said negro, is of very black color
 aged 22 years, five feet & five inches high, and has a scar on the
 left cheek bone. but ~~the~~ no permission is granted the said
 John Perkey to remain in this Commonwealth

On the motion of Thomas Hearnberger, the attorney for the
 Commonwealth being present when the motion was made, it is
 ordered to certify that the Commissioner of the Revenue has
 assessed Men @ Maiden with \$56.66 2/3 the tax imposed by law upon
 keepers of Ordinaries ^{for the year 1856} that since said assessment was made and
 certified the said Men @ Maiden has declined to keep an ordinary

Nelson Sprinkel produced in Court a commission under the
 hand of the Governor of ~~the~~ Virginia and the Great seal of the
 Commonwealth, appointing him coroner of the County of Rockingham
 thereupon the said Sprinkel together with William N. Gay &
 James O'Brien his securities, entered into and acknowledged
 a bond in the penalty of \$10000 conditioned as the law requires
 and the said Nelson Sprinkel took the several oaths requir-
 ed by law

Aberry Harrison a free negro born in the County of Rockingham
 of free parents, of black complexion, five feet eleven inches high,
 has a small scar on the thumb of the left hand below the first
 joint. On the great toe of the right foot, high forehead & inclined

to Calamief and is about 33 years of age. on his motion it is ordered that he be registered according to law

Barley & Bm vs Frank On Motion for reasons appearing to the Court it is ordered that this cause be continued until the next term

On the Motion of the Mount Royal & Huray Turnpike Company and it appearing that they have completed part of their road in this County it is ordered that Jacob Bare Jacob Bless Thos K Miller & Lem S Miller be appointed Commissioners to view and report upon said road according to law

Samuel Miller

Pliff

vs

Solomon Mclanter & Samuel Coates Defs

Upon a Notice &

This day came the parties by their attorneys and the defendants waived their defence to this cause and thereupon it is considered that the Pliff recover against the Defs \$11.85 with legal interest thereon from the 17th of Jan'y 1844 to the 17th of Nov. 1845 and int on the whole amt thereof at the rate of 15 per centum per annum from the said 17th day of Nov. 1845 till paid also the further sum of \$9.51 with int at the rate of six per centum per annum from the 17th day of January 1844 to Nov. 17 1855. Subject to a credit of \$5.50 Nov. 6th 1844 with Damage on the amount due Nov 17 1845 at the rate of 15 per centum per annum from the said 17th day of November 1845 till paid and the costs of the Pliff about his motion in this behalf expended

Ordered that the Court be adjourned until tomorrow morning at 10 O'clock

S. H. Lewis.

Tuesday Aug 17th 1856

Present Samuel S Lewis P J Oesterling Samuel Miller
 Isaac Landestry John A Dice Isaac Thomas Arch^d Hopkins Jr. Henry A
 Westmann. Daniel Harrison Reuben Dove Peter P Koontz John
 Burkholder J Boyer. Saml Ruelush Naason Bare Jacob Bush. A M
 dayton Prof Brown. Wm Byancey Prof Bourman Benj Hoover
 Reuben Huffman M^r S Harris M^r A Leirvig. And Houck Saml R
Spunkel Wm Carpenter Peter Dane. Wm S Hopkins

Gent

Judges

✓ Daniel Murry is appointed surveyor of precinct No in the place
 of John S Austin resigned

✓ William Merica is appointed surveyor of precinct No 40 in the place of
 Isaac Huffman resigned

✓ The court doth discontinue the Bolton road & transfer the hands
 to the road of which Henry Armentrout is surveyor

✓ John Sibert is appointed surveyor of precinct No in the place of Henry
 Dunkel. road leading from Bridge water to the Valley Turnpike

✓ Benjamin Bourman is appointed surveyor of precinct No of road No 16
 in the place of Hugh Chofer resigned

✓ George Weffinger is appointed surveyor of precinct No 1 of road No 29
 in the place of Peachy Wine

✓ Fred. Hefner is appointed surveyor of precinct No in the place of Jacob
 Sanger resigned

✓ Samuel Sanger is appointed surveyor of precinct No 4 in place
 of Wm Carpenter resigned

Upon the petition of James Deane for the establishment of a road &c
 This day came the petitioner by attorney and the Commissioners heretofore
 appointed this day made their report in these words, Pursuant to and upon

William W. Cooke & others

Defts

vs

James Kenney Trustees & others.

Defts

In Chancery -

This cause came on to be further heard this 17th day of June 1856 upon the papers heretofore filed. the proceedings heretofore had and the report of Commissioner William W. Cooke to which no exceptions is taken and the sale made by him on the 23rd of April 1856 to Samuel Fuller is hereby confirmed and the Court doth further adjudged ordered and decreed that Commissioner Wm W. Cooke after he has executed before the Clerk of this Court as required by the Decree of March 19th 1856 shall withdraw the bond filed with his report and collect the same and out of the money collected on the first of said bonds, he shall first pay the expenses of the sale including a commission of five per cent on the first \$300 and two per cent on the residue as his own compensation and shall also pay the costs of this suit including a ~~reasonable~~ reasonable counsel fee and the residue he shall distribute ratably among the heirs at law of John Cooke paying to the guardian of the infants and to the trustees in the cases where trust deeds have been given and shall further proceed to make collections of the deferred payments and distribute the same in the same manner

~~Daniel Beyerly~~ is appointed officer for this County, in the place of ~~John D. Beyerly~~ resigned

Samuel Shacklett agent of this Court for receiving and disbursing the Rail Road Tax levied for the purpose of meeting the interest upon the bonds of the County. authorized to issue to the Manager Gap Rail Road company, by an order of this Court made at its June Term 1854 this day returned into Court a report in the following words & figures. "D. Allen & Byrd &c. which said report having been examined by the Court and found correct is ordered that the same be affirmed and entered of record. and it is further ordered that Samuel Shacklett agent as aforesaid be and he is hereby authorized to appropriate & expend any surplus of said tax that may remain in his hands after the liquidation of the interest accruing on the bonds of the County aforesaid - to the purchase and redemption of the said bonds using his discretion as to the term and prices to be paid for the said bonds.

Bennyman Perkey James Perkey free Negroes being over 14 years of age appeared in Court and made choice of Fountain M Dayton as their Guarantian, and the Court doth appoint said Fountain M Dayton Guarantian for Sarah Mary Peter & Catharine Perkey (free Negroes) and thereupon the said Fountain M Dayton appeared in Court and together with Alexander Ryger his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000. conditioned as the law requires

Thos Jackson Guarant

vs

Daniel Woakley &

Defts

Defts

Plancery

This cause came on to be heard on this 17th day of June 1856 upon the report of Commissioner Adam Rader to which there is no exception and the same is hereby received and the sale made by him confirmed whereupon the argument of counsel being heard the Court doth order a judge and decree or confirmation of the said sale and direct the said Commissioner to execute a deed to such parties as may legitimately be entitled to a deed and he is required to retain a lien on the land to receive the deferred payment and he is further directed to keep the bonds & collect the same when due and in the mean time he is instructed to loan out such money as he may have and may receive taking good security and after the last bond is collected he shall report the facts to this Court and he is hereby instructed to pay the fees and charges attending the prosecution of the suit & retain for himself such compensation as he thinks just not exceeding 5 per cent on the first three hundred dollars & two per cent on the remainder

Upon the petition of Derrick Pennybaker a merchant of this County who wishes to retail ardent spirits it is ordered to be certified that he is a man of good character not addicted to gaming or drinking

The Court order that all allowances to jurors to be paid by the County be fixed at the sum of 75 cents per day for their services

The Court proceeded to say the County & Parish Series (the justices having been duly summoned for that purpose and a majority being present) as follows to wit

Amount of Claims allowed & appropriations by the overseers of the Poor	\$2026.23
" Amt due agent of Overseer of Poor as per ac	132.48
" Amt supposed to be due 60 th inst	350.00
" Amt due & directed to be paid by agent O.S.D. to J.D. yearly	101.09
" Claims allowed & appropriations made by the County Court this day allowance to County officers and pay of Justices	4220.66
" Amt due J. Hardisty former County agent not added	664.00
" Supposed amt of delinquents say 675 @ \$1.85	1248.75
" Amt of Sheriff commission for collecting Levy	546.81
" Balance supposed to be sufficient to meet expenses of the Poor at the Poor House &c to meet contingent expenses of the County & Parish	2356.64
	<u>\$11636.66</u>

By which there are the following means

By 5600 Tithables @ \$1.85	10360.00
" Amt due from Sheriff say	1276.66
	<u>11636.66</u>

Ordered that the Sheriff of this County collect from each tithable in the County not exempted by law \$1.85; \$1.05 of which shall be appropriated to the County and eighty cents to the Parish, and out of the monies arising from such collection pay the claims allowed by the County & Parish to the persons entitled thereto at the time directed by law and the balance after making allowances for delinquents & commissions pay to the agent of the County & Parish

It is ordered that a levy of 6 cents on each hundred dollars on the assessed value of the taxable property of the County and a capitation tax of thirty cents on each tithable of the County be imposed for the purpose of meeting the interest on the bonds heretofore issued by the County under the order of the Sheriff entered at the June Term 1854 of the Court which shall be collected by the Sheriff who shall receive a compensation of three per cent for the collection thereof and pay the same

into the Bank of Richmond. subject to the order of James Shacklett agent of this Court and the Commissioners of the revenue for this County are required to open separate column in the Sheriff's book for the proper amount of the levy imposed for the foregoing order and that said Commissioners each receive the sum of \$20 for the duties imposed by this order.

The overseers of the Poor of this County, this day returned into Court their report &c which was examined by the Court allowed and ordered to be certified to the ^{2nd} Auditor.

The South Shamondah Pole bridge Company Deft } In Case
vs } (2 Cases)
(David S Jones &c Deft)

This day came the Defts. and it appearing to the Court that this Cause was at a former term of this Court at the costs of the Defts. and it is now further ordered that the Clerk of this Court upon being satisfied that the Defts have paid said costs, deliver to the Deft David S Jones all papers filed ~~with the~~ in the ^{several} Causes now in the Clerk's office of this Court.

Absent all the Justices except Samuel H Lewis P. J. } Gent.
Reuben Dove Isaac Hardisty Fountain Mendenhall } Justices
& Archibald & Perkins.

John H Rhodes Deputy for A. L. Byrd Sheriff of this County returned into Court a list of Delinquents in the County and Parish & Rail road Tax for the year 1853: which being sworn to was examined and allowed by the Court and ordered to be certified.

Giles A Hurley Deputy for A. L. Byrd Sheriff of this County returned lists of delinquents in the County & Parish & Rail road Tax for the year 1853: which being sworn to was examined and allowed by the Court and ordered to be certified.

It appearing to the Court that all the personal estate of Harvey Frank directed to be sold under the several judgments or attachments rendered against him at the last term of this Court has been sold and that it was not sufficient to pay said judgments it is ordered that John E Brown the Constable who levied said attachments upon the land of said Harvey Frank do proceed after reasonable notice to sell so much of the land of said Harvey Frank levied upon by him under said Attachments as may be necessary to satisfy the judgments against said Frank rendered upon the attachments at the last term of this Court

absent Isaac Landestry. present O. Sterling Gent Justice

James Steele who was duly elected constable for the 22 day of May last. constable for the 6th district of Rockingham County appeared in Court and together with Allen C. Bryant & Levi Cropper his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires and thereupon the said James Steele took the several oaths required by law

John R. Kogler who was on the 22^d day of May last elected Sheriff of Rockingham County for the term of two years commencing on the 1st day of January 1857. appeared in Court and took the several oaths prescribed by law. and entered into bond with security (who justified as to their sufficiency) in the penalty of ninety thousand dollars conditioned as the law requires which bond was acknowledged by the parties thereto and ordered to be recorded

On the Motion of

Thomas Givner & David Whitner Senr. and it appearing that they are infirm persons. it is ordered that they be exempted from the payment of County & Parish taxes

The Manapah Rail Road Company Plff }
 vs } Upon a Notice &
 John R. Homan Deft }

This day came the parties by their attorneys ~~and sundry witnesses~~
~~being examined and examined on the Court upon minute deliberation~~
~~and of opinion that the report of the commissioners filed in this cause ought~~
~~to be confirmed~~ and the case was fully heard upon the report of
 Samuel Bourman, Jacob K. Maritz & Jacob Bryerly commissioners appointed
 to view the lands of said deft & ascertain his compensation upon the
 testimony of witnesses for & against the confirmation the said report
 upon examination of the plan of proposed operations filed with the
 said report it appeared that no plan was proposed for the protection
 of the west bank of the proposed "new channel" but the plff in Court
 proposed & expressed a willingness to have it so ordered of record to have
 the same effect as if it had been ordered in the report as a part of the
 plan of operations) to "rip rap" the said west bank or in other words
 to protect it efficiently against abrasion & washing by means of a rough
 wall of rock ~~substance~~ suitably arranged for that purpose.
 Thereupon the Court approving of the said report so amended & did
 confirm the same & did order that the Plff pay to the deft the
 sum of \$1200: ascertained by the said report subject to a credit of
 \$963.50 admitted to have been heretofore paid, & that the said
 Plff pay all costs of this proceeding & that upon such payment
 the Plff shall have & take the premises in question according to the
 said report & to the act of assembly in such cases made & provided.
 Memorandum upon the trial of this cause the Defendant by his
 counsel excepted to an opinion of the Court delivered in this cause
 in these words "Manapah Rail Road vs Homan" which exceptions
 were signed, sealed and enrolled by the Court and ordered
 to be made a part of the record and it is further ordered that the Plff have
 leave to pay to the receiver of this Court the amount above ascertained
 subject to the credit aforesaid
 Ordered that the Court be adjourned until the third Monday
 in July next -

L. H. Lewis

Virginia

At a Court held for Rockingham County at the
Court-house thereof on Monday the 21st day of
July 1856.

Present

Sam^l H. Lewis C. J. Isaac Harsdesty John G. Browning } Gent
Michael H. Harris } 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 June 1856 which being seen and inspected by the Court is ordered to be
entered on the minutes as follows to wit.

- | | | | |
|----|---|----|---|
| 1 | ✓ | ✓ | Deed of Bargain & Sale from Andrew Dagon to Matthew Ireland |
| 2 | ✓ | of | same from Samuel Flory to Abner Frobaugh |
| 3 | ✓ | of | same from Michael Gephel wife to Elizabeth Whitmore |
| 5 | ✓ | o | same from George Shaver wife to John A. Miller |
| 6 | ✓ | | same from Sam Shank wife to John Allright |
| 7 | ✓ | of | same from Samuel Paul wife to Henry Seisher |
| 8 | ✓ | of | same from Henry Seisher wife to David Stinespring |
| 9 | ✓ | of | same from John Deenick wife to Elijah Hufferman |
| 10 | ✓ | | same from Benjamin Bizerly wife to Allen Dever |
| 11 | ✓ | | same from John Whitgel wife to David Ross |
| 12 | ✓ | ✓ | same from Joseph Effinger to Michael Mahoney |
| 13 | ✓ | of | Deed of Trust from Mich Mahoney to El Gamelle Trust for Jeremiah Reaney |
| 14 | ✓ | | Deed of Bargain & Sale from Marshall Smith to Ann Lee |
| 15 | ✓ | ✓ | same from Lewis Dinkel wife to Jas H. Burgepts |
| 16 | ✓ | ✓ | same from Lewis Zirkle to Reuben Zirkle |
| 17 | ✓ | of | same from George Lutz wife to Samuel Lutz |
| 18 | ✓ | of | same from Abraham Dwyer Contr. to Felix Sanger |
| 19 | ✓ | of | same from Rachael O'Rourke to J. D. Williams Jr |
| 20 | ✓ | ✓ | same from Jacob LeBourman wife to Jacob H. Leaven |
| 21 | ✓ | ✓ | same from John S. Heaville wife to Jacob Shank |
| 22 | ✓ | ✓ | same from Lewis Zirkle to John Zirkle |
| 23 | ✓ | ✓ | same from Peter Schickel wife to John A. Fishback |
| 24 | ✓ | ✓ | same from John S. Sprinkel Trustee to David B. Bourman |

- 25 ✓ of A Deed of Bargain & Sale from John Sprinkel Trustee to Christian & Shoemaker
- 26 ✓ of Same from George Hancock wife to George Hooper
- 27 ✓ of Same from Augustus Maternan to John & C. Paliton
- 28 ✓ of Same from Frederick Rhodes to Henry & Rhodes
- 29 ✓ of Same from James Branham to John Mc Berke
- 30 ✓ of Same from David Stinespring wife to Elvigh Skospe
- 31 ✓ of Same from Joseph Byratt to Jacob Byratt
- 32 ✓ of Same from Elijah Argenbright wife to Same
- 33 ✓ of Same from John B Hoanger wife to Same
- 34 ✓ Same from Henry Heitwile wife to William Beane
- 35 ✓ A Deed of Trust from H. H. Taylor to L. M. Allbaugh Trust for A. C. Brewer
- 36 ✓ of A Deed of Bargain & Sale from Henry Mc Elver to John J. Dyer 643
- 37 ✓ of Same from John J. Dyer to John & C. Hopkins 644
- 38 ✓ of Same from Same to Same 645
- 39 ✓ of Same from Same to Same 646
- 40 ✓ Same from Same to Same
- 41 ✓ of A Deed of Trust from William Sams to M. Garmier Trust for Dan Garber
- 42 ✓ of A Deed of Bargain & Sale from Reuben Kiger to Peter Rice wife

A Settlement of the accounts of Alexander R. Givens committee for David Beane, having been filed in the Clerk's office of this Court for the time provided by law, was presented in Court and ordered to be ~~confirmed and recorded~~ ^{doctified & continued}

A Settlement of and an account of debts against the estate of Mervin Kiger dec^d having been filed in the office for the time provided by law, was presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded.

Settlements of the estates of Anthony Sticely dec^d Jacob Pifer dec^d & George Sanfley dec^d having been filed in the office for the time provided by law, was presented in Court and no exceptions being offered thereto, the same are affirmed and ordered to be recorded.

Settlements of the accounts of the guardians of Elizabeth Rosenbarger, John Baker, Susanna Rhodes, Ann Miller, Albert & Lincoln & Susan Hoffman

Caroline Shafer having been filed in the office for the time prescribed by law, were presented in court and no exceptions being offered thereon the same are affirmed and ordered to be recorded

Samuel Franklin &

Strickler orphan of Benjamin Strickler decd. being upwards of 14 years of age appeared in court and with the approbation of the court made choice of ~~Phileas~~ Strickler as their guardian and thereupon the said ~~Phileas~~ Strickler appeared in court & together with Reuben Moore ~~for~~ Benjamin Leover his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of \$1000 - conditioned as the law requires -

The court appoint Margaret Strickler guardian for John Strickler orphan of Benjamin Strickler decd. and thereupon the said Margaret Strickler appeared in court and together with Reuben Moore her security entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires

On the motion of Daniel Harrison who made oath thereto and together with Jacob Bournan (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 Daniel Harrison for obtaining letters of administration in due form upon the estate of Jefferson Palmer decd. and it is ordered that Mathison Moore, Jacob Long, Abram Mcengert & Mick Sellers do appraise the estate of said Jefferson Palmer decd.

On the motion of William Rehner who made oath thereto according to law and together with David Gamrell (Daniel Keller, Jacob Earman & Whittie Hopkins his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$20,000 conditioned as the law requires. certificate is granted the said William Rehner for obtaining letters of adm'n. in due form upon the estate of Philip Keller decd. and it is ordered that Jacob Earman, Jacob Slusher & Edward Kemper do appraise the estate of said Philip Keller decd.

On the motion of Margaret Stricker widow and the heirs of Benjamin Strickler decd. it is ordered that Peter P. Kooty, Jackson Marty, Donias Marty, Reuben Moore & Henry Thompson or any three of them being first sworn for that purpose do ~~affirm~~ proceed to assign the dower to the widow and divide the lands of which Benjamin Strickler decd. seized among his heirs

On the motion of Jacob Baker who made oath thereto according to law and together with John Walker & Conrad Dekite his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000. conditioned as the law requires. certificate is granted the said Jacob Baker for obtaining letters of administration in due form upon the estate of Marcus Baker decd. and it is ordered that George Conrad, Isaac Heardesty & J. N. Glece do approve the said estate -

On the motion of Eli Dekooty administrator of John Conrad decd. it is ordered that he pay to the Receiver of this Court the sum of \$197.18 4/7 the distributive share of Stephen Conrad as one of the distributees of said John Conrad & the further sum of \$157.76 due the said Stephen Conrad from the estate of the said late John Conrad as testamentary guardian of said Stephen, these sums being ascertained by the report of commissioners Richard P. Fletcher

George Fulk who was ~~sworn~~ on the 22^d day of May last elected an overseer of the poor for Rockingham County. appeared in Court and took the several oaths prescribed by law.

Daniel Byerly who was at the last term of this Court appointed a poor for the first District of Rockingham County. appeared in Court and together with Conrad Dekite his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires. and it appearing from the certificate of Absterling a justice of the peace that the said Daniel Byerly has taken the several oaths required

Little for Williams & on Bond Notice proved & left awarded
 Gibbons in same same order
 Bear in Siggelt same order

Robert M. Morrey is permitted to qualify as constable for the
 County of Rockingham to close his the business now in his hands
 thereupon the said Robert M. Morrey appeared in Court and
 together with Wm B. Yancey (who testified as to his sufficiency) entered
 into and acknowledged a bond in the penalty of \$2000. conditioned
 as the law requires and the said Morrey took the several oaths
 required by law

Wm B. Yancey, Jacob Rush, Abner Moyers J. White, J. M. Dayton, J. M.
 Weaver, Samuel Ruebush, Wm. Saufley, Reuben Huffman, M. D. Harris,
 Daniel Smith, Wm. M. D. Harris, John G. Brown, John A. Dice, Jonathan
 Speck, Robert Black, Archibald Lophin, Christian Moyers, Samuel
 Coffman, E. B. Herling, Isaac Hearseley, Andrew Horick, A. M. Newman
 P. P. County, Daniel Garrison, Wm. W. Carpenter, Donalds Martz,
 Naason Base, Jackson Horn, Benj. Hoover, Derrick Pennybaker,
 Jacob Caplinger, Reuben Dae, Samuel Miller & Samuel Sprinkel
 produced in Court Commissions from the Governor of Virginia
 under the signature of the Commonwealth dated the 21st day
 of June 1856 wherein they are commissioned Justices of the Peace
 for the County of Rockingham to reside in their respective districts
 and to hold their offices for the term of four years commencing
 on the 1st day of August 1856 whereupon they severally (except
 Derrick Pennybaker) took the oaths prescribed by law
 which is ordered to be entered of record

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

L. Lewis

At a meeting of the justices of the peace for the County of Rockingham, elected by the voters thereof on the 22^d day of May 1856, held at the Court house of said County on Monday the 21st day of July 1856, in pursuance to the 12th section of the act of the general assembly of Virginia passed 22^d April 1853 Entitled an act providing for the election, qualification powers duties & compensation of justices of the Peace &c

Present

Umb. Vancey, Jacob Rush, Abner Moyers, Hiram Skite, J. M. Layton, J. M. Weaver, Saml. Ruesch, Mem. Ausley, Reuben Coffman, M. H. Harris, Daniel Smith, Mem. M. D. Harris, Prof. Brown, John A. Dice, Jonathan Speck, Robert Black, Arch. Hopkins Jr, Christian Moyers, M. H. Hopkins, Saml. Coffman, O. Sterling, Isaac Hardesty, Amos Houch, A. M. Newman, O. P. Kooty, Dan. S. Garrison, Mem. Casperton, Dorcas Marty, Naason Base, Jackson Loan, Benj. Hoover, Jacob Caphlinger, Reuben Dove, Saml. Miller, Saml. Sprunkel, being a majority of the justice elected for said County

On Motion the Meeting proceeded to the election of one of their own body to be the presiding justice of the Court, and the names of the justices present being polled, and a majority being cast for Naason Base, whereupon the said Naason Base was declared to be duly elected presiding Justice of the County Court of Rockingham

Ordered that O. Sterling, Jacob Rush, M. H. Harris, Prof. Brown, M. H. Hopkins, Dorcas Marty, Benj. Hoover & Saml. Miller be appointed a committee whose duty it shall be to classify the justices of the Court and report thereon to the August term next and that said classification be published in the newspapers published in Harrisonburg

Attest

J. W. Gambles Clerk

Naason Base

Tuesday July 22^d 1856

Present:

Samuel H. Lewis. P. J. Isaac Hardesty	} Gent Justices
Obsterling	

Hooke

appellant

vs

Congellais Harrison

appellee

is justice of the peace. On motion this cause is docketed & continued

On the Motion of Shadrach Samuels who made oath & the others together with Abraham S Byers his security (who qualified as to his sufficiency) entered into an acknowledged bond in the penalty of \$200 conditioned as the Law requires a Certificate is granted to the said Shadrach Samuels for obtaining letters of administration in due form upon the estate of Daniel Whetmore deceased and it is ordered that Joshua Buff George Henry and Samuel Lambert being first sworn do appraise the Estate of the said Daniel Whetmore and make report to the Court

Andrew Coffman answers admits

vs

Andrew Coffman answers denies theirs

Defts.

Defts.

Inching

This cause came on to be heard this 22^d day of July 1856 upon the bill the answer of Daniel & Samuel Coffman infant children of the said Andrew Coffman dec^d by William C. their guardian ad litem. and the exhibits filed in the cause and more than one month having elapsed since the return of the subpoena executed and Mary Coffman the widow of said Andrew Coffman dec^d and the failing to appear and answer the bill as to her is taken for confessed and was argued by counsel on consideration whereof and it appearing to the Court that it will be necessary not only to the payment of the debts but to a partition of the estate of Andrew Coffman dec^d that a sale of the ~~land~~ land mentioned in the bill

should take place. and as preparatory thereto it is adjudged ordered and decreed that Joseph H Conrad, A. Mergenbright & C. B. Kite be and they are hereby appointed commissioners for that purpose. do go upon said lands and assign to Mary Leffman the widow of said Andrew Leffman by metes and bounds one third of the land belonging to the estate of said Andrew Leffman as her dower. and that said Comrs report their proceedings at the next court

Wm W. Leavitt & others
 against
 E. M. D. Harris & others

Plff }
 Deft } In Equity

This cause came on ~~this~~ to be finally heard this 22^d day of July 1856 upon the papers heretofore read the proceeding heretofore had & the report of commissioners Thomas H. Harris & Co. to which no exceptions is taken and the same is hereby confirmed. and the sales made by him on the 24th of May 1856. affirmed. and it is further ordered and decreed that said commissioners pay to the Plff the sum of \$13.33 retained by him for the costs of this suit. and it is further ordered that if any deficiency for the payment of costs & reasonable attorney fee. the same may be paid by the administrators of John Stearns who shall receive credit for the amount thus paid by them. over & above the sum of \$13.33 with the settlement of their administration accounts

Thomas A. Yancey
 vs
 Robert R. Beard

Plff }
 Deft } In Chancery

This cause came on this 22^d day of July 1856 to be heard upon the bill exhibits & depositions of witnesses. and the argument of counsel being heard this court doth adjudge order and decree that the Plff hath a judgment decreed upon the lands of the defendant in the bill mentioned for the amount of his several judgments in said bill specified. whereupon it is further decreed that E. M. D. Warren be appointed a commissioner who shall if the defendant do not within 30 days from this date make payment or 60 days if the said defendant shall pay the amount of judgment decreed to be paid

by the decree rendered at the October term of the Circuit Court of this County at the suit of Allen C. Bryan & others, make payment of the Plaintiff demands together with the cost of this suit proceed to make sale at public auction to the highest bidder of the lands in the bill mentioned or so much thereof as may be sufficient to pay the said Plaintiff demands the costs of their suit the expenses of sale requiring the purchaser to pay one third of the purchase money on the 15th day of October, and the remaining two thirds in two equal annual payments from the day of sale with interest ~~from~~ for which deferred payments said purchaser shall execute his bond with sufficient personal security & said court shall retain a lien upon the land sold as ultimate security. But before the ~~land sold~~ said sale the court shall cause an advertisement of the time terms of place & subject of sale to be inserted for four successive weeks in one of the newspapers published in Harrisonburg & to be posted at two public places in the neighborhood of said land. and before said Court shall receive any of the money arising from said sale he shall execute a bond in the penalty of \$2000 with good & sufficient security conditioned as the requires

Ordered that the following named persons be appointed a patrol to patrol ~~the~~ within the Harrisonburg Magisterial District until the October term next of this Court, to wit Augustice Rice, Captain F. Pence, S. Mott, B. F. Marks, Simeon J. Hornelinger, G. W. Casper, Wm. L. Price, A. Dyer, & B. Harnsberger, Thos. J. Gancey, Chas. Trauger, Wm. Harnsberger, Geo. O'Connor, Geo. B. Ruffey, Saml. R. Stirling, John Melhorn, Eld. Harnsberger, E. Ashland, Michael D. Coffman, James Kenney, Simeon Lybbons, Robert Fletcher, Algernon Effinger, Andrew Lewis, Jacob L. Libert, A. J. Gancey, Nelson Springfield, Wm. H. Westmann, John Harris, Eld. Warren, Thos. Basford, Alfred C. Rohan, J. H. Woodson, M. Irvine, John M. Soperly, Emanuel Rogers, J. M. McIntyre, S. M. Sommers, B. F. Richard, E. J. Coffman, S. M. Brown, A. J. Nicholas, A. C. Harnsberger, Q. Nicholas, J. T. Logan, George Porter, Charles Campbell & Samuel T. Walker

on the motion of Francis Peters. it is ordered that the clerk of this court remain the registers said Francis Peters according to law

Henry Lamb
vs
Anderson Beazley of North Carolina } upon an attachment

This day came the parties by their attorneys and the defendant moved the court to quash said attachment which motion the court hath sustained as to the said Sharp and overruled the motion as to the said Beazley - it is therefore ordered that this cause is quashed as to the said Jacob Sharp and it is considered that the said Sharp recover against the said Lamb his costs in this behalf expended and the cause is continued until the next term as to the said Anderson Beazley.

Samuel Lowman appellant
vs
Abraham Leedy appellee } upon an appeal from the judgment of a justice of the peace

This day came the parties by their attorneys and sundry witnesses being sworn and examined touching the premises and the court upon mature deliberation and of opinion that there is no error in the judgment of the justice below it is therefore ordered that the same be affirmed and made the judgment of this court viz that the appellee recover against the appellant and all offprints the sum of \$25. with legal interest thereon from the 1st day of July 1855 till the 25th day of April 1856 and three dollars costs with damages at the rate of 18 per centum per annum from the said 25th of April 1855 till paid and the costs by the appellee in this behalf expended

Wm S Drathwaite
vs
Thomas A Yancey agent of Wm D Strangham } an appeal from the judgment of a justice of the peace

This day came the parties by their attorneys and upon mature deliberation and of opinion there is error in the judgment aforesaid it is therefore considered that the appellant recover against the appellee

the sum of \$19.75. Debt with legal interest thereon from the 25th day of April 1856 till paid to be levied of the goods & chattels of Wm Doughton in the hands of his admt^r—

Alfancey admt^r of Wm Doughton Plff

vs

W Coffman

Def

Upon an appeal from the Judgment of a Justice

This day came the parties by their attorneys and the Court upon mature deliberation are of opinion that there is error in the judgment of the Justice below. it is therefore ordered that the same be reversed and annulled. and it is the judgment of this Court that the appellee recover against the appellant the sum of \$4.00 with legal interest thereon from the 25th of April 1856 till paid to be levied of the goods and chattels of Wm Doughton in the hands of his admt^r Th^r Alfancey. to be administered

Same

appellant

vs

McBrathwaite

appellee

Upon an appeal from the Judgment of a Justice

This day came the parties by their attorneys and the Court upon mature deliberation are of opinion that there is error in the judgment of the Justice below. it is therefore ordered that the said judgment be reversed and annulled. and it is considered by this Court that the appellee recover against the appellant the sum of \$7.00 with legal interest thereon from the 25th day of April 1856 till paid to be levied of the goods and chattels of which Wm Doughton died seized in the hands of Th^r Alfancey to be administered

Wm. Boyers

Plff

vs

Robert Boyers

Def

Upon an attachment

This day came the Plff by his attorney and it appearing to the Court that the defendants are not inhabitants of this Commonwealth and that Wm D Bowman their security in the forthcoming bond filed in this cause is insolvent it is ordered that ~~the cause~~ judgment be rendered for the Plff unless

the Deft or some one for them give bond and security in the sum of \$140
 within 60 days
~~with~~ conditioned as the law requires and the time is continued
 until the next term at the cost of the deft

Silbert Bournham is carpenter on motion continued until the next
 term at the cost of the appellants

Present Andrew H. Couch, Chief Justice & Lewis J. Justice

Wm & B Barley & Bro appellants } upon an appeal from the
 107 } judgment of Justice of the peace.
 Henry Frank appellee

This day came the parties by their attorneys and sundry
 witnesses being sworn and examined touching the premises. the Court
 upon mature deliberation are of opinion that there is error in the
 judgment aforesaid and that the same be reversed & annulled
 and the Court now proceed to give such judgment as said justice
 should have given to wit. it is considered that the said Wm &
 Barley & Bro recover against said Frank the sum of \$48.81 1/4 with legal interest thereon from
 the 26th day of Sept 1855 till paid and the costs by the
 appellants in this behalf expended

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

J. Hardesty

At a Court held for Rockingham County
at the Court-house thereof on Monday the
18th day of August 1856

Present

+ Reason Bone of + Michael H & Harris Almer } Genl
Moyers & John G Brown & M Layton } Justice

The Clerk of this Court returned into Court a list of deeds
and other writings admitted in his Office since the last term
which being seen and inspected is ordered to be entered on the
minutes as follows to wit

- 1 ✓ of A Deed of Bargain & Sale from Samuel M Simmons comr to Wm & C Roacheffer
- 2 ✓ of A Deed of Trust from Jacob Lawrie's wife to J H Batis Intrust for Jas M Stout &
- 3 ✓ of A Deed of Bargain & Sale from Peter Pleckert's wife to John T Moyers
- 4 ✓ of A Deed of Trust from John H Kerlin to Smith Darnall Intrust for Jacob Sanger
- 5 ✓ of A Deed of Bargain & Sale from Conrad Long's wife to Peter Long
- 6 ✓ of same from John Lionberger's wife to Abraham Lincoln
- 7 ✓ of Exhibitions Benjamin Sullivan against William Deane &
- 8 ✓ of A Deed of Bargain & Sale from Estle Shoemaker to Joshua Shoemaker
- 9 ✓ + of same from Elias Perkey's wife to M J Moyerhoeffer
- 10 ✓ + same from Samuel Sanger's wife to Jonathan B Shaver
- 11 ✓ + same from Wm Vander's wife to John F Shwaeten
- 12 ✓ + same from Robt Edlbert's wife to D B Downman
- 13 ✓ + same from James Mauck's wife to John B Kline
- 14 ✓ + of same from M J Moyerhoeffer's wife to Elias Perkey
- 15 ✓ + of same from James Mauck's wife to John B Kline Henry Shull
- 16 ✓ + of same from Abram Holladay's wife to Samuel Barclay
- 17 ✓ + of same from David Kazy's wife to David Goldinger
- 18 ✓ + of an Agreement between Mary A Sigler & H C Kittley & other
- 19 ✓ + of same Harriet Sigler & same
- 20 ✓ + of same Jackson Sigler & same
- 21 ✓ of A Deed of Bargain & Sale from Benjamin Meeler to David Ramsburg
- 22 ✓ of same from James McDowell to W B & J E Dovel
- 23 ✓ of same from Harney Dinkler's wife to J H Hauffman
- 24 ✓ of Power of Attorney from Pleditz's wife to Geo Wadley

- 25 ✓ • A Deed of Trust from M^r Daniel To Geo^d Baingho. Intrest for Wm^d Mansden
- 26 ✓ • A Deed of Bargain & Sale from Jacob Byrd wife To Benjamin Coroner
- 27 ✓ • Same from David K. Leary wife To Benjamin S. Byerly
- 28 ✓ • A Deed of Trust from Sam^l H. Lambert To Ed^d H. Warren Intrest for Rm^d Harrison
- 29 ✓ of A Deed of Bargain & Sale from James Smiley wife To Reuben Co. Hoffman
- 30 ✓ of Same from W^m Schirger wife To Samuel Co. Schirger
- 31 ✓ of An Agreement between Lydia Howard & John T. Storer &
- 32 ✓ of A Deed of Trust from Jacob Burkholder to A. C. Bryan Intrest for Anthony Burkholder

Dower of Mrs Long

Settlements of the estate of Adam Detrick dec^d John Arsenlight dec^d Jacob Krogler dec^d & Jonathan Celary dec^d having been filed in the Clerk's Office of this Court for the time prescribed by law. were presented in and examined by the Court and no exceptions being offered thereto the same are ordered to be confirmed and recorded

Settlements of the accounts of the Guardians with their wards Mary Runcle &c. Josephine Brocker & Phoebe Ardes. having been filed in the Clerk's Office of this Court for the time prescribed by law. were presented in and examined by the Court and no exceptions being offered thereto the same are confirmed and ordered to be recorded

The Commissioners heretofore appointed to assign to Mrs - Long widow of Adam Long dec^d her dower in a lot of land lately owned by said Adam Long. this day made their report which is confirmed and ordered to be recorded

The Committee of Justices appointed at the last term of this Court. to classify the justices of this Court, made their report. which is ordered to be entered on the minutes as follows to wit

Clap No. 1

August Court John G. Brown Samuel Rudolph Michael & C. Harris
& Almer Mayers

Sept & Oct Courts Jackson Down Andrew & Couch Samuel A. Co. Hoffman
John & C. Hopkins & Reuben Dove

Clap No. 2

November Court H A Rite Robert Black Reuben Coffman
+ Dorcas Martz

Dec & Jan'y Isaac Standeely P P Kooritz Wm W Learfenter
Daniel Harrison & Archibald Hopkins Jr

Clap No 3

February Court Wm & M D Harris J M Dayton A M Newman
Benjamin Glover

March & April Courts Daniel Smith Christian Moyers William Saufly
Jacob Leaphlinger

Clap No 4

May Court Wm B Vancey O C Sterling John A Dace & Jacob Rush
June & July Courts Jonathan Speck Samuel Sprinkel Samuel Miller
& J M Weaver

The justices assigned to the Monthly terms of the Court will be continued
to the Quarterly terms during the next year, and those that are
assigned to the Quarterly terms, will take the Monthly terms of the
same year, and so on alternately until the expiration of their term
of Office

George W Hicker wife Plff } In Debt
Jonathan Peale Deft }

This cause having been removed by ^{an} order of the Circuit
Court of Rockingham to this Court it is ordered that the same be placed
upon the docket.

Caroline M Peale Plff } In Debt
Same Deft }

The same order

Bernard Peale Plff } The amount in controversy in this cause exceeds
200 the same was on the application of Deft removed for
Geo K Moyers (Deft) before a justice the same is ordered to be docketed
Same Plff }
Same Deft } The same order

Effinger & Bro	vs Armentrout + Child	Bond Notice proved & En awarded
Shawster	vs Van Pelt &	The same order
Holsinger	vs Baker &	The same order
Brick	vs Minnick &	The same order
Royer	vs Pease &	The same order
Lapel	vs Hopewell &	The same order

It is ordered to be certified by the County Court of Rockingham which Court is a Court of record, that it has been satisfactorily proved to the Court that Emanuel Price to whom County Land warrants N 2114 & No 20674 dated respectively on the 10th Nov 1857. & 11th day of Nov 1851 for eighty acres each were issued. departed this life intestate on the day of February 1852 without having located or sold said warrants, that his heirs at law are Elizabeth Price his widow Frances who has intermarried with Samuel Grog Mary C who has intermarried with W E Knight Polly who has intermarried with John Minnick Christian Price John P Price Isaac Price Sarah C Price & Mary M Price that of said heirs Isaac Sarah C & Mary M Price only are infants & that for them this Court has this day duly appointed the said Elizabeth Price their Guardian and it is further certified that the interest of no one will be injured & the rights of said infants promoted by a sale & assignment of their interest in said warrants. & it is therefore ordered that the said Elizabeth Price as Guardian do sell & assign the interest of said wards in said warrants for the best price she can obtain.

The Court doth appoint Elizabeth Price Guardian for Isaac Price Sarah C Price & Mary M Price orphans of Emanuel Price dec^d being upwards of 14 years of age by an instrument of writing under their hands and seals made & made in presence of the Court of Elizabeth Price as their Guardian, and thereupon the said Elizabeth Price appeared in Court and together with James M Cutler as her security (who justified as to her sufficiency) entered into and acknowledged a bond in the penalty of \$1200 conditioned as the law requires which bond is ordered to be recorded.

John Shumate Guardian of Sarah Mary Emma Fanny & Virginia Shumates infant children of the said John Shumate appeared in Court and pursuant to a former order of this Court appeared in Court and together with William Shumate (his security (who justified as to his sufficiency) entered into and acknowledged ~~also~~ an additional bond as such Guardian, in the penalty of \$3000 conditioned as the law requires, which bond is ordered to be recorded.

Rebecca Curry & Mary P Curry orphans of Benjamin Curry dec'd being upwards of 14 years of age by an instrument of writing made choice of Hezekiah Curry as their Guardian thereupon the said Hezekiah Curry appeared in Court and together with Andrew B Rogers his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$700 conditioned as the law requires which bond is ordered to be recorded.

Frances Rea orphan of David G Rea dec'd over 14 years of age by an instrument of writing made choice of Jesse Rea as her Guardian and the Court with adjournment said Jesse Rea of the said Frances Rea orphan and thereupon the said Jesse Rea appeared in Court and together with John Bowman his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$100 conditioned as the law requires which bond is ordered to be recorded.

G D Gilman

vs

Silley &

Deft

Deft

In Chancery

Ordered that Silveston W Gammon be appointed Guardian ad litem for the infant depts in this cause and thereupon said Guardian filed his answer.

Shelton H Carrier who has been appointed a Notary Public for this County, appeared in Court and together with Samuel Barclay his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires, and thereupon the said Shelton H Carrier took the several oaths required by law.

Matthias Hoefmotel a native of Bavaria in Germany appeared in court this being a court of record with common law jurisdiction a clerk and seal. and upon ~~the said~~ ^{he} upon oath declared it was bona fide his intention to become a citizen of the United States. and to renounce forever all allegiance he may have or owe to any foreign prince potentate state or sovereignty whatever and particularly to Charles King of Bavaria

An instrument of writing purporting to be the last will & testament of John Palsel dec^d was presented in court and proved by the oaths of Levi Reedy & Joseph M^cMullen two of the subscribing witnesses thereto and ordered to be recorded. and thereupon ^{in motion of} Peter Palsel ^{one of} the executors therein named who made oath thereto according to law and entered into and acknowledged a bond in the penalty of \$8000. conditioned as the law requires. certificate is granted the said Peter Palsel for obtaining a probat of said will in due form. the said John by his will having requested that the court should require no security of his executors. and the court seeing no cause of its own knowledge ^{from} or the suggestions of others to require security the court accordingly requires none and leave is reserved to the other executor therein named to qualify hereafter and it is ordered that Thomas Hoefkins Levi Reedy Joseph M^cMullen & Jacob Spitzer or any three of them do appraise the estate of the said John Palsel dec^d according to law

George Warner a free negro of dark complexion about thirty three years of age five feet six inches high no marks or scars about him ~~made proof of his office~~ presented a register of his freedom issued from the County Court of Shenandoah. it is ordered that the Clerk of this Court register him according to law

John Triplet a free negro appeared in court in discharge of a recognizance entered into for his appearance before this Court to answer the charge of not being registered according to law. and thereupon the said John Triplet presented in court a copy of his register issued from the County Court of Pendleton and made application to be registered

by this Court which motion the Court doth overrule and refuse to permit him to be registered in this Court. and it is further ordered that the Sheriff of this County do seize out the said John Triplett for such length of time as shall be sufficient to pay all legal costs attending his arrest, jail fee and other officers of this Court, provided said Triplett does not forthwith pay said costs

An instrument of writing purporting to be the last will & testament of John Greyden^d was presented in Court and proved by the oaths of John H. Hargrave & Isaac Long the subscribing witnesses thereto and ordered to be recorded

Commonwealth

vs

Wm Minnick

} Upon an Indictment

This day the defendant appeared in Court & with the consent of the attorney for the Commonwealth confessed judgment for the costs about the prosecution of said indictment in this behalf expended

An instrument of writing purporting to be the last will & testament of Peter Rowhoof^d was presented in Court and proved by the oaths of Samuel Sanger & Jacob Byrde two of the subscribing witnesses thereto and ordered to be recorded and on the motion of John Rowhoof the executor therein named who made oath thereto according to law and together with Peter Dinkel & Wm Learpenter his securities (who justified as to their sufficiency) entered into and acknowledged a bond with penalty of \$1000 conditioned as the law requires Certificate is granted the said John Rowhoof for obtaining a probate of said will in due form. and it is ordered that John Hearnick Jacob Byrde Samuel Sanger & Peter Dinkel or any three of them being first sworn for that purpose do appraise the estate of said Peter Rowhoof^d

On the motion of Daniel Bowman who made oath thereto according to law and together with John Bowman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$4000 conditioned as the law requires. certificate is granted the said Daniel Bowman for obtaining letters of administration in due form upon the estate of Joseph Miller dec^d and it is ordered Solomon Garber, Samuel Miller, Isaac Wright & Benjamin Wenger or any three of them being first sworn for that purpose, do appraise the estate of said Joseph Miller dec^d. Catharine Miller w^{id} One of said Joseph Miller having in writing relinquished her right to administer upon said estate

On the motion of John Gongwer who made oath thereto according to law and together with Peter S. Roller & Isaac Shwaeter his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000 conditioned as the law requires. certificate is granted the said John Gongwer for obtaining letters of administration in due form upon the estate of Joseph Gongwer dec^d and it is ordered that Emanuel Roller, Jacob S. Sluper, Wm Ruelbach & Joseph Miller or any three of them do appraise the estate of Joseph Gongwer dec^d

Conrad H. Kite	P ^{lff}	} upon a notice for money paid a security
vs		
Alexander Whitelow	D ^{ft}	

This day came the P^{lff} by his attorney and it appearing to the Court that the d^{ft} had had legal notice of this motion he being solemnly called and not appearing and a witness being sworn and examined it is considered that the P^{lff} recover against the D^{ft} the sum of \$90.80 with interest thereon to be computed after the rate of six per centum per annum from the 30th day of May 1852 till paid and the costs by the P^{lff} in this behalf expended

John Barker	P ^{lff}	} upon a Distress warrant
vs		
Wm Randal	D ^{ft}	

On Motion of the P^{lff} it is ordered that this cause be docketed and continued

Honck Melhorn Plff

vs

David Flook

Def

The amount in controversy in this cause exceeding \$20. was upon application of the Def removed to this Court from before a justice of the peace

It is ordered that the same be placed upon the docket in its proper place

Conrad de Kite commissioner of the revenue presented in Court an account against the Commonwealth amounting to \$339.85 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts, and it is ordered to be certified that

Ordered that the clerk of this Court renew the registers of the following named free negroes viz Thomas Robertson No 255 and Susan Thompson No 198 and deliver to them copies of said registers

Conrad de Kite commissioner of the revenue this day made his report of the Grand Jury which is ordered to be received & filed

Julia Powell & others

vs

Alfred Shiflett wife

Plff

Def

In Chancery

This day cause was taken to be heard this 18th day of August 1856 upon the bill & the answer of Alfred Shiflett & Margaret his wife & being argued by counsel on consideration whereof the Court doth order adjudge & decree that Conrad de Kite be appointed a commissioner to sell all the lands of which Honnias Powell died seised upon the following terms viz one third of the purchase money to be paid down & the rest in two annual payments, the purchaser to give bond & approved personal security for the back payments, the bills to be reserved until the last payment & said bonds for the back payments to bear interest from the date. The said Commissioner to give to the clerk of this Court a bond with security to the to the amount \$2500 before he shall receive any of the purchase

money the sale to be made after advertising the same for four weeks

Ordered the Fountain M. Layton Guardian for Peter, Catharine Sarah Berryman, Mary & James, negroes emancipated by the last will & testament of Christina Perkey, it is ordered that he bind according to law Peter & Catharine to Daniel Byerly, for which he is to pay the sum of \$150. to said Peter & \$100. to said Catharine at the expiration of the term of their apprenticeship. Sarah to John Moyers for which he is to pay her \$60. at the expiration of the term of her apprenticeship. Berryman & Mary to Stephen Hearnberger, for which he is to pay to Berryman the sum of \$220. & Mary \$90. at the term of their apprenticeship, and James to Wm. Moyerhoeffer, who is to pay him the sum of \$30. at the term expiration of his apprenticeship

John B. Brown a constable of this County having this day reported to Court, that in pursuance to an order of this Court made at its last June term, he had sold to the highest bidder, at public auction after due notice, to Alexander Keeling Jr. the real estate of Harvey Frank, in Rockingham containing 150 A. 1 P. 18. at \$27. per acre to satisfy judgments upon attachments in this Court against said Frank, it is ordered that the said John B. Brown apply the proceeds of said land to the payment of said judgments, and that he convey with special warranty the said tract of land to the purchaser and acknowledge the deed so that it may be admitted to record

James S. Harris foreman, Geiner Mefrick, James Baker, Jacob Shank, Anthony Burkholder, John Williamson, Wm. Seigler, John Landes, John M. Weir, Henry Eleworn, Jacob Mitchell, George Weir, Cyrus Spitzer, Madison Morre, Michael Sellers and Michael Carman, were sworn a Grand Jury for the County of this County, and having received their charge withdrew from the bar and after some time returned into Court and presented an Indictment against Coleman Hejrecker for retaining

ardent spirits without license. a true bill an Indictment against Coleman Hydecker for retailing ardent spirits without license a true bill. an Indictment against Coleman Hydecker for retailing ardent spirits without license. A true bill. an Indictment against Coleman Hydecker for retailing ardent spirits a true bill an Indictment against Coleman Hydecker for retailing ardent spirits without license a true bill. an Indictment against John Robinson Jr. A true bill an Indictment against Jackson Robinson for A true bill an Indictment against John Gilmer for A true bill an Indictment against Henry Gilmer for A true bill. an Indictment against Jane Carrier wife of John Carrier for A true bill an Indictment against Noah Carrier for A true bill. ~~an~~ Indictment against John Base A true bill. an Indictment against Henry Dear for obstructing an officer in the discharge of his duty a true bill. and an Indictment against Henry Gilmer for lascivious cohabitation. and the Grand Jury not having further business before them are discharged.

Jacob Bear. who stands charge with a felony by him committed having entered into a recognizance for his appearance before this Court. being solemnly called and not appearing. it is ordered that his failure aforesaid be entered of record.

Ordered that the Court be adjourned until to morrow ~~morning~~ morning at 9 O'Clock

Naason Base

Tuesday August 19th 1856

Present

+ Naason Base J. + John Brown + O. Sterling Gent
+ Fountain McIntosh + Allen Moyer J. Justices

Ordered that the Clerk of this Court register the register of John Poinexter a free Negro. and deliver to him a copy of the same

upon the petition of Perick Perrybacher who produced

in Court the Sheriff's receipt for the tax imposed by law a certificate has granted him to retail ardent spirits at his store in this County the Court being of opinion that he is a man of good character and not addicted to drinking or gaming and that his store is a proper place to retail ardent spirits

Soloman Rexroad Plff }
 vs } Upon an appeal
 D Good Deft }

It appearing to the Court that the appellant has departed this life on motion it is ordered that this cause be revived in the name of Betsey & Jacob Rexroad administrators of Soloman Rexroad

On the motion of Isaac Moffett who made oath there to according to law and together with (Derrick Pennyblack) Naason Base his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$8000, conditioned as the law requires. certificate is granted the said Isaac Moffett for obtaining letters of administration upon the estate of Anderson Moffett dec'd. and it is ordered that Wm G Thompson Emanuel Hoover Benjamin Hoover Thomson Thomas Hume Bell et al appraise the estate of said Anderson Moffett dec'd and report thereon to the Court according to law

Commonwealth }
 vs } Upon an Indictment
 Henry Bear }

This day the deft appeared in discharge of his recognizance and pleads Not Guilty to the said indictment and the cause is continued until the next term

Commonwealth }
 vs } Upon a capias to hear the judgment of the
 Lewis Mittelbarger Court

On motion and for reasons appearing to the Court it is ordered that this cause be dismissed

Almer Blain vs. The rule made at the last former term against Almer Blain for failing to attend as a witness on behalf of the Commonwealth upon an indictment against Noble Owens for Trespass Assault & battery. the summons issued against the said Almer Blain being returned executed, and he being solemnly called and not appearing on the motion of the attorney for the Commonwealth is made absolute and it is ordered that an attachment be issued against the said Almer Blain for his ²contempt, and returnable to the second day of the next quarterly term of this Court

The rule made at a former term against John W. Payton for failing to attend as a witness on behalf of the Commonwealth against John A. Murry & Grandson Harold for misdemeanors the summons issued against the said John W. Payton being returned executed and he being solemnly called and not appearing on the motion of the attorney for the Commonwealth is made absolute and it is ordered that an attachment be issued against the said John W. Payton for his said contempt returnable to the second day of the next quarterly term of this Court

John Cannady a witness on behalf of the Commonwealth against Francis ^{Morris} ~~Grandson~~ ~~Harold~~ and Turner Shiflett a witness on behalf of the Commonwealth vs. Jefferson Morris. being duly summoned & solemnly called and not appearing it is ordered that they be summoned to appear here at the next term of this Court to show cause if any they can why attachments shall not be issued against them for their contempt aforesaid

Commonwealth

Madison Glover

Upon an indictment for petit larceny

This day came as well the attorney prosecuting for the Commonwealth as the deft by his attorney and thereupon came a jury to wit, Samuel Majors, Curtis Yates, John Good, Lemuel Spenter, Abraham Colick, Wm. Rite, Henry Beery, Peter M. Armentrout

Abraham Simmons, George Carhart, Solomon Beamer and Adam
 & Bear who being elected tried and sworn the truth to speak upon
 the issue joined, having heard the evidence retired from the bar to
 consider of their verdict and after some time appeared in Court and
 upon their oath do say "We the jury find the Defendant guilty and
 ascertain the term of his imprisonment in the County Jail to be ten days
 whereupon on the motion of the Attorney for the Commonwealth a writ of
 capias is awarded against the Defendant to be directed to the Sheriff
 of this County, commanding him to take the said defendant, if he be
 found within his bailwick, and him safely keep, so as to have him
 here on ~~Wednesday next~~ ^{the second day of the next Quarterly term of this Court}, to shew if
 any thing he hath to say, why the Court then should not proceed to pronounce
 judgment against him according to law

Rendel Morris, Wm H. Shuff & Harrison Raynard who have been
 duly summoned to appear here at this term as witnesses on behalf
 of the Commonwealth against Francis Randall, being solemnly
 called and not appearing, it is ordered that they be severally summoned
 to appear here on the second day of the next ~~term~~ Quarterly term of this
 Court to shew cause if any they can why they shall not be fined
 for their contempt of process.

Commonwealth vs Hume & same vs Gilmer & same vs Hoast & same vs
 B. Hume & same vs Bader & same vs Funk & same vs Grace & same vs A. Fer
 & same vs Funk & same vs Owens & same vs McDorman & same vs H. McDorman
 & same vs Long & same vs Morris (3 cases) & same vs Murray (7 cases) & same vs Rand (30
 cases) & same vs Wiswender (30 cases) & same vs Strickland & same vs Mitchell & same vs
 M. Miller & same vs Smiley & same vs Burgeff & same vs Harrison & same vs
 Gordon & same vs Miller B. & same vs Miller & same vs Roller & same vs Scott
 On Motion severally continue or until the next term

Commonwealth vs Blankenship & same vs Elias Hall (11 cases) on
 Motion and for reasons appearing to the Court it is ordered that
 the aforesaid several causes be dismissed

Commonwealth }
 vs } Upon an Indictment
 Joseph Ribble }

The Capias last awarded against the Deft in this cause not being returned executed, it is ordered that a new Capias be awarded against him returnable to the first day of the next Quarterly Term of this Court, and to be directed to the Sheriff of ^{Augusta} ~~this~~ County

Commonwealth vs Richard Jarnes. This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney, who pleaded not guilty and filed a general demurrer to the indictment in this cause and the issue is continued.

Same vs John P Brock The same order

Same vs Andrew Delapton The same order

Susan Kirling late of the County of Rockingham who stand charged with a felony by her committed in this that she did on the 28th day of November 1855 in the said County, did feloniously counsel and abet a certain Rebecca Fisher feloniously to burn a certain barn the property of G. W. Manzy, situated in the said County, was led to the bar in custody of the jailor of this Court, and thereupon on the motion of the prisoner by counsel the examination is continued until the next term of this Court, and thereupon the prisoner was remanded to jail.

Al Hoffman's admors & others

vs

Andrew Hoffman's widow & heirs

Plffs

Defts

} Intestacy

This cause came on to be further heard on this 19th day of August 1856 upon the papers filed & named in the decree of the 22nd day of July 1855, together with the report of the commissioners appointed by said decree to assign dower to Mary Hoffman widow of said Andrew

Coffman which report is herewith exhibited & confirmed no exceptions being made thereto. & was argued by counsel. on consideration whereof the court doth order adjudge & decree, that John C. Wacker be & is hereby appointed a commissioner to sell the lands mentioned in the bill on the premises for the purposes therein rated, said sale to be made subject to a lien on said land to John Coffman & John Creatore for the sum of \$290 with interest from the 8th day of October 1848 - which amount is credited by \$52.63 on the 23rd of May 1848. as shown by deed of R. L. Armstrong executor of J. M. Manpin to Coffman's heirs made Dec. 14th 1853. said sale to be made on the following terms. the expenses of the sale & of this suit to be paid in cash & the rest in six 12 & 18 months. the purchaser to give bond & approved personal security. the title to be retained as a lien until the last payment said commissioner is moreover required to give bond for double the amount of sales before he receives any of the purchase money. said sale to be made after advertising four weeks in some paper in the town of Harrisonburg & at some public place near the place of sale. upon giving the bond above required the Commissioner shall collect the bonds executed by the purchaser of the land. pay out the same according to the rights of the parties & make report of his proceedings to this Court

Commonwealth

vs

John Kelly

Upon an Indictment for Retailing ardent Spirits without license

This day came the Attorney prosecuting for the Commonwealth and the summons awarded against the Def^t being returned executed and he being solemnly called and not appearing. It is considered that the Commonwealth recover against the Defendant the sum of \$30. the fine imposed by law and the costs ~~by~~ on his behalf expenses

Jeremiah Torrey a native of Ireland, this day applied to the Court to ^{be admitted to} become a citizen of the United States: whereupon the said Jeremiah Torrey exhibited a certificate of the Clerk of the Court of Page County showing that more than two years ago he had declared on oath that

in the said Court his intention to become a citizen of the United States which ~~last~~ certificate is in these words. State of Virginia County of Page p. A Court held for the said County of Page on Monday the 27th day of January 1857. Jeremiah Dooney a ~~native~~ native of Ireland, declared on oath 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 or sovereignty whatever & particularly to Victoria Queen of ^{copy to the Court at Washington Feb.} Great Britain Ireland &c. and it being proved to the satisfaction of the Court by the testimony of Patrick Murphy & James Kane citizens of the said United States who were examined as witnesses on oath that since the arrival of the said Jeremiah Dooney as aforesaid he has resided within the United States five years at least and within this State one 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, he the said Jeremiah Dooney 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, State or sovereignty, whatever and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland, and thereupon the said Jeremiah Dooney is admitted a citizen of the said United States

James Kane a native of Ireland this day applied to the Court to be admitted to become a citizen of the United States whereupon the said James Kane exhibits in Court a certificate of the Clerk of this Court showing that more than two years ago he had declared on oath his intention to become a citizen of the United States which said certificate is in these words: "In the Clerk's office of the County Court of Rockingham July 14th 1854 James Kane a native of Ireland this day appeared in the office aforesaid the said County 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 that 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 "Sole Woman of the United States" and it being proved to the satisfaction of the Court by the testimony of Franklin Miller & Jeremiah Torrey citizens of the said United States, who were examined as witnesses on oath that since the arrival of the said James Kane in the United States, he has resided within the United States five years at least and within this state over year at least, and that 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, he the said James Kane declared on oath in open Court that he will support the constitution of the United States, and that he will absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatever and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland, and thereupon the said James Kane is admitted a citizen of the said United States

~~Commonwealth~~

vs

Madison Glover

} Upon an Indictment for Petit Larceny

This day came again 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 defendant, and to the Sheriff directed and nothing being offered or alleged by the said Deft in delay of judgment, it is considered by the Court that the said Deft be imprisoned in the County Jail of this County ^{without bail or mainprize} for the term of ten days ^{from this day} the term of imprisonment ascertained ~~by~~ by the verdict of the jury this day rendered in this cause, and it is further ordered that the said Defendant pay the costs expended in prosecuting the said indictment

Commeth Wm Daniel. On Motion continued until the next term

Upon the petition of William Armentrout & others for the establishment of a road &c. This day came the Petitioners by their attorneys and filed their said petition and thereupon the Court doth appoint Geo Keigle, Abraham Byrd & Gruber Vice Vicars to act and report upon the said Petition according to law.

Commonwealth

vs
Jacob & Robert & Jacob C Dorman } Upon an indictment for permitting
unlawful gaming at their ordinary.

This day came as well the attorney for the Commonwealth as the defendant by their attorney, and the Defendants demurred to each count of the indictment in this cause being argued and the Court upon deliberation doth overrule said demurrer, and thereupon came a jury to wit Abraham Simmes, John Garber, Samuel Moyers Solomon Reamer, Adam C Bear, Peter McArmentrout, Jacob Sellers, Wm Carpenter, Wm C Kite, Noah Woshuler, George Earhart & Henry Beery who being elected tried and won the truth to speak upon the issue joined, having heard the evidence retired from the bar to consider of their verdict & not being able to agree upon their verdict were adjourned until tomorrow morning at 9 O'clock

Robert M Mooney who has been duly summoned to appear here as a witness on behalf of Anderson Beazley at the suit of Henry Lam being solemnly called and not appearing, it is ordered that he be summoned to appear here on the 2nd day of the next Quarterly term of this Court to shew cause if any he can why he shall not be fined for his contempt aforesaid

Richard Robinson who has been duly summoned to appear here on this day as a witness on behalf of St George at the suit of the Commonwealth being solemnly called and not appearing it is ordered that he be summoned to appear here on tomorrow morning at 9 O'clock to shew cause if any he can why he shall not be fined for his contempt aforesaid

On Motion it is
Ordered that the Clerk of this Court
forthwith issue execution upon the ~~judgment~~ rendered in this cause on
yesterday -

Commonwealth
vs
John Wiswender } Upon an Indictment

This day came as well the attorney for the Commonwealth
as the Defendant by his attorney who pleaded Not Guilty to the
indictment and the issue is continued until the next term

Commonwealth
vs
Isaac Rinehart } Upon a rule for failing to attend as
a witness

On Motion & for reasons appearing to the Court it is ordered
that the said rule be discharged

Commonwealth
vs
Bly Harris } On a rule

Ordered that this cause be continued until the
next term

Same
vs
Ananias Miller } Upon a rule
The Same order

Ordered that the Court be adjourned until tomorrow morning
at 9 o'clock.

Nathan Bare

Wednesday August 20th 1856

Present

+ Nathan Bare J. Fountain M. Dayton + John Brown } Justices
+ Michael H. Harris + Alner Moyer }

Ordered that the Clerk of this Court renew the registers of Legrand & Lamson
No 389 according to law.

Bank of Rockingham vs Murryt. An O Bond Notice proved & extra awarded	
Reed vs Bowman & Co	The same order
Gilmore vs Rimmel & Co	The same order
Clifton & Co vs Beard & Co	The same order
Levis & Beard vs Randolph	The same order
Shawalter for m. H. Orket	The same order
Turk vs Continental	The same order
Sommers vs Leavelle	The same order
Roller for vs Genley & Co	The same order

Commonwealth

vs } Upon an Indictment for permitting
 Jacob Silbert & Jacob Bowman } unlawful gaming at their ordinary

This day came again as well the attorney for the Commonwealth as the Deft by their attorney and the jury sworn and impanelled on yesterday appeared in Court pursuant to their adjournment and retired from the bar to consider of their verdict and after some time returned into Court and after upon their oaths do say "We the jury find the defendants Not Guilty" and it is ordered that judgment be entered accordingly.

Commonwealth

vs } Upon a rule
 Robert McMonney }

On Motion and for reasons appearing it is ordered that this rule be discharged

Commonwealth

vs } Upon an Indictment for conveying instruments to
 Joseph George } Sam George a prisoner in jail convicted of felony to aid him
 to escape

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney and the Deft required a special jury as provided by the 27 section of an act of the General Assembly of Virginia entitled an act concerning the composition and empannelling of juries their qualification and manner of selection in certain cases" passed April 9th 1853. Thereupon it was

ordered that the Sheriff of this County summon twenty persons duly qualified to serve jurors. thereupon the Sheriff summoned the following persons who appeared in Court. to wit George S. Portney Abraham Burkholder Samuel Clich. Michael Cline Henry Beery Robert Rankin Abraham Clich J. Curtis Gates Jacob Earmann Preston Rhodes John Garber Peter W. Ammontrout Jacob Sellers. John Good Abraham Simmons. George Egarhart William Carpenter. Samuel Moyers William C. Kite and Noah W. Shuler and thereupon sixteen of said persons was selected by lot. to wit Henry Beery Jacob Earmann Wm C. Kite Samuel Moyers Wm Carpenter. Curtis Gates Abraham Simmons. George S. Portney. John Garber Robert Rankin Abraham Burkholder George Egarhart. Preston Rhodes. Samuel Clich. John Good & Peter W. Ammontrout and thereupon the following persons were stricken from said panel viz Robert Rankin. Abraham Burkholder. Preston Rhodes & Peter W. Ammontrout. and thereupon came the remaining twelve to wit. Henry Beery. Jacob Earmann. William C. Kite. Samuel Moyers William Carpenter. Curtis Gates. Abraham Simmons. George S. Portney John Garber George Egarhart. Samuel Clich & John Good who being selected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after sometime returned into Court and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say "We the jury find the Defendant guilty and assess his amercements at seventy five dollars" whereupon on the motion of the Attorney for the Commonwealth a writ of capias is awarded against the Defendant, to be directed to the Sheriff of this County. commanding him to take the said Defendant. if he be found within his bailiwick and him safely keep, so as to have him before Justice of this Court on the 1st day of the next Quarterly Term to shew if any thing he hath to say why the Court then should not proceed to pronounce judgment against him according to law

Blair vs Bligh, Samuels McCall. Decourcy & Cofer vs Shipman and Harkins Dyerly & Henton, Bratton vs Kelly, Harpner vs Harpner. Leary vs Brinker On Motion it is ordered that the aforesaid several causes be continued until the next term

Ordered that the Clerk of this Court register the following named negroes emancipated by the last will of Christina Perkey dec'd to wit Hannah Perkey a black woman, about 80 years of age 5 feet 4 inches high with a slight scar on the right wrist and a deep scar on the left breast. Lukey Perkey a black woman about 57 years old 5 feet 3 inches high a slight scar on the left thumb & a slight scar on the right thumb. Polly Lewis a dark mulatto woman 5 feet 2 1/2 inches high between 52 & 53 years old with no marks or scars visible, and Ann Maria Lewis a dark mulatto girl between 15 & 16 years old 4 feet 10 inches high the little finger on both hands stiff no other marks or scars visible; and it is further ordered to be certified that no leave is granted the said negroes to remain in the Commonwealth.

Ordered that the Clerk of this Court register according to Law George Minkens a free negro, six years & a half old a light mulatto a burn on the left temple, also Charley Minkins one year old black and no marks visible who were born free in the County of Rockingham

Tutwiler's admrs is Valley Turnpike Company, Harper's heirs is Grim & Rockingham Turnpike is Bryan, Neffs heirs is Kinton is Fultz White for velgrove, Canada is Thompson, Bowles's heirs is Bowles ex. Shull is Andersen Harris is Mordale, Henton is Henton, Manypad is Rader Jr. Sagers is Smith Leoffman's ad is Huley Jr. Manafah Rail Road Co is Gray (2 Cases) same is Diggs (2 Cases) same is Rod Effinger, same is J. Effinger, same is Strickler's ad same is Leoffman, Bowman is Miller, Shaver is Holanger, Clarke is Blackaby Sprinkel is (Dennow), Boyers is Boyers, Long is Miller Hurley is same same is same, Liskey is Stinespring, Bare is Wifer Overseer of Poor is Albright Miller is Diggs Rhodes is Perkins, Sellers is Hughes Hamafan is Neal Bryerly is Sprinkel, Diggert is Mauch, Belifton Ho is Crawford, Rockingham Male & Female Seminary is Hunter, same is Patrick same is Swank, same is Miller Jr. same is Hamelberger, same is Ewing, same is Jones, same is Sterling Jr. same is Blaupad, same is Bear, same is Shand, same is Miller, & same is Gambell. On motion and for reasons appearing to the Court it is ordered that the aforesaid several causes be continued

Jacob Bowers' ex Plff }
 vs }
 Augustine Keller Deft } In Debt

This day came the parties by their attorneys and on motion of the Defendant by his attorney, and it appearing that this cause has been pending in this court more than twelve months, it is ordered that the same be removed to the Circuit Court of this County

George McMillen Plff }
 vs }
 George W. Coulter Deft } In Debt

On Motion & by consent of parties this cause is ordered to be dismissed

Overeers of Poor vs Fishback The same order

Horn & Dever vs Edlinger The same order

Brown & Maury vs Same The same order

Barley & Bro vs Same The same order

Barley vs Stein The same order

A. Houch Plff }
 vs }
 W. L. Smith Deft } Upon a Motion

This day came the parties by their attorneys, and by consent, it is ordered that the Plff recover against the Deft his costs by him in this behalf expended

Louis J. Bopieux Plff }
 vs }
 O. C. Sterling Deft } In Case

This day came the parties by their attorneys, and the Deft by his attorney confessed judgment for \$143.25 Damages with interest & costs it is therefore considered that the Plff recover of the deft the said sum of \$143.25 with legal interest thereon from the 1st day of July 1853 till paid, and the costs by the Plff in this behalf expended

John Eastham Plff
 " " } Unlawful Detainer
 Mathias Miller Deft

On Motion and for reasons appearing to the Court it is ordered that this cause be dismissed and that the Plff recover against the Deft his costs with this behaf expended

Phillips vs Dever. On Motion it is ordered that this cause be dismissed

Harper vs Cooke. & Powell Curator vs Bentzler. On Motion these cause are continued at the costs of the Deft

Ordered that the Court be adjourned until to morrow morning at 9 O'clock.

Naason Bare

Thursday August 21st 1856

Present

+ Naason Bare Pf. John Brown Michael H. Gent
 Harris & Hines Meyer & Maydayton } Justices

James Kenney Plff
 S. M. Clunton & George B. Clunton } Deft } In Deft

This day came the Plaintiff. The defendant George B. Clunton who is out of this country, and against whom the Plaintiff appears to have proceeded in the mode prescribed by law against absent defendants, and he being solemnly called and not appearing and the Sheriff having returned the attachment issued in this cause "Executed by delivering an office copy of the within attachment to Edw. W. Garner. Apr. 2^d 1856. 4. O'clock P.M.". The Court being satisfied of the justice of the Plff demand, it is considered that the Plff recover against the Deft \$100 Deft with legal interest thereon from the 20th day of Sept. 1853. till paid and the costs by the Plff in this behaf expended. This judgment is subject to a credit of \$6 paid Sept 18 1854 & \$6 paid Feb 27 1856

and thereupon the said EPH Weaven appeared in his own proper person, who being sworn declared that would be indebted to the Deft George B Deunter in a sum not yet ascertained. it is therefore ordered that the said Garvisher pay to the Plff the judgment aforesaid if so much he hath in his hands -

Robert Pritchett Plff
 vs
 Moses H. McEneaney Deft } Upon a Notice
 On Motion of the Plff is Docketed

Newton Hume Plff
 vs
 Same Deft } Upon a Notice
 The same order

Stinespring vs Brathwaite On Motion continued for Plffs
 Brathwaite vs Ledy On Motion continued for Deft

Miller Perry & Co Plff
 vs
 Anthony Miller Deft } In Case

This day came the Plffs by their attorney and neither party requiring a jury the Court proceeded to execute the writ of Enquiry it is considered by the Court that the Plffs recover against the Deft the sum of \$51.30 Damages with legal interest thereon from the 8th day of January 1855 till paid, and the costs by the Plffs in this behalf expended

James A Campbell for Plffs
 vs
 John H Austin Deft } In Case

This day came the parties by their attorneys and on Motion and for reasons appearing to the Court it is ordered that this cause be dismissed

William Whitmore ofc Plff }
 vs } In Delt
 A M Layton Deft }

This day came the parties by their attorneys and by consent the Deft waived the plea & confessed judgment (saying equity) it is therefore considered that the Plff recover against the Deft the sum of \$946.08 Delt with legal interest thereon from the 18th day of August 1855 till paid and \$1.91 charges of protest, and the costs by the Plff in this behalf expended

Heerm Nicholas as March, Strayer & Reed, Kephart & Darby, or Gailey, Brewer, Effinger & Mitchell & Reedy, on motion continued until the next term

Norris Caldwell & Co Plff }
 vs } In Delt
 Joseph B Brathwaite Deft }

This day came the parties by their attorneys and thereupon the Defendant waived this plea (saying equity). it is therefore considered that the Plff recover against the Deft the sum of \$49.07 Delt with legal interest thereon from the 1st day of November 1855 till paid & \$2.01 charges of protest, and the costs by the Plff in this behalf expended

Epitaspie & Ellis Plff }
 vs } In Delt
 George Fairwell & James McAdams Deft }

This day came the parties by their attorneys and the Deft confessed judgment for the Delt. Interest & costs (saying equity) it is therefore considered that the Plff recover against the Deft \$2125 Delt with legal interest thereon from the 13th day of October 1855 till paid & the costs in this behalf expended this judgment is subject to the following credits viz \$1775. of date Oct 10th 1855 and the amount of a judgment heretofore rendered in this cause

Hammon vs Biathwaite continued for the next

Frank vs Elmfield dismissed

Beery vs Hall: Hall vs Moyers same as same. Hinkel vs Peale & Peale vs Peale ON Motion severally continued

A Settlement of the account of Alexander R. Givens' commission for David Beard was presented ^{for recordation} in Court, and on motion & by consent of parties interested, it is ordered that the said settlement be removed to the Circuit Court of this County for a trial of the matters in dispute arising out of said account

Abraham L. Shaw vs

vs

Samuel VanBelt

Pltff

Def

McDelt

This day came the parties by their attorneys and thereupon came a jury to wit: Preston Rhodes, George Fortney, Jacob Eamman, Noah H. Shuler, George Earhart, John Good, Robert Rankin, Joseph T. Pehr, Henry Beery, M. L. Carpenter, Michael Cline and Jacob Sellers who being elected tried and sworn the truth to speak upon the issue joined, having heard the evidence retired from the bar to consider of their verdict, and after some time returned into Court and upon their oaths do say "We the jury find for the plaintiff one dollar and 38 cents the part of the debt mentioned in the declaration which remains unpaid after deducting the former payment & the defendants' offsets." It is therefore considered by the Court that the Plaintiff recover against the said Def^t the said sum of \$1.38 with legal interest thereon from this day and the costs of the Pltff in this behalf expended

Houch & Melhorn vs Hosh & Bear vs Leopold

On Motion and for reasons appearing to the Court the aforesaid causes are continued until the next Term

Hiram Phillips Plff }
 vs
 Hough (Dever Def. } In Debt

This day came the parties by their attorneys and on motion and by consent of parties it is ordered that this cause be dismissed.

J W Burke & Co Plff }
 vs
 Miller & Grove Defs } In Debt upon a cause removed from before a single justice.

This day came the parties by their attorney and by consent a jury was dispensed with and thereupon sundry witnesses being ^{sworn} examined touching the premises and ~~the court~~ upon mature deliberation and of ~~of~~ ^{of} ~~of~~ it is considered by the Court that the Plaintiff recover against the Defendant the sum of \$33.49 debt with legal interest thereon from the 21st day of April 1855 till paid and the costs by the plff before the said justice and in this behalf expensed.

William Peters Plff }
 vs
 Jacob Bear Def. } In Case

This day came the parties by their attorneys and thereupon came a jury to wit Wm Clearfenter, Noah W Shuler, Solomon R Reamer, John Garber, Jacob Earmann, Samuel Moyers, Jacob Sellers, Preston Rhodes, Robert Rankin, Michael Leone, Abraham Timmeris & John Grod who being elected tried and sworn the truth to speak upon the issue joined, and having heard the evidence retired from the bar to consider of their Verdict and after some time returned into Court and upon their oath do say "we the jury find for the plaintiff and award him damages at \$85.00 with legal interest thereon from the 1st day of January 1856 till paid." It is therefore considered that the Plff recover against the Deft the said sum of \$85.00 with legal interest thereon from the said 1st day of January 1856 till paid, and the costs by the Plff in this behalf expensed.

William R Warren Plff } In Case
 vs }
 Peter Paul Def

This day came the parties by their attorneys and thereupon came a jury to wit William & Kite Abraham Burkholder Samuel Colick Joseph T Rohr, Lewis Gates, Henry Beery Abraham Colick Jr. George Earhart, Peter W Armentrout Charles P Smith Harrison Rohr and George W Entler who being elected tried and sworn the truth to speak upon the issue joined and after hearing the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say give the jury find for the Plaintiff and a sep his damages at \$74.95 with interest from 17th of January 1853. It is therefore considered that the Plaintiff recover against the Defendant the said sum of \$74.95 with legal interest thereon from the said 17th day of January 1853 till paid, and the costs by the Plff about his suit in this behalf expended

Albert G Sigler Plff } In Debt
 vs }
 George Lilley's adm^r &c Defs

This day came the parties by their attorney and thereupon came a jury to wit Wm Carpenter Noah M Shuler Solomon Reamer, John Garber Jacob Earmian Samuel Moyers Jacob Sellers Preston Rhodes, Robert Rankin Michael Caline Abraham Swimmers and John Good who being elected tried and sworn the truth to speak upon the issue joined and ~~the Court~~ not having time to hear all the evidence, are adjourned until to morrow morning at 9 O'clock

Ordered that the Court be adjourned until to morrow morning at 9 O'clock

Naason Bare

Friday August 22nd 1856

Present

+ Naason Bane Jf + John Brown + Alner Moyers } Gent
+ F M Dayton + Michael H Harris } Justices

Benjamin B Ewing who has been duly drawn & summoned to serve as a juror during the present term being solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the next Quarterly term of this Court to show cause if any he can why he shall not be fined for his contempt aforesaid

Hamilton Cuddege & Annan his wife Petff }
against } Melhancery
Robert Siegfried infant & others Deft

~~John Miller~~ Jacob Seigler filed his petition in this cause and thereupon is made a party to this cause

John Miller Petff }
vs } Upon a suggestion that the Deft is in
J D M Diggs Deft } debtor to Anthony Miller

This day came the parties by their attorneys and for reasons appearing to the Court it is ordered that this cause be dismissed

Ordered that the ~~order~~ entered on Monday last requiring F M Dayton binding James a free negro, be and the same is hereby revoked and it is ordered that the said F M Dayton bind the said James to serve the said Mayerhoeffer by paying the said James at the expiration of the term of his apprenticeship the sum of one hundred dollars

Alvan Shaw alter Petff }
vs } In Debt
Samuel Van Fleet Deft

This day came the parties by their attorneys and the defenceant moved the Court to set aside the judgment rendered

in this cause on yesterday for costs. the Court upon hearing the argument of counsel upon mature deliberation it is considered by the Court that that the judgment rendered on yesterday in this cause be set aside and that the Debt recover only \$100 with interest from the 21st day of the present month and no costs

M^r H. Effinger for Debt }
 Wm. L. Smith on Debt } In Debt.

This day came the parties by their attorneys and by consent it is considered that the Debt recover against the debt the sum of \$55. with legal interest thereon from the 7 day of October 1855 till paid and the costs in this behalf expended this judgment is subject to a credit of \$40 paid March 18th 1856

Ordered that any one of the overseers of the Poor for this County bind out according to law Peachy Gladden son of Wm. Gladden aged 13 years 1st of Sept 1856 to William Bateman to learn the blacksmith trade and to pay to the said Peachy Gladden at the term of his apprenticeship the sum of \$30 -

A. Van Dier & B. Mauck Debt }
 Benjamin Miller Debt } In case upon an attachment against an absent debtor

This day came the parties by their attorneys and neither party requiring a jury the Court proceeded to settle the damages that the Debt are entitled and ascertain the said damages to be \$106.58 with interest from the 3rd day of Feb. 1854 till paid and the costs by the Debt in this behalf expended it appearing to the Court that the attachment awarded in this cause has been returned executed on Samuel P. Mainale. D. C. C. & A. Berryman & Co. as Garnishers and it also appearing that the order of publication awarded against the Debt Benjamin Miller (who was a non resident of the State at the time of such publication) has been duly executed & the said Benjamin Miller being solemnly called and not appearing

Albert G. Siegler

Rs

Pliff

In Debt

George Lilley's admⁿ to

Def

This day came again the parties by their attorneys. and the jury sworn on yesterday appeared in court in pursuance to their adjournment. and after hearing all the evidence and argument of counsel retired from the bar to consider of their verdict and after some time returned into court and upon their oaths do say: "We the jury find for the Plaintiff the debt in the declaration mentioned with interest thereon ~~from~~ at the rate of six per cent per annum from the 18th day of August 1832 till paid. It is therefore considered that the Plaintiff recover against the defendants the sum of \$80. the debt in the declaration mentioned with interest thereon at the rate of six per centum per annum from the said 18th day of August 1832 till paid. and the costs by the Plaintiff in this behalf expended. Moved upon the trial of this the Defendant to an opinion of the court delivered in this cause which exceptions ^{are} ~~in the record~~ ^{which exceptions were signed sealed & enrolled} ~~made~~

F D Gilmore

NS

Perf

In Chancery

Alm Liley &

Deft

This cause came on to be heard. This 22^d day of August 1856 upon the bill of the Plff. the answer of R M Mooney and the argument of counsel. and it is ordered that R M Mooney render a full account of all his transactions as administrator of George Selley dec^d. as well as a full account of all his transactions as commissioner appointed by this Court to make sale of the real estate of said George Selley dec^d. and that the commissioner of this Court before whom his account is taken. report all matters concerning this account together with any matters that he may deem essential to be stated specially to this Court at the October term next.

Benjamin F Thomas

NS

Pet

In Debt

Reuben Rains &c

Def.

This day came the parties by their attorneys. and
thereupon the matter of law arising upon the Defendants Remuner

to the Plaintiffs being argued it seems to the Court that the said declaration and the matters therein contained are not sufficient in law for the plaintiff to have and maintain his action against the said defendant. Therefore it is considered by the Court that the Plaintiff take nothing by his bill but for his false clamour be in mercy &c. and that the Defendants go thereof without day, and recover against the Plaintiff their costs by him about his defence in this behalf expended

Smith Roberts

vs

Warren McGahey

Plff

Def

In Case

This day came the parties by their attorneys and neither party requiring a jury the Court proceeded to execute the writ of enquiry. it is considered that the Plaintiff recover against the defendant the sum of \$145.82 with legal interest thereon from the 1st day of January 1855 till paid and the costs of the plaintiff in this behalf expended

Jacob Bear

vs

Lehu Bear

Plff

Def

In Case

This day came the parties by their attorneys. and on motion of the Defendants it is ordered that the Plaintiff shall file with his declaration a bill setting forth the particulars of his claim in such manner as to give the defendant notice of each item

Jones vs Billhimer's ex. Liggitt vs Runcle. Hedrick's ad. vs Begsone
same vs Gilmer. same vs Weast & Doatrick vs Lincoln vs Gru & Dr
On motion severly continued

Kent Paint & Kent

vs

Abraham Smith

Plff

Def

In Case

This day came the parties by their attorneys and the Defendant pleaded Non assumpsit & Statute of limitation & filed a general demurrer to the Declaration in this cause and the case is continued

David Hadley

vs

Deft

In Case

Emanuel Roller

Deft

This day came the parties by their attorneys and the defendant pleaded non assumpsit and statutes of limitation and the issue is continued until the next term

Straus, Alder & Hartman

vs

Defts

In Case

(David Stinespring

Deft

This day came the parties by their attorneys and the Deft pleaded non assumpsit and filed a general demurrer to the declaration in this cause and the issue is continued until the next term

George E Deneale

vs

Deft

In Ejectment

Charles Chandler &

Defts

This day came the parties by their attorneys and the defendants pleaded not guilty and the issue is continued until the next term

Ordered that the following persons be allowed the sums appraised to their respective names for jury service during the present term to be paid by the commonwealth viz Geo Fortney 50 cents + Mrs Good \$1.25 + John Garber \$1.75 + Jacob Sellers 50¢ + S R Reamer \$1.75 + Abram Glick 50¢ + Geo Earhart \$2.25 + Henry Deery \$2.25 + M W Shuler 50¢ + Curtis Yates \$1.25 + Sam Glick 50¢ + Jacob Earman 50¢ + Adam Bear \$1.75 + Lem Carpenter \$1.75 + Alon Summers \$2.25 + Lem Eate \$2.25 + Sam Mayers \$2.25 + O W Armstrong \$1.00

Ordered that the following named persons be allowed the sums appraised to their respective names to be paid by the commonwealth by the county of Rockingham viz Geo Fortney \$2.50 + Michael Clivie \$3.00 + Mrs Good \$2.00 + Mrs Garber \$1.25 + Preston Rhodes \$3.00 + Jacob Sellers \$2.50

S R Beamer \$150 Robert Rankin \$3.00. Abram Ellick Jr \$250 Geo
 Earhart of Mo \$150. Lewis Zinkle Jr 75¢. Henry Beery \$1.50. Joseph T
 Rohr \$300. M. Schuler \$250. Lewis Yates \$200. Same Ellick \$250
 Wm Looke 75¢. Jacob Earman \$250. Adam Bear 75¢. Wm LaPorter \$1.75
 Alm Simmore Jr \$150. Wm B. Kite \$150. Harvey Lilley 75¢. Same Moyers \$1.50
 Wm Ammontrout \$2.25 Alm Burkholder \$3.00 Charles D Smith 75¢
 Harrison Rohr 75¢ & Geo W. Eutzler 75¢ which sums are ordered
 to be paid on demand by the Sheriff of this County

James McDowell Gov. for the Plff }
 vs } In Debt
 William K Gailey & Co. Defts

This day came the parties by their attorneys
 and sundry witnesses being sworn and examined (neither
 party requiring a jury) it is considered by the Court that the Plff
 recover against the Defts the sum of \$120.35 with legal interest
~~thereon from the~~ on \$80 part thereof from the 16 of April 1849 and
 on the balance thereof from this day, until paid, and the
 costs by the Plff in this behalf expended

Hendrick's admr vs Beeson, same is same. McGahey for same
 Williams vs Same. McGahey vs Elliott & Henton Longacre
 On motion it is ordered that the aforesaid causes be
 dismissed

Jacob Bear vs A B Brick. Payment pleaded & setoffs filed and
 issue continued

Wm R Shekroy vs Wm A Wiger. The same order
 The McGahey for R J Snyder. The same order

Robinson vs Smith. On motion continued until the next term

Samuel Coates vs David Keller on motion this cause is docketed
 and continued

W^m McGahery for Petff
 105
 Bushrod W. Henshaw Deft } In Debt

This day came the parties by their attorneys and
 the Defendant ~~pleaded~~ payment. ~~Demurred~~ to the Petff's
 declaration which demurrer was overruled, and the deft
 thereupon pleaded payment to which the Petff replied generally,
 and thereupon the judgment obtained in the office is set aside
 and the issue continued until the next term.

Ordered that the following persons be allowed the sums affixed
 to their respective names for jury service on this day, to be paid
 out of the County Levy. Emanuel Shippey 75^c. Samuel Coffman 75^c.
 Jesse Kropf 75^c. Joseph Kelley 75^c. Alo Jones 75^c. David Coffman 75^c.
 Alg Seigler 75^c. Curtis Yates 75^c. John E. Byrd 75^c. A. E. Hemelinger 75^c.
 Chas. Strayer 75^c. & Jacob Bowman 75^c.

Robert M. Mooney presented in Court an account against
 the Commonwealth amounting to \$9.60 which being sworn
 to ^{in Court} was examined by the and allowed by the Court and ordered
 to be certified to the auditor of public accounts.

Lewis Layton Petff } upon a notice to quash three
 105 } executions issued in the name of
 Benj. Strickler's adm^r Deft } Brown & Maury against L^d Layton

This day came the parties by their attorneys, and sundry
 outwifes being sworn and examined touching the premises
 the Court upon deliberation doth ~~refuse~~ overrule and refuse
 to quash said executions, and it is considered by the Court
 that the Deft recover against the Petff their costs with his behalf
 expended.

W^m Burke Ho Petff } This day came the parties by their attorneys, and
 105 } the Deft by his attorney tendered a bill for fees to
 Miller & Grove Deft } an opinion of the Court, delivered on the trial of this cause
 which exceptions are in the words of figures following to wit "W^m Burke Ho" in
 which exceptions were allowed & fees were allowed to the Deft.

Ordered that the Court be adjourned untill the third Monday in September next

Naason Bare

At Court held for Rockingham Count at the
Court-house thereof on Monday the 15th day of
September 1856

Present - Mason Base P. J. - Andrew Louck. Samuel B. Gent
+ Coffman + Reuben Davis + Fred Hopkins } Justices

The Clerk of this Court returned into Court a list of Deeds and other writing admitted to record in his office during the Month of August 1856. which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- 1 ✓ of A Deed of Bargain & Sale from Lemuel Hopkins wife to Archibald Hopkins Jr.
- 2 ✓ \ same from Isaac Aunion wife to John Ford
- 3 ✓ of \ same from A. Byrd wife to John Brunk
- 4 ✓ \ A Deed of Trust from John Leaga to Amy Daughen Trust for Margaret Leaga
- 5 ✓ \ A Deed of Bargain & Sale from Robert Gray wife to William M. Gray
- 6 ✓ \ same from B. V. K. Kempner to Michael J. Mayorhoeffer
- 7 ✓ \ same from James B. McGill Trustee to Sammie M. Dickson
- 8 ✓ \ same from B. A. Gray Trustee to John Keely
- 9 ✓ \ A Deed of Trust from Daniel Conist to L. M. Zinke Trust for A. Zinke & son
- 10 ✓ \ same from Andrew Conist to John Woodson Trust for Robert Gray
- 11 ✓ \ A Deed of B. & S. from John Duvion to Hiram McLarris
- 12 ✓ \ A Deed of Trust from Hiram McLarris to H. K. Douth Trust for Levi Shaver
- 13 ✓ of \ A Deed of B. & S. from Thomas Alplmer to French S. Duff
- 14 ✓ of \ same from Jackson Whetzel wife to Lem. Fitzwater
- 15 ✓ \ same from Abraham Seely wife to Gideon Rosenbarger
- 16 ✓ \ same from Joseph Blofer wife to James McGinnis
- 17 ✓ \ same from Geo. W. Offinger wife to Frederick Hef
- 18 ✓ \ same from Allen Mc Brown wife to Elias Hollander

A Report of Comr. R. B. Fletcher of the Delors or de minimas against the estate of David Goons, dec'd and also a Settlement of said estate having been filed in the office for the time prescribed by law, was presented in Court and ordered to be recorded.

Settlement of the estate of Jacob Shewalter dec'd ~~and also a Settlement of said estate~~ having been filed in the Clerk's office of this Court for the time prescribed by law, was presented in Court and no exceptions being offered thereto, ~~the same is~~ ^{the same is} confirmed and ordered to be recorded.

A Settlement of the accounts of Daniel Flook Guardian for Joel Shewalter out, having been filed in the Clerk's office of this Court for the time prescribed by law, was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded.

John Shumate Guard	Plffs	} Infancery
vs		
Mary Shumate	Deft	

This cause came on this 15 day of September 1856 to be finally heard upon the papers formerly read and upon the report of John Shumate, and no exception being made to said report the same is confirmed and the deed which he has made to Mary & Nancy Runcle is ordered to be recorded and it appearing that all the questions arising in this cause ~~are~~ are now fully determined, this cause is ordered to be dismissed.

On the motion of Sterling he has leave to transfer his license as a merchant in the County to Samuel R. Sterling.

Preston Spangler a free negro of dark complexion, aged about 21 years, 5 feet 11 inches high, has a scar ~~on the~~ near the right eye, also a scar on the left side of the forehead and also a scar on the big toe of the right foot. it is ordered that the Clerk of this Court do register said negro according to law, and it is further certified that said boy was born free in said County, and that no leave is granted the said Preston Spangler to remain in this Commonwealth.

Manassas Gap Rail Road Company Plff }
vs Def } On a Motion &
A. Holler

On Motion and for reasons appearing to the Court it is
ordered that this cause be docketed and continued

Same Plff }
vs Def } Upon a Notice &
David H. Leary

This day came the parties plaintiff by attorney, and
it appearing to the Court that the deft hath had legal notice of this
motion and he being solemnly called and not appearing it is considered
by the Court that the Plff recover against the deft the sum of \$50.00
with int on \$2. part thereof from the 1st of Feby 1855. on \$3. an other part
thereof from the 1st of March 1855. on \$3. an other part thereof from 1st April
1855. on \$3.00 an other part thereof of the 1st May 1855. on \$3. an other part
thereof from the 1st June 1855. on \$3.00 an other part thereof from the 1st July
1855. on \$3.00 an other part thereof from the 1st of August 1855. on \$3. an other
part thereof from the 1st Sept 1855. on \$3.00 an other part thereof from the
1st of Octo^r 1855. on \$3. an other part thereof from the 1st Nov. 1855. on \$3
an other part thereof from 1st Dec. 1855. on \$3 an other part thereof from the
1st of Jan'y 1856. on \$3. an other part thereof from 1st Feby 1856. on \$3. an other
part thereof from the 1st of March 1856. on \$3. an other part thereof from
the 1st of April 1856. on \$3. an other part thereof from the 1st of May 1856
and on \$3. the residue thereof from the 1st of June 1856 till payment
and the costs by the Plff in this behalf expended

Same Plff }
vs Def } Upon a Notice
D. Blaroushorn

This day came the Plff by attorney, and the deft being
solemnly called and not appearing. it is considered that the Plff
recover against the deft the sum of \$50. with legal interest thereon from
the dates set forth in the notice in this cause. and the costs by the Plff
in this behalf expended

The Manassas Rail Road Company Plff }
 vs } Upon a notice
 John A Hoep Defs

This day came the Plff by attorney and the deft being called and not appearing, it is considered by the Court that the Plff recover against the deft the sum of \$50. with legal interest thereon from the time set forth in the notice filed in this cause and the costs by the Plff in this behalf expended

Same Plff }
 vs } Upon a notice
 David Gray & W Burkholder Defs

This day came the Plff by attorney and the Defs being solemnly called and not appearing, it is considered by the Court that the Plff recover against the Defs the sum of \$50 with interest thereon from the time set forth in the notice filed in this cause and the costs by the Plff in this behalf expended

Same Plff }
 vs } Upon a notice
 Abraham Stoner Defs

The Plff this day came by attorney and the deft being solemnly called and not appearing, it is considered by the Court that the Plff recover against the Defs the sum of \$100. with legal interest thereon from the time set forth in the notice filed in this cause and the costs by the Plff in this behalf expended

Same Plff }
 vs } Upon a notice &
 Noah Larned & Riade Defs

This day came the Plff by their attorney and the defts being solemnly called and not appearing, it is considered by the Court that the Plff recover against the Defs the sum of \$50. with legal interest thereon from the times set forth in the notice filed in the cause and the costs by the Plff in this behalf expended

Manafca Gap Rail Road Company *Plff*

vs
Eugenio Anderson *Def.*

Upon a Notice &

This day came the *Plff* by attorney, and the *Def.* being solemnly called and not appearing, it is considered by the Court that the *Plff* recover against the *Def.* the sum of \$50. with legal interest thereon from the times set forth in the notice filed in this cause, and the costs by the *Plff* in this behalf expended.

On the motion of R. M. Palmer he is authorized to bind John B. Morris son of Laney Morris dec^d aged 6 years 1st March 1856. to Jonathan Bateman to be learned the churning to have a freedom suit worth \$30 when 21 years of age

The order made at the June term 1853 by which Nathaniel Sellers at the instance of Jacob M. Leaven overseer of the poor, was bound to Nathaniel Flook, be and the same is hereby revoked and annulled and the indenture of apprenticeship is rescinded.

On the motion of Francis McErwine who made oath there to according to law and together with Peter Whitmore, David Bear & Henry Bearner his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000. conditioned as the law requires. Certificate is granted the said Francis McErwine for obtaining letters of administration as administrator with the will annexed of Andrew Erwine dec^d according to law, and it is ordered that Wm. McElreath, Jacob Vandear, Matthew Wilson, David Blackburn & John S. Thompson do appraise the estate of said Andrew Erwine dec^d in the County of Augusta.

John W. Houston this day presented to the Court an assignment to him by Edward T. Alston of the indenture of apprenticeship binding to said E. T. Alston a negro boy named Albert Hooge which assignment the Court approves, & orders that the said Houston execute the proper bond to the Overseers of the Poor, as would be executed if the said negro was bound to the said John W. Houston.

Sarah Margaret Moyers orphan of Henry Moyers dec^d being upwards of 14 years of age by an instrument of writing under her hand made choice of John D. Miller as her guardian and thereupon the said John D. Miller appeared in Court and together with Christian Brunk, George W. Hagan, Jacob Moyers John Moyers & Levi Baxter his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the pen and ink of \$15000 - conditioned as the law requires which bond is ordered to be recorded

Ordered that the following named persons be appointed a patrol, to patrol for the space of three months in the Pittsline & Gordons store Magisterial district, viz John de Ervine Captain John Harman, John Gordon, Simon Base, John Robinson Jr Thomas Fulton, & Norman Smith

Ordered that it be certified that Jacob Hoffer has been assessed & delinquent charged for the year 1855 with the tax upon 105 acres of land to said Hoffer amounting to the sum of \$336. and it is further ordered to be certified that the Commonwealths attorney was present when said motion was made. It is ordered that said facts be certified to the auditor of public accounts

Samuel Coates	Plff	} In Chancery
vs		
Dianna Dove	Deft	

On Motion of the Plff by attorney he hath leave to file his bill, which bill was accordingly filed

Natharine Moffett vickers	Plff	} In Chancery
vs		
Margaret Edg. Moffett vickers	Deft	

On Motion of the Plff by their attorney it is ordered that Wm Gamble be appointed guardian ad litem for the infant defendants

Upon the petition of Wm. Armentrout and others the Commissioners heretofore appointed made their report in these words "Rockingham" and upon the motion of the petitioners it is ordered that said road be established according to said report and that Riley Armentrout be appointed surveyor of the same provided said Armentrout shall open and keep in repair said road with the hands upon his own land.

Upon the petition of Henry Ottoburners for the establishment of a road in this County. this day came the petitioners by their attorney and on their motion it is ordered that the land holders through whose land is proposed to be conducted be summoned to appear here on the first day of the next term of this Court to show cause if any they can why said road shall not be opened and established according to law.

It is ordered to be certified that Elizabeth Thomas died a short time since leaving a will which is of record in the Clerk's office of Rockingham County in which will she devised a County land warrant to her executor for the use & support of her daughter Serena Coffman - & Andrew Coffman has qualified and is acting as the executor of said Elizabeth Thomas.

An instrument of writing purporting to be the last will and testament of George Smiles dec'd - was presented in Court and proved by the oath of Benjamin Kerlin and Adam Rader two of the subscribing witnesses thereto and ordered to be recorded.

Amos Lett

Deft

Daniel G. May

Deft

That this cause be docketed & continued

Wm. G. Kemper

Deft

Same

Deft

Henry H. Kaylor

Deft

Same

Deft

Upon an Attachment. on motion &

for reasons appearing to the Court it is ordered

upon an Attachment

The same order

upon an Attachment

The same order

Susan Kisting late of the County of Rockingham who stands charged with a felony by her committee in this that she did on the 28th day of November 1855 in the said County did feloniously counsel aid and abet a certain Rebecca Fisher feloniously to burn a certain barn the property of G. M. Maury situated in the said County was led to the bar in custody of the jailor of this Court and sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation are of opinion that there is probable cause to charge the prisoner with the offence aforesaid and it is ordered the prisoner be remanded for trial before the Circuit Court of Rockingham County at the next term of the said Court and thereupon the prisoner moved the Court to be admitted to bail which motion the Court doth overrule and thereupon the prisoner was remanded to jail.

Be it remembered that on this day Rebecca Fisher & George M. Maury personally appeared in Court and 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 & chattels, lands and tenements and for the use of the Commonwealth yet upon this condition that the said Rebecca Fisher & George M. Maury shall make their personal appearance before the Circuit Court of Rockingham on the first day of the next term of said Court then and there to give evidence on behalf of the Commonwealth against Susan Kisting charged with felony and not to depart thence without the leave of said Court.

Mortica J. Cloud having been this day guilty of a contempt to the Court in the presence thereof it is considered that for his said contempt he make his fine with the Commonwealth by the payment of \$20. for the use of the Commonwealth and that he be imprisoned in the jail of this County until the adjournment of this Court this evening and afterwards until the said fine shall be paid or otherwise discharged by a due course of law.

and thereupon the said Notice of Motion is committed to the custody of the jailer of this Court

Ordered that the Court be adjourned until to-morrow morning at 9 O'clock

Naason Bare

Tuesday September 16th 1856

Present

Naason Bare J. & Samuel A. Hoffman } Gent
+ Reuben D. & John H. Hoopkin } Justices

George Moffett & others

against

Margaret E. & H. Moffett & others

Plffs

Defts

In Chancery

This cause came on by consent to be heard this 16th day of September 1856 upon the bill, exhibits & answer of the defendant Margaret E. & H. Moffett & of the infant defendants by J. W. Gamble their guardian ad litem. whereupon the argument of counsel being heard, and the Court being of opinion that the partition prayed for in the bill is proper and ought to be made it is therefore adjudged Ordered and decreed that William L. Thompson, Thornton Thomas Benjamin Hoover, Cornarius Hoover and William M. West (any three of whom may act) be and are hereby appointed commissioners for that purpose & proceed to make partition of the real property & slave property of which the plaintiffs & the late Anderson Moffett were seized as partners and lay off one equal fourth in value of the entire landed partnership property by metes and bounds and one equal fourth in value of the partnership slave property designating the slaves by name who are assigned for the widow & heirs of Anderson Moffett dec^d and said commissioners are required to make report of their proceeding to the Court at its next term

Tutwiler's to W. Valley Turnpike Co. & Harper's heirs as Grms on Motion
Ordered to be continued

Julia Powell & others

against

Alfred Shiflett & wife

Plffs

Defts

In Chancery

This cause came on to be further heard this 16th day of September 1850 upon the answer and bill & the answer thereto of Alfred Shiflett & Margaret his wife & of J. C. White administrator of Honoria Powell being argued by counsel on consideration whereof the Court doth order, adjudge & decree that Conrad H. Kite be & is hereby appointed a special commissioner to assign to Julia Powell widow of Honoria Powell her dower in the estate of said Honoria Powell & that he shall ascertain from the best means in his power the cash value of her dower interest in the land estate of said Honoria Powell & report the same to the next term of this Court. The Court doth further order & decree that the guardian of Rebecca & Sarah Powell minor children of said Honoria Powell (who are desirous of moving to the State of Missouri with their mother Julia Powell) be & is hereby authorized to advance to said Julia Powell an amount of the funds in his hands belonging to them sufficient to outfit & defray their expenses to the said State of Missouri & take the receipt of the said Julia Powell as received for said purpose which receipt shall be a voucher for him.

Ordered that the agent for this County purchase for the use of the Court house and Clerk's offices one dozen and a half of substantial chairs

D. A. Yancey

vs

Robert S. R. Beana

Plffs

Defts

In Chancery

This cause came on this 16th day of September 1856 to be finally heard and it appearing that all matters of dispute between the parties hereto have been adjusted by the parties by consent this cause is dismissed.

Manapa Gap Rail Road Company *Plff*
 vs
 John Dougherty & *Deft* } Upon a Notice &

This day came the *Plff* by attorney and
 an motion this cause is docketed and continued

William D Downman having obtained an attachment against
 the estate of James 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 a del. and the Sheriff of this County
 having made return that he had executed the said attachment
 on one safe &c. This day came the plaintiff by his attorney and the
 defendant being solemnly called and not appearing to reply, the same
 is considered by the Court, that the *Plff* recover against the *Deft*
 the sum of \$10.28 1/2 his del. aforesaid proved to be just with
 legal interest thereon from the 6th day of January 1856 till paid
 (subject to a credit of \$15 of date of Feb 8 1856) and the costs by
 the *Plff* in this behalf expended and it is ordered that the
 officer who levied said attachment, make sale of the attached
 effects, as the law requires and out of the money arising from
 such sale, pay and satisfy this judgment to *Plff* and the surplus
 (if any) restore to the *Deft* and return an account of such sale
 to the next Court

Rebecca Powell & Sarah Powell orphans of Honorus Powell dec'd
 being upwards of 14 years of age by an instrument of writing acknow-
 edged before a justice of the peace made choice of John L
 Walker and thereupon the said John L Walker appeared
 in Court and together with William Leake & ^{James B. Leake} ~~Robert H. Leake~~
 his securities (who justified as to their sufficiency) entered into
 and acknowledged a bond in the penalty of \$2000 conditioned
 as the law requires, which bond is ordered to be recorded.

Ordered that Michael Hornah ^{former} Committee for David Hornah
 who was by a former order of this Court directed pay over to

John Weaver the present committee any funds in his hands belonging to said David Homan. retain said fund in his hands until further order of this Court

Henry Lane
vs

Plff

Anderson Beazley

Def

} Upon an attachment

This day came the parties by their attorneys and thereupon Thomas A. Yancey & Jacob N. Diggert appeared in Court and undertakes for the James M. Sharp who claims the property levied on under the attachment. that they will satisfy and pay all such costs and damages as may be awarded to any of the parties in this cause, in case the said James M. Sharp shall be cast in this suit, and also that ~~they~~ ^{he} shall satisfy and pay all the fees which will become due from him to the officers of this Court or that they the said Thomas A. Yancey & Jacob N. Diggert will satisfy and pay those costs damages and fees for him and the trial of the cause is continued until the next term

J. H. Taylor &
vs

Plff

Isaac Hardesty

Def

} On a motion

This day came the parties by their attorneys and by consent it is ordered that this cause be dismissed and that the Def recover against the Plff his costs by him about his defence in this behalf expended

Rockingham Turnpike Co vs Bryan. Neff vs Andes. Keister vs Gmetz
Whitins Grove. Leamas vs Thompson. Powell's heirs vs Powell's ad
Shue vs Anderson. Harris vs Wendell. Hinton vs Hinton's adm^r
Wauzy vs Raden. Sager vs Smith. Coffman vs Stulvey
Manassah Gap Rail Road Co vs Gray. same same same same Diggs
same same same same same same same same same same same same
same same same same same same same same same same same same
Holeinger & Clark vs Blackaby & On motion severally continued
until the next term

Sprinkle vs Dorman Long vs Miller Hurley vs same, same vs same, Liskey vs Stinespring, Bane vs Tifer, overseers of Poor vs Albright, Rhodes vs Perkins, Sellers vs Hughes, Beard & Lewis vs Thurmond, Hanfman vs O'neal, Byerly vs Sprinkle, Diggett vs Manick, Clifton & Co vs Crawford, Manafah Gap Rail Road Co vs Strickler's and same vs Coffman, Showalter vs Dawson, Attaffer vs same, Dundone vs Bateriaan, Mayorhoeffer vs Roller, Harper vs Ranaol, Quichet vs McLea & Hume vs same. On motion the aforesaid several causes are continued until the next term.

R M Harrison vs Hackley. On motion this cause is dismissed.

A Settlement of the estate of Christina Perkey dec'd having been filed in the office for the time prescribed by law, was returned into Court, and the exceptions thereto being withdrawn, the said settlement is confirmed and ordered to be recorded.

John F. Lewis vs

Deft

Richard Fletcher

Deft

upon a suggestion that the Deft is indebted to Isaac I. Grove

This day came the Deft by his attorney and thereupon the said Deft appeared in Court and was examined on oath, and it appearing that he is not indebted to the said Isaac I. Grove, it is ordered that the same be dismissed.

Wm McCarty this day applied to the Court to grant him a license to keep an ordinary in this County, which application the Court doth refuse.

P Bower Dowdall vs

appellant

Dana Holler

appellee

upon an appeal from the judgment of a Justice of the peace

This day came the parties by their attorneys and sundry witnesses being sworn and examined and upon mature deliberation it seems to the Court here that the said judgment is erroneous.

Therefore, it is considered that the same be reversed and annulled and that the appellant recover against the appellee his costs about his appeal in this behalf expended, and this Court proceeding to give such judgment as the said Justice ought to have given, it is further considered that the appellant recover against the appellee \$43.56 with legal interest thereon at the rate of six per centum per annum from the 27 day of November 1846 till the 27th Decr. 1852 subject to account of \$20 paid on Nov 1852 and damages from the amount of the balance of said debt at the rate till paid and the costs by the appellant in this behalf expended, and thereupon ^{on} the motion of the appellant it is ordered that ~~in~~ the judgment rendered in this cause be set aside and a new trial granted therein upon condition that the Deft pay the costs of the former trial

Jacob Bear &c appellant
vs
John S. Calvert appellee } Upon an appeal from the judgment of a Justice of the peace

This day came the parties by their attorneys, and the Court upon mature deliberation are of opinion that there is no error in the judgment of the justice below it is therefore ordered that be affirmed and made the judgment of this Court, it is therefore considered that the appellee recover against the appellants & John Potter their security the sum of \$37.50 with interest thereon at the rate of six per centum per annum from the 1st day of January 1856 till the 30th of May 1856 and thirty cents costs with damages upon the whole amount of said judgment at the rate of ten per centum per annum from the said 30th of May 1856 till paid, and the costs by the appellee in this behalf expended

Wm S Baughen of Essex appellant
vs
Zachariah Rains &c appellee } Upon an appeal from the Judgment of a Justice

This day came the parties their attorneys and sundry witnesses being sworn and examined, and upon mature deliberation are of opinion that there is no error in the

judgment of the justice below. it is therefore considered that the said appeal be dismissed and that the appellee recover against the appellant and George W. Miller his security in said appeal. there is by the appellee about his defence in the charges expended

U. M. @ Maiden appellant }
 vs } upon an appeal
 N. W. leave appellee }

This day came the parties by their attorneys and by consent of parties this cause is dismissed

Felix D. Sheets D. for A. B. Byrd S. R. L. P. C. } upon a suggestion that
 vs } the Debt is indebted to
 George E. Doneale Debt Abraham Smith

This day came the P. C. and it appearing to the court that the Debt hath had legal notice of this motion and he being and it further appearing to the court that the Debt is indebted to said Abraham Smith solemnly called and not appearing, it is considered by the court that the P. C. recover against the Debt the sum of \$4359 the amount of taxes now due from said Smith and the costs by the P. C. with his behalf expended.

U. M. Boyers vs R. Boyers On motion continued for the Debt.

Rockingham Male & Female Seminary vs Hunter. same vs Rehner same vs Swank. same vs Miller Jr. same vs Harnsbarger Jr. same vs Ewing. same vs Jones. same vs Sterling Jr. same vs Kellogg and same vs Bear. same vs Shands. same vs Miller. same vs Gamble On Motion severally continued until the next term

Smith vs Armistead. Hunter vs Joseph. Joseph vs Lites Armistead vs Hunter. Smith vs Byrd. same vs H. C. H. same vs same On Motion severally continued

Hile vs Gailey & Hogan vs Neal On Motion severally continued until next term for appealers.

Rumsey vs McEale. Motion continued until the next term at the costs of the appellant

Hall vs Byerly on motion continued until the next term at the last of all.

Jacob Bear
or
J. Van Bleet

appellant
} upon an appeal from the Judgment of
appellee } a Justice of the Peace

This day came the parties by their attorneys and a witness being sworn and examined, and was argued by counsel. One of opinion that there is no error in the judgment of said justice. It is therefore ordered that the same be affirmed and that the appellee recover against the appellant and Daniel Hurley his security in said appeal the sum of \$270 with interest thereon at the rate of six per centum per annum from the 1st of January 1853 till this day and damages thereon at the rate of 10 per centum per annum from this day till paid and the costs by the appellee in this behalf expended.

Long vs Rhodes on Motion continued until the next term
at the Court of Peff

Ordered that the Court be adjourned until tomorrow morning at 9 O'clock

Naason Bare

Wednesday Sept 17-1856

Present

+Naason Bare P.J. +Samuel H. Coffman
+Andrew Honck +Reuben Dove

On the motion of Phoebe Logan administratrix of George S Logan dec'd. it is ordered that she render an account of

her administration before Hon^{ble} Mr. Westman, who is hereby appointed a special commissioner to state and settle her account and report thereon to the Court according law

Henry Bare appellant
vs
Henry Gilmore appellee } upon an appeal from the judgment
of a justice of the peace

This day came the appellee by his attorney, and the Court upon mature deliberation are of opinion that there is no error in the judgment of the justice below. It is therefore considered that the appellee recover against the appellants and must bear the security in said appeal the sum of \$20. with interest thereon at the rate of six per centum per annum from the 11th day of Nov: 1854, till the 8th of March 1856. and 60 cents costs with damages upon the whole amount of said judgment at the rate of 10 per cent per annum from the said 8th day of March 1856 till paid and the costs by the appellee about his defence with his behalf expended

William A Brackwaite appellant
vs
Quincy Nicholas appellee } upon an appeal from the
judgment of a justice of the
peace

This day came the parties by their attorney, 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. It is considered that the same be reversed and annulled, and that the appellant recover against the appellee the sum of \$18.82 with legal interest thereon from the 20th day of July 1852 till paid and the costs by the appellant expended before the justice aforesaid, and his costs in this behalf expended

— Absent. A. Houch

W. C. Smith & Dever appellants
vs
Andrew Houch appellee } upon an appeal from the
judgment of a justice

This day came the parties by their attorneys and thereupon

the appellant R. L. Smith pleaded the Statute of limitation which being argued by counsel which plea the Court, ~~with~~ overrule. and upon mature deliberation are of opinion that there is no error in the judgment aforesaid, it is therefore considered that the same be affirmed, and that the appellee recover against the appellants and R. L. Smith security in said appeal the sum of \$3.44 with interest thereon at the rate of six per centum from the 24 of Octo 1852 till the 5th of April 1855 and \$3.50 costs before justice with damages upon the whole amount of said judgment at the rate of 10 per centum per annum from the said 5th of April 1855 till paid and the costs by the appellee in this behalf expended.

J. B. Killers admits
 vs
 Elvira Freeze

Deft } Present A. C. Clark
 Deft } In Chancery

This cause came on to be heard on this 17th day of August 1856 upon the bill answer demurrer of defendant the deposition of witnesses, whereupon the argument of counsel being heard and the Court being of opinion that the plaintiff was not entitled to relief in equity for setting out the premises and real estate of the defendant and that being the prayer of the bill and decree asked for by Plff and the Court being of opinion that the plffs right at law to sue out a writ of Eject was complete it doth order adjudge and decree that the plffs bill be dismissed and that the defendant recover her costs by her expended on the prosecution of this suit

Absent Andrew Houch Gent Justice

Butler is Brock cont at the foot of Brock

Hall is Byerly cont for Hall

Sibert & Bowman vs Carpenter, Rexroad vs Gros, Gray vs Long
Manning vs Leedy, same vs same; Hook vs Harrison, Gailey vs
Harper. same vs Effinger (8 cases) on motion severally contin-
ued untill the next term

M. L. Smith

appellant

vs

Andrew Louch

appellee

} Upon an appeal from the judgment
of a Justice of the Peace

This day came the parties by their attorney, and the appellant by attorney pleaded the Statute of limitation which plea the Court doth refuse to admit, and thereupon witnesses being sworn and examined, the Court upon mature deliberation are of opinion that there is no error in the judgment aforesaid, it is considered that the appellee recover against the appellant and Robert & L. Smith the security in said appeal the sum of \$16.33 with interest thereon at the rate of six per centum per annum from the 1st of January 1833 till the 5th day of April 1835 and \$1.50 costs before said justices, and damages upon the whole amount of said judgment at the rate of 10 per centum per annum from the said 5th day of April 1833 till paid, and the costs by the appellee in this behalf expended

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

Naason Bare

At a Court summoned and held for the County of Rockingham at the Court house thereof on Monday the 6th day of October 1856, for the examination of James Gentry a white person who stands charged with a felony by him committed in this that he did on the day of July 1856 in the County of Rockingham one light some horse and saddle and bridle of the price of one hundred and twenty dollars of the goods and chattels of David Lokey feloniously and steal take and carry away

Present + Naason Bare, J. J. McMillan, Andrew Gentry
+ Louch, Daniel Smith, Samuel Coffman } Justices

The prisoner was led to the bar in custody of the jailor of this Court

and sundry witnesses being sworn and examined touching the premises as well on behalf of the Commonwealth as on behalf of the prisoner and the Court upon mature deliberation are of opinion that there is probable cause to ~~prosecute~~ the prisoner ~~with the prisoner~~ with the offence aforesaid. it is ordered ~~that the prisoner be~~ be remanded for trial before the Circuit Court of this County ~~for trial before said Court~~ on the first day of the next term thereof, and thereupon the prisoner was remanded to jail

Be it remembered that on this day personally appeared in open Court David Looker, George W. Lawrence, Henry Lawrence & Sheldon & Carrier, and severally acknowledged themselves to owe and be indebted to the Commonwealth ^{Virginia} each in the sum of \$100 to be levied of ~~them~~ ^{of their respective} goods and chattels, lands and tenement and for the use of the Commonwealth. Yet upon this condition that the said David Looker, George W. Lawrence, Henry Lawrence & Sheldon & Carrier shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof, then and there to give evidence on behalf of the Commonwealth against James Gentry charged with felony, and not to depart thence without the leave of the Court.

Be it remembered that on this day Wesley Taylor, James M. Danice, Joseph Meff, Christly Simmers, Abam Simmers, Alon Harrison, John Hoga, Alon Christman & Isaac Reed personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth in the sum of \$100 each to be levied of their respective goods and chattels, lands and tenement and for the use of the Commonwealth.

Yet upon this condition that the said Wesley Taylor, James M. Danice, Joseph Meff, Christly Simmers, Abam Simmers, Alon Harrison, John Hoga, Alon Christman & Isaac Reed shall make their personal appearance before the Circuit Court of Rockingham on the first day of the next term thereof to give evidence

on behalf of James Gentry who stand charged with felony
and not to depart thence without the leave of the Court

And thereupon the Court arose

Maason Bare

At a Court held for Rockingham County
at the Court-house thereof on Monday the
20th day of October 1856

Present

+ O. C. Sterling + Andrew Houch, Jacob } Gent.
+ Bush + Jackson Horn } Justice

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 September last, which was seen and
inspected by the Court and ordered to be entered on the
minutes as follows to wit

- | | | | |
|----|---|----|---|
| 1 | ✓ | \ | A Deed of Bargain & Sale from John B Brown comr to A. D. H. Clevinger |
| 2 | ✓ | of | A Deed of Trust from Andrew Houch to Wm Melhorn Trust for Wm G. Gentry |
| 3 | ✓ | \ | A Deed of B. H. from Aaron G. Solomon to John Akers |
| 4 | ✓ | \ | Same from Same to Samuel Measger |
| 5 | ✓ | \ | A Deed of Trust from Robert L. Beard to H. Woodson Trust for A. Bryan &c. |
| 6 | ✓ | \ | A Deed of B. H. from Wm G. Gentry to William B. B. B. |
| 7 | ✓ | \ | Same from Anthony Rader comr to Jacob Sanger |
| 8 | ✓ | of | Same from John Shumate comr to Mary & Nancy Runcer |
| 9 | ✓ | \ | Same from Philip Keller admr to Robert Mossey &c. |
| 10 | ✓ | of | Same from Martha Losh & husband to Jacob J. Thomas |
| 11 | ✓ | of | Same from Wm R. Measger comr to Martha Losh |
| 12 | ✓ | \ | Same from John Sibert wife to Michael Cline |
| 13 | ✓ | \ | Same from Same to Frederick Cline |
| 14 | ✓ | \ | Same from Benjamin Trifer wife to Jackson Horn |
| 15 | ✓ | of | Same from Andrew Long wife to John Todd |
| 16 | ✓ | of | Same from Jacob Shank wife to Jacob Shank |

- 17 ✓ \ A Deed of Bargain & Sale from Henry Miller wife to George W. Miller
 18 ✓ of \ Same from Getty Marshall to Samuel G. Long
 19 ✓ of \ Same from Ellis Powell wife to William Miller
 20 ✓ \ Same from John Trece wife to David Trece
 21 ✓ of \ Same from Enos Keagle to Joseph Sheets
 22 ✓ \ Same from Archibald Reid wife to Benjamin McLean
 23 ✓ \ Same from Jacob L. Harrison wife to David Hook
 24 ✓ \ Same from Wm. Wilhelm wife to Wm. M. D. Harris
 25 ✓ \ Same from Jonathan Pease & wife to Joseph Frankhouse
 26 ✓ \ Same from Weston Spangler to William Peters
 27 ✓ of \ A Deed of Trust from Wm. Wickel to Wm. Gamblee Trust for D. Garber
 28 ✓ \ A Deed of BtS from Charles Gancey to Wm. A. Long
 29 ✓ \ Same from Joseph Sheets wife to George D. Buntner
 30 ✓ \ Same from Thomas Looker wife to David Coffman
 31 ✓ \ Same from Isaac G. Coffman wife to Erasmus Coffman
 32 ✓ \ A Deed of Trust from Jacob S. Rich to Wm. A. Harris Trust for Alfred Sprinkel
 33 ✓ \ A Deed of BtS from Martin Wright to Michael Lohr
 34 ✓ \ Same from Daniel Cromer to James Black
 35 ✓ of \ Same from Edward T. Alcott wife to Michael J. Moyerhoeffer
 36 ✓ \ A Deed of Trust from Benj. Bushnell to Wm. D. Telfair Trust for W. Bushnell
 37 ✓ of \ A Deed of Bargain & Sale from Paul A. M. Moyerhoeffer wife to E. T. Alcott
 38 ✓ \ A Deed of Trust from Edward T. Alcott wife to J. H. Woodson Trust for A. M. Kyle
 39 ✓ of \ A Deed of BtS from David Ammentraut to Valley Turnpike Company
 40 ✓ \ A Deed of Trust from Elias Stutz to Wm. Gamblee Trust for L. S. Weaver
 41 ✓ \ A Deed of BtS from Augustus Waterman to Jacob Sanders
 42 ✓ \ Same from George Lowry wife to Philip Lowry
 43 ✓ \ Same from Benj. F. Byerly to John de Smutz
 44 ✓ \ Same from same others to same
 45 ✓ \ A Deed of Trust from Mrs. Woodmont wife to J. A. Kenney Trust for Jonathan Pease
 46 ✓ \ Same from Thornton Deavers to Wm. Gamblee Trust for Isaac Deavers

Settlements of the estates of Adam Weir dec'd. Emanuel Sellers dec'd.
 Anna Wampler dec'd. James Preston dec'd. Abrahm Lincoln dec'd.
 Wm. Gather dec'd. Henry Ritchie dec'd. Jacob Rhodes dec'd. and
 John Dutcher dec'd. having been filed in the Clerk's office of this

Court for the time prescribed by law were presented in Court and no exceptions being offered they are confirmed and ordered to be recorded

Settlement of the Guardians of Josephine R. Lincoln. Leawford Tyrole. Samuel Driver. Rebecca L. Meise. Christian S. Meise. Isabella W. Smith and Abigail Frances Beery having been filed in the Clerk's office of this Court for the time prescribed by law were presented in Court and no exceptions being offered the same are confirmed and ordered to be recorded

Settlement of Silas Hewitt's Commission for Henry Andes. having been filed in the Clerk's office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the estate and report of the Defts and demands against the estate of George W. Shanklee having been filed in the Clerk's office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto. The same is confirmed and ordered to be recorded

Sittenton W. Gamble Clerk of this Court presented in Court an account against the Commonwealth amounting to \$78.74 which being sworn to in Court was examined, allowed and ordered to be certified to the auditor of Public accounts

Peter Brick Jailer of this Court presented in Court an account against the Commonwealth amounting to \$51.20 which being sworn to in open Court was examined, allowed and ordered to be certified to the auditor of Public accounts

Absent Jacob. Rush

Ordered that John A. White be appointed surveyor of precinct No. 1 in the place of Daniel Levist

John E Brown Constable Plff }
 against } McManamy
 (Diana Dove Deft }

This cause came on to be heard on this the 20th day of October 1856 upon the papers heretofore filed in this cause, and proceedings heretofore had, and it appearing to the Court from the bill filed upon oath of John E Brown that the interest of Diana Dove in the land mentioned in the bill, will not in five years pay the said Debt of levies in the bill mentioned with costs & it is adjudged ordered and decreed that John Brown be appointed a commissioner to sell the said interest of Mrs Diana Dove in the land in the bill mentioned at public sale for cash upon the land, previously to the sale thereof advertising the terms and day of sale at four public places near thereto by written notice for term of 4 weeks, and from the proceeds of sale he shall pay the costs of this suit and commissions allowed by law to Commissioners and from the remainder if sufficient, he shall pay to the said Samuel Levies the sum of \$38.84 with interest from 19 March 1853 till paid & 30 cents costs & other costs by said Levies expended, if not sufficient to apply the amount remaining to the payment of a portion of said Debt and if more after paying the said Debt & to pay the remainder to Diana Dove, and report this said action to this Court

Blain for as Blain and Bond Notice proved & sworn answered

An instrument of writing purporting to be the last will & testament of George Sanafrank dec^d. as presented in Court and proved by the oath of John Glau one of the subscribing witnesses thereto and continued for further proof

Present

Benj. Hoover, Alonzo Harris Gent Justices

Charles Joseph Smith a native of England this day applied to the Court to be admitted to become a citizen of the United States: and it being proved to the satisfaction of the Court by the testimony of Henry Phillips and John McFunkhouser citizen of the United States, who were examined as witnesses on oath that the said ^{Charles} Joseph Smith arrived in the said United States three years before he arrived to the age of twenty one years of age and that he has resided in the United States for two years at least since his majority and that during that time has behaved as a man of good moral character attached to the principles of the free paid constitution of the United States, and well disposed to the good order and happiness of the same he the said Charles Joseph Smith 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, State or sovereignty, whatever and particularly to Victoria Queen of Great Britain, and thereupon the said Charles Joseph Smith is admitted a citizen of the United States

James Holms (a free negro) who stands charged with a felony by him committed in this that he did on the 11th day of September 1856 in the County of Rockingham divers Bank notes for the payment of divers sums of money in the whole to the sum of three hundred and seventy one dollars and of the value of three hundred and seventy one dollars then being the bank notes and the property of John McLeell feloniously did steal take and carry away - was led to the bar in custody of the Jailor of this Court, and sundry witnesses being sworn and examined touching the premises, and the Court upon mature deliberation are of opinion that he is guilty of the felony aforesaid. It is therefore considered by the Court that he be imprisoned in the Penitentiary of this Commonwealth for the term of three years & six months and it is ordered that the Sheriff of this County do so soon as possible after the adjournment of this Court

remove and convey the said James Holms from the jail of this Court to the said Penitentiary, therein to be kept imprisoned and treated in the manner directed by law. And thereupon the said James Holms is remanded to jail by consent of the prisoner by his attorney Oesterling the committing Justice in this case set as one of the Court upon his trial

AB Rogers Plff }
vs } In Chancery
Curry Deft }

On Motion of the Plff, it is ordered that this cause be dismissed

Kemper Jr vs May upon an attachment on motion this cause is docketed and continued

~~Same vs Same The Same case~~

Ordered that Peter O'Kearney, Douglas Martz, Benjamin Hoover, Reuben Moore, Lem G Thompson be and they are hereby appointed commissioners to apportion to Lydia Beam widow of Tobias Beam her dower in the lands of the said Tobias Beam

Ordered that the Clerk renew the register of Polly Bryant a free negro. No 250

On the motion of Isaac Cluffman who made oath thereto according to law and together with Robert H Spindle and John LeWalker his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$4000 conditioned as the law requires. certificate is granted the said Isaac Cluffman for obtaining letters of administration in and from upon the estate of William Smith decd. and it is ordered that Jacob Blase, Wesley Shepard, William Kite and

William Hensley do appraise the estate of said William Smith dec'd. and report thereon to the Court according to law

Manassah Rail Road Company Plff }
vs } Upon a Notice &
John Daugherty &c Deft }

This day came the ~~parties~~ Plaintiffs by attorney and it appearing to the Court that the Defts hath had legal notice of this motion and they being solemnly called and not appearing it is considered that the Plff recover against the Defts the sum of \$50 with legal interest thereon from the several dates set forth in the notice, and the costs by the Plff about their suit in this behalf expended.

William Miller, Diana Miller and Leana Miller orphans of Michael Miller dec'd ^{who are over 14 years of age} by an instrument of writing made in choice of Phoebe Miller as their guardian, and the Court doth appoint the said Phoebe Miller guardian for Leatharine Miller, Abraham Miller, & Lydia Miller orphans of the same who are under the age of 14 years, thereupon the said Phoebe Miller appeared in Court and together with Evan Jones her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires which bond is ordered to be recorded

Rupert Mapho Plff }
vs } Upon an Attachment
Benjamin C Bushnell Deft }

On Motion of the Plff it is ordered that this cause be docketed and continued

Ordered that the several persons heretofore appointed as school justices for this County be and they are hereby reappointed as such justices except Wm Eiler and Dewitt Hoffman and that Dr Beeny be appointed in the place of said Eiler and Gordon R Harrel in the place of said Hoffman

Jacob Haws who stands charged with a felony by him committed in this that he did on the 10th day of September 1856 in the County of Rockingham with malice aforethought in and upon Mansfield Marshall an assault did make with a loaded gun in his hand then and there held with the intent in seducing willfully and unlawfully and with his malice aforethought to kill and murder the said Mansfield Marshall. was led to the bar in custody of the jailor of this Court. and on the motion of the attorney prosecuting for the Commonwealth the examination of the prisoner is continued until the next term. and thereupon on motion of the prisoner by his attorney he is admitted to give bail for his appearance hereon the first day of the next term to answer said charge. and the Court doth fix the amount of the bail he shall give at \$500 and the like sum of \$500 for his securities. Whereupon the said Jacob Haws together with Franklin Dever. Mem^r D McCall & Mem^r Blakemore personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth ^{Virginia} the said Jacob Haws in the sum of \$500. and the said Franklin Dever. Mem^r D McCall & Mem^r Blakemore in the like sum of \$500. to be levied of their goods and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Jacob Haws shall make his personal appearance before the Justices of the County Court of Rockingham on the first day of the next term. then and there to answer the charge of felony aforesaid and not to depart thence without the leave of said Court. then this recognizance to be void otherwise to remain in full force

Mansfield Marshall M^r H Kerlin
personally appeared in Court and 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 chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Mansfield Marshall & Most Kerem

shall make their personal appearance before the County Court of ^{on the first day of the next term} Rockingham, then and there to give evidence on behalf of the Commonwealth against Jacob Hearn charged with felony and not to depart thence without the leave of said Court then this recognizance to be void

Be it remembered that on this ^{day} Wm O McCall Frances Dever, Wm Matheny, Wm Blakemore & Jacob Harnsberger personally appeared in Court and severally ~~appeared in~~ and 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 chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Wm O McCall, Frances Dever, Wm Matheny, William Blakemore & Jacob Harnsberger shall make their personal appearance before the ~~Just~~ County Court of Rockingham, on the first day of the next term to give evidence on behalf of Jacob Hearn, who stands charged with felony, and not to depart thence without the leave of said Court then this recognizance to be void

The Court doth appoint Isaac Moffett Guarantian for Henry Moffett & Annie Moffett, Orphans of Anderson Moffett deceased ~~the~~ under the age of 14 years. the said Isaac Moffett appeared in Court and together with Benjamin & Coover Thornton Thomas, Madison West & Allen Bryan his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$15000 conditioned as the law requires which bond is ordered to be recorded

Ordered that Gabriel Wood be appointed surveyor of precinct No 2 of road No 27. in the place of Reuben Sellers

William Kaylor having obtained an attachment against the estate of Daniel E May, who hath privately removed out of this county, or absconded or conceals himself, so that the ordinary process of law cannot be served on him for debt and a constable of this county having returned said attachment *Levied* &c. This day came the Plff by his attorney and the Deft being solemnly called and not appearing to reply the same, it is considered by the Court that the Plff recover against the Deft \$113.50 with interest on \$100. part thereof from the 13th day of August 1855, and on \$13.50 the residue thereof from the 2nd day of Decr. 1855 till paid, subject to a credit of \$7. March 20th 1856, and the costs by the Plff in this behalf expended, and it is ordered that the officer who levied said attachment, make sale of the attached effects as the law directs, and out of the money arising from such sale, pay and satisfy this judgment to the Plff and residue the overplus if any to the Defendant, and return an account of such sale to the next Court.

Amos Scott having obtained an attachment against the estate of Daniel E May who hath privately removed out of this county, or absconded or conceals himself so that the ordinary process of law cannot be served upon him for money due by bond and account, and a constable having returned said Attachment *Levied* &c. This day came the Plff by his atty. and the Deft being solemnly called and not appearing to reply the same, it is considered by the Court that the Plff recover against the Deft \$36.26 with interest on \$30.00 part thereof from 22nd Jan 1853 and on \$15.56 the residue thereof from the 1st of June 1856 till paid and the costs by the Plff in this behalf expended, and it is ordered that the officer who levied said attachment make sale of the

attached effects. and out of the money arising from such sale shall pay and satisfy the judgment to the Plff. and the overplus if any restore to the Deft. and return an account of such sale to the next term

George W Kemper having obtained an attachment against the estate of Daniel E May who hath privately removed out of this County. or absconded or conceals himself so that the ordinary process of law cannot be served on him for money
 381 due by account. and a Constable of this County having returned
 V said attachment executed "on". This day came the Plff by his attorney, and the deft being solemnly called and not appearing to reply the same. it is considered by the Court that the Plff recover against the Deft \$94.18 with interest on \$59.48. part thereof from the 2nd day of August 1853. and on \$34.75 the residue thereof from the 16th day of September 1850. till paid. and the costs by the Plff. about his suit in this behalf expended. and it is ordered that the officer who levied said attachment make sale of the attached effects as the law requires. and out of the money arising from such sale pay and satisfy the judgment to the Plff. and restore to overplus if any to the Deft. and return an account of such sale to the next term

Mathias Minnick Sen. having obtained an attachment against the estate of Daniel Const who has privately removed out of this County or absconded or so conceals himself that the ordinary process of law cannot be served on him for Debt. and a Constable of this County having returned said attachment levied on "executed". This day came the Plff by his attorney, and the Deft. being solemnly called and not appearing to reply the same it is considered that the Plff recover against the Deft the sum of \$74.60. with legal interest thereon from the 7th day of April 1853 till paid and the costs by the Plff. in this behalf expended. and it is ordered that the cause is continued as to the Garnishment

Ordered, that the following persons be appointed a patrol within the Harrisonburg Magisterial District to act as such according to law for three months from this day to wit Michael Ceffman Captain Jacob Bowes. C. H. Saufe W. B. Telfair. John Wallace Francis Flich Neah Flich Jos. LeBrathwaite. F. Scanlon. John Staling. O. B. Sterling Tyler. M. D. Greiner. O. Greiner M. Sauter. John Shitzer S. Rehner. Sam. Pollock. John Bear. Saison Gordon James Smith. F. Houghes. Mem. Rodickoff. J. H. Long. A. Hockman. F. Way. Mem. Kekeriche. J. H. Martmann. H. H. Martmann. Warren Gray. Henry Ott. A. Ott. Robt. Bmff. D. Noel. Robt. Borman. Charles A. Sprinkle. O. H. Heflenston Henry Butler. Jacob Borman. Henry Shacklett R. U. Thurmon. John Kenney Jr. John Jones. D. P. Effinger M. A. Neal. Charles Smith. Danice P. Ragan. A. J. Vanpelt James Vanpelt. James Heile. I. G. Effinger. Frank Davis. Mem. Bellhimer. John. Melhorn. Alf. Sprinkel. Sam. Upsh. Robert Algray. James Earnold & Fay McGilvray

Ordered, that the following named persons be appointed to patrol in the 2nd Magisterial District for three months from this day. to wit. Henry Harnsberger Captain Charles B. Yancey. Edward Yancey. Robt. Harnsberger. Robert Gibbons. Alfred Meelch. Samuel Sellers & Charles Savers.

Rupert Mott Co

Plff

vs

Benjamin Bushnell

Def

} Upon an attachment

This day came again the Plff by attorney, and thereupon came Mem. Telfair. Trustee who filed his petition claiming the said property seized on under said attachment and together with Jno. B. Bacon in his security entered into a bond in the penalty of \$100 conditioned as the law requires for the payment of costs & damages.

D Jones wife vs Defts } In Chancery
 vs Jacob Yost's heirs Defts }

This cause came on further to be heard on the papers formerly read in the cause and the report of Com^r Sommers and it appearing to the Court that said report ought to be received, it is hereby adjudged ordered and decreed that the report of the said commission be received and that the said commission pay over to the receiver of this Court the money in his hands due to the infant heirs of Jno Yost dec^d in reasonable time or retain the same in his own hands to be paid to the respective heirs who are now infants as they shall respectively attain their full age of twenty one years

An instrument of writing purporting to be the joint last will and testament of Catharine, Barbary and Anne Whitmer, was presented in Court and proved by the oath of Daniel Bowman a subscribing witness thereto, as to Catharine Whitmer dec^d and continued for further proof

Ordered that the Court be adjourned until the next term

C. B. Stuber Jg

In the Clerk's office of the County Court of Rockingham Nov 1st 1856

George Gilbert a native of Ireland, this day appeared in the Clerk's office aforesaid, the said Court being a Court of record with common law jurisdiction a Clerk and seal and upon oath before me Deft^s agent of said Court declared it was bona fide his intention to become a citizen of the United States of America and to renounce forever all allegiance or fidelity 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 and Ireland.

Teste

Wm D Trout Cl

In the Clerk's office of the County Court of Rockingham Nov. 18th 1856

Thomas Keaf a native of Ireland this day appeared in the Clerk's office aforesaid the said Court being a Court of record with common law jurisdiction a Clerk and seal and on oath before me Deputy Clerk of said Court declared that it was bona fide his intention to become a citizen of the United States of America and to renounce forever all allegiance to every foreign prince potentate State of sovereignty whatever & particularly to Victoria Queen of the United Kingdom of Great Britain & Ireland given under my hand this 18th of Nov. 1856

Wm D Trout DC

In the Clerk's office of the County Court of Rockingham Nov 30th 1856
Anthony Dwyer a native of Ireland this day appeared in the Clerk's office aforesaid the said Court being a Court of record with common law jurisdiction a Clerk and seal and on oath before me Deputy Clerk of said Court declared that it was bona fide his intention to become a citizen of the United States of America and to renounce all allegiance or fidelity he may have or owe to any foreign prince potentate State or sovereignty and particularly to Victoria Queen of the United Kingdom of Great Britain & Ireland

Teste

Wm D Trout DC

Virginia

At a Court held for Rockingham County at
the Court house thereof on Monday the 17th day of
November 1856

Present

* Mason Bare P. J. Robert Black & Reuben } Genl
Heafferman & Hiram Atiles & Donnellas Mary } Justices

The Clerk of this Court presented in Court an ~~abstract~~ list
of Deeds and other writings admitted to record in his office since
the last term of this Court, which being seen and inspected by the
Court, is ordered to be entered on the minutes as follows to wit

- 1 ✓ of \ A Deed of Trust from Jas M Weaver to T J Humphreys Trust for R A Banks
- 2 ✓ of \ A Deed of Bt from Wm Strother wife To Daniel M Sutzger
- 3 ✓ \ Same from Wm Loch wife To John B Gougeon
- 4 ✓ \ Same from Giles Deven wife To David Hooten
- 5 ✓ of \ Same from Peter Rollen wife To William S Perry
- 6 ✓ of \ Same from Wm S Perry To Peter Rollen
- 7 ✓ \ Same from As Baysd comrs To Jacob Mummich
- 8 ✓ of \ A Deed of Trust from Wm S Maupin To Wm S Trust Interest B W G L Kempfer
- 9 ✓ \ A Deed of Bargain & Sale from Ena Keegle wife To George O Buntner
- 10 ✓ Same from Same To Solomon Buntner
- 11 ✓ \ Same from Philip Keller wife To Henry Snel
- 12 ✓ X Same from John Mc Smith wife To Henry Bontz
- 13 ✓ \ Same from Reuben Kisting wife To Same
- 14 ✓ \ Same from Catharine Smith To Joseph Carley
- 15 ✓ of \ A Power of Attorney from Jackson Smith To David B Smith
- 16 ✓ \ X A Deed of Bt from Diana Hall To William Fleming
- 17 ✓ of \ A Deed of Trust from Wm Fleming To W Garmice Interest for Diana Hall
- 18 ✓ of \ A Deed of Bt from Jefe R Ralston & To Jacob Van Pelt
- 19 ✓ of \ Same from John Liles wife To James L Lee
- 20 ✓ of \ Same from Abraham Lincoln Jr To Richard S Maupin's admr
- 21 ✓ \ Same from R S Maupin's admr To David S Maupin
- 22 ✓ of \ Same from Margaret Swann To Robert M Kyle
- 23 ✓ \ Same from John Miller wife To Fielding Matheny

- 20 ✓ of \ A Deed of Bargain & Sale from Al. Byrnes com^{ts} to Andrew Turner
 25 ✓ \ A Deed of Trust from J. B. Spangler to Holloman Trust for E. Hoffman
 26 ✓ \ A Deed of Btl from A. L. Rice ad^{rs} to Mathias Minnick Sen
 27 ✓ \ Same from A. W. Beery to David Armentrout
 28 ✓ of \ Same from Garrison Brent wife to Isaac Leeb
 29 ✓ \ Same from Andrew & Lindey wife to Jacob Lindey
 30 ✓ of \ Same from David McKeag wife to Joanna Traley
 31 ✓ \ Same from Sunfield Lee wife to G. C. Armon
 32 ✓ \ A Deed of Trust from Joseph Baker to J. B. Bear Trust for D. Pennybaker
 33 ✓ \ A Deed of Btl from John H. Galloway to Wm. H. Galloway
 34 ✓ \ Same from S. M. Sommers com^{ts} to E. Ashanas
 35 ✓ \ Same from E. Larned wife to Thomas W. Miller
 36 ✓ \ Same from Solomon Merica wife to Ezechiel Larned
 37 \ Same from A. W. Beery to David Armentrout
 38 ✓ \ Same from S. W. Gervill Clerk to Jacob Baugher
 39 ✓ \ A Deed of Trust from David Dineen com^{ts} to W. G. Gamble Trust for D. Dineen com^{ts}
 40 ✓ \ A Deed of Btl from David Motzmann wife to Levi Sage
 41 ✓ \ Same from James Cook wife to Michael Minnick
 42 ✓ \ Same from Thos Cook wife to Wm. D. Hopkins
 43 ✓ \ Same from M. Minnick wife to R. T. Brightwell &
 44 ✓ \ Same from R. T. Brightwell to Wm. D. Hopkins
 45 ✓ \ A Deed of Trust from R. T. Brightwell to W. D. Hopkins Trust for W. D. Hopkins
 46 ✓ \ Same from Phoebe Barnes to Wm. D. Belfair Trust for Lewis Barnes
 47 ✓ \ A Deed of Btl from Elizabeth Stevens & to Samuel M. Dolan

Settlements of the estates of Joseph Altmeyer dec^d Benjamin Denton
 William Houston dec^d & Solomon Garber dec^d having been
 filed in the Office of this Court for the time prescribed by law
 were presented in Court and no exceptions being offered thereto
 the same are confirmed and ordered to be recorded

Settlements of the Guardians of John McKay & Menerva Stephens
 having been filed in the Office of this Court for the time prescribed by
 law, was presented in Court & no exceptions being offered thereto the same
 is confirmed and ordered to be recorded

Vandump is Simmers on D Bond Notice proved Ver in affidavit on
 Maiden for is Leedy on D Bond The same order
 New for is Leedy on D Bond The same order
 Mathies on Bowman on D Bond The same order

A H Brewer constable presented in Court an account against
 ✓ the Commonwealth amounting to \$6.80 which being sworn to was
 examined, allowed and ordered to be certified to the auditor of
 Public accounts

Ordered that William Evans be appointed captain of
 the Patrol appointed at the last term of this Court in the
 Harrisonburg Magisterial District in the place of McOffman

Ordered that the Clerk of this Court register according to law
 ✓ Levi Lewis a free negr. light black color, but not a mulatto 18 years
 old next July, five feet seven inches high. No marks or scars visible
 and was born free in the County of Rockingham

Ordered that a writ of election issue for the election of a
 Justice of the Peace and an Overseer of the Poor for the eighth
 Magisterial District in this County - and ordered that the
 Commissioners appointed in said District for the last General Election
 be and they are hereby appointed to superintend said elections

Manassas Gap Rail Road Company Plff
 vs
 Frederick Kline Def } Upon a Notice

On the Motion of the Plff it is ordered that
 this cause be docketed and continued

The Last will and testament of Henry Spritzer and
 was presented in Court and proved by the oaths of
 Abraham Knopfsen, Isaac Beamfle and John Beamfle the sub-
 scribing witnesses thereto and ordered to be recorded and on the

Martin Weampfer the executor therein named who made oath thereto according to law and together with Abraham Knopf Sr and John Weampfer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$8000 conditioned as the law requires. Certificate is granted the said Martin Weampfer for obtaining a probat of said will in due form of law. Ordered that Abraham Knopf sen. John J Bournan, John Weampfer and David Driver do appraise the estate of the said Henry Spitzer dec^d according to law

The Last will and testament of George Samrafrank dec^d was again presented in Court and further proved by the oath of John Kline a subscribing witness thereto and ordered to be recorded. and on motion of Samuel Kline the executor therein named who made oath thereto according to law and together with John Kline & John Sigler his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law requires. Certificate is granted the said Samuel Kline for obtaining a probat of said will in due form of law. And it is ordered Christian Hlaas, John Hlaas, Jacob A Mitchell & Nathaniel Britton do appraise the said estate according to law

On the motion of Lewis Argenbight who made oath thereto according to law and together with Peter Heil 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 Lewis Argenbight for obtaining a certificate of administration in due form upon the estate of Henry Keller dec^d and it is ordered that

The Commissioners heretofore appointed to assign to Jennima Bournan her dower in the lands of her late husband Joseph Bournan dec^d this day made their report which was examined by the Court and ordered to be recorded

The ¹⁰⁵Magruder Gap Rail Road Co. Plff } Upon a Motion
 Jacob Brammaman Def. }

This day came the ~~Plff~~ Plff by his attorney & the deft being solemnly called and not appearing it is ~~ordered~~ considered by the Court that the Plff recover against the Deft the sum of \$50. with legal interest thereon from the several times set forth in the notice and the costs by the Plff in this behalf expended

Ordered that Levi Heiggs be appointed surveyor of precinct No. of Road No. 25 in place of Benj. Strickland.

Sanfield Jackson (a free man of color) a mulatto 5 ft 8 1/2 inches high aged 24 years marked with a scar above the left eye and also a scar on the left arm occasioned by a burn just below the elbow. the Clerk is ordered to register said Negro according to law

Powell & Plff } In Chancery
 vs }
 Shiflet & wife Defs }

This cause came on to be heard this 17th day of November 1856 upon the papers heretofore filed together with the report of Conrad & Hilde commissioners to assign Julia the widow of Honorus Powell dower in the real estate of said Honorus Powell & also to sell the lands of said Honorus Powell & having been argued by counsel - the Court doth order, adjudge & decree that the sale as reported by said commissioners be confirmed & that the dower as reported by him viz that the said Julia Powell shall have as dower a child's part of the proceeds of said sale be awarded & confirmed

On Motion of John H. Wartmann who made oath thereto according to law and together with Abraham S. Byrd and a Littleton W. Gamble his securities (who justified as their sufficiency)

entered into and acknowledged a bond in the penalty of \$2,000 conditions as the law requires. Certificate is granted the said Jo Bond & Hartmann for obtaining letters of administration in due form upon the estate of Maria Broadus dec^d. and it is ordered that Isaac Aiken & P. G. Helffenstine & D. Morgan Switzer do appraise the estate of the said Maria Broadus dec^d. and report to the Court according to law.

The Commissioners heretofore appointed to assign to the widow and divide the lands among the heirs of Benjamin Strickler dec^d presented in Court and was examined and confirmed and ordered to be recorded.

Clayton for Robinson on D Bond Notice proved & the awarded Jones m. Snell & on D Bond The same order
Baird for Stinespring on D Bond The same order
Effinger m. Crousham & on D Bond The same order
Vigier & m. Jones on D Bond The same order
Flory m. Clewote on D Bond The same order
Kyle m. March & on D Bond The same order
Glimmer m. Stinespring on D Bond The same order
Kyle m. Deep on D Bond The same order
Gardner m. Beery — on D Bond — The same order

John C. Kerlin who has been duly recognized as a witness of the Commonwealth against Jacob Hous, being solemnly called and not appearing, it is ordered that he be summoned to appear here forthwith to shew cause if any he can why he shall not be fined for his contempt aforesaid.

B. F. & G. W. Kemper having obtained an attachment against the estate of Daniel & Mary ^{for debt} who is removing or has removed his effects out of this Commonwealth so that there will probably not be therein sufficient effects of the said Daniel & Mary to satisfy the aforesaid claims of the B. F. & G. W. Kemper when judgment is obtained. Therefor should only the ordinary process of law be used to obtain such judgment.

and a constable of this County having returned the said attachment
 cleared "on one Beano" &c. This day came the Plffs by their attorney
 and the Deft being solemnly called and not appearing, and a witness
 being sworn and examined, it is considered by the Court that the Plff
 recover against the Deft \$71.50 with legal interest on \$28 part thereof
 from the 1st day of September 1856 and on \$43.51 the residue thereof
 from the 15th day of January 1856, till paid and the costs by the
 Plff about their suit in this behalf expended. this judgment
 is subject to a credit of \$20 1/6 January 15th 1856. and it is ordered
 that the officer who levied said attachment make sale of the
 personal effects levied on according to law and the real estate upon
 Three months credit, after first advertising the time & place of sale by
 advertisement in ~~certificates~~ in the some newspaper published in some
 newspapers in the town of Harrisonburg and by posting at the Court-
 house door, and out of the proceeds arising from such sale pay and
 satisfy the judgment aforesaid ^{to the Plff} and the surplus (if any) pay
 to the said Daniel E May, and return an account of such
 sale to this Court

Jacob Haws late of the County of Rockingham who stands charged with
 a felony by him committed in this that he did on the 4th day of September
 1856 in the said County, with malice aforethought in and upon
 Mansfield Marshall, an assault did make with a loaded gun in
 his hand then and there held with the intention so doing, unlawfully
 and unlawfully and with his malice aforethought to kill and
 murder the said Mansfield Marshall, appeared in Court in
 personance to his recognizance, and his bail thereupon surrendered
 him, and thereupon sundry witnesses being sworn and examined
 touching the premises, and the Court not having time to hear
 all the evidence the further examination is continued until
 to morrow morning at 9 O'Clock and thereupon the
 prisoner is remanded to jail

Beas Plff } Upon a suggestion
 do } On Motion it is ordered that this cause
 Beas Plff } be docketed

Commonwealth
vs
Benj. B. Ewing } Upon a rule

This day came the Deft and on his motion & for reasons appearing to the Court it is ordered that the said rule be discharged

On the motion of Shamus & Morrissey leave is granted Gabriel Jordan to transfer ^{his} license as a merchant to them

On the motion of George W. Miller & Co. leave is granted to Joseph & Conrad to transfer his license as a merchant to the said George W. Miller & Co.

Upon the petition of Wm. D. Maiden & Simon B. McNeil and they having paid to the Sheriff the tax imposed by law. It is ordered that license be granted them for keeping or stables in this County until the April Court 1857 the Court being of opinion that the applicants are sober men and of good character and will ~~keep~~ probably keep houses orderly and useful and such as the law requires

Frederick Speck who has heretofore been appointed a Notary Public appeared in Court and entered into a bond with B. H. Warren his security in the penalty of \$500 conditioned as the law requires, which bond is ordered to be recorded & certified

O. Pennybacker Deft }
vs
A. D. Rye Deft } Upon a suggestion

On Motion this cause is ordered to be docketed

Same Deft }
vs
Same Deft } Upon a suggestion
The same order

Ordered that the Court be adjourned until the morning at 9 o'clock

Naason Base

Tuesday November 18th 1856

Present

+ Naason Base Df, Robert Black, Reuben Gent.
+ Huffman + Abram + John + Donnellas Martz } Justices

Ordered that the clerk renew the register of James & Cate a free negro and deliver him a copy of the same

Ordered that the clerk of this Court register according to him the following named free negroes. viz Janetta Cate aged 21 years very dark mulatto. a small scar on the left arm. and a small scar just above the left eye - 5 feet & 6 inches high
Betsey Ann Cate aged 23 years in March next. scar on the back of right hand color black & five feet high and
Adaline Cate very dark mulatto. nineteen years old five feet one inch high. all born free in the County of Rockingham.

Thos K. Carnsberger Plff } In Chancery
Geo. K. Gilmore Dft }

This cause came on to be heard this 18th day of November 1856. upon the Bill of the plaintiff and the defendant having failed to appear at the rule day to which the process was returnable and having failed to appear at the succeeding rule. upon the bill as taken for confessed as to the said defendant & the argument of counsel and it is ordered that unless the defendant George K. Gilmore pay over to the plaintiff Thos K. Carnsberger the sum of \$28.91 with interest from the 10th March 1857 and \$104.20 with interest from the 10th of Feb'y 1858 and \$5 ⁸/₁₀₀ costs the amount

of the judgment issued against the said Gilmer. & the facts of this case when that Thomas L. Yancey a commissioner appointed for the purpose, shall on the 1st day of January 1857, in front of the store of Zebulon D. Gilmore in the town of McGaheysville proceed to sell at public auction to the highest bidder the property in the bill mentioned consisting of a tract of woodland containing about 28 acres situated near the town of McGaheysville on the following terms 1/3 of the purchase money to be paid in hand to the said commissioner 1/3 in 6 months and the other 1/3 in 12 months the purchaser executing bond with good security for the deferred payments, and the commissioner shall retain a lien upon the property as ultimate security, and out of the proceeds of said sale the commissioner shall 1st pay the costs of this proceeding and the debt and costs due the plaintiff and 2^d pay the residue to the defendant. But before proceeding to make the sale the said Thomas L. Yancey commissioner aforesaid shall advertise the said sale for four successive weeks in one of the papers published in the town of Harrisonburg - and shall also have the said tract of land surveyed to ascertain its notes & bounds, and before the said commissioner shall receive any money from the proceeds of the said sale he shall file with the papers in this cause a bond in the penalty of \$500 conditioned as the law requires with approved personal security.

John Coffman & Ploff }
 vs } Melhancy
 Mary E. Coffman & Deft }

This cause came on to be further heard on this 18 day November 1856, upon the papers filed & named in the decree of the 19th of August 1856 together with the report of the commissioner appointed therein to sell the land therein named which report having been filed at the October Court of this County 1856 & which report is herewith exhibited & confirmed & was argued by counsel on consideration whereof the Court doth order a judgment and decree to confirm the sale as made by said commissioner & he is

instructed to make deeds to the purchasers thereof in accordance with the former decree of this Court made at the August Term of this Court 1850

Arnold Dulaney &

Plffs.

vs.

John Tracy &

Defts.

} In Chancery

This cause came on to be heard this 18th day of November 1856 upon the bill & depositions filed & the defendants therein named not appearing & answering in 30 days the same is taken for confessed & having been argued by counsel the Court doth order a judge & decree that John C. Meeker is hereby appointed a commissioner to sell the land mentioned in the bill for the purpose therein stated viz to raise the sum of \$19.84 due April the 3rd 1856 & \$2.00 due Nov 26th 1853 & sixty cents costs thereon for the benefit of Joseph C. Leonard & also for the sum of \$48.00 due Nov 26th 1853 & 30cts costs thereon for the benefit of Arnold Dulaney after advertising the same for the space of 2 weeks at least two public places in the neighbourhood of the premises on the following terms sufficient of the purchase money to meet the expenses of said sale & the costs of this suit to be paid in cash & the residue in 6 months the said commissioner being required to give bond & security for double the amount of the purchase money before receiving the same & report his proceedings to Court

Robert Bowman Sergeant of Harrisonburg presented in Court an account against the Commonwealth amounting to \$9.40 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

H. A. Christman Commissioner of Rec. presented in Court an account against the Commonwealth amounting to \$8.49 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Hooks for vs Austin & on D Bond Notice for and execution awarded
 Taylor vs Keefley on D Bond The same order
 Same vs Same on D Bond The same order
 Rains for vs Gailey & on D Bond The same order
 Shacklett vs Buffly vs Same on D Bond The same order
 Keller vs Dovel & on D Bond The same order
 Gray vs Gailey & on D Bond The same order
 Lewis vs Layton on D Bond The same order

Ordered that the clerk of this Court renew the register of Abraham Landerberry and deliver to him a copy

Ordered that the clerk of this Court register according to him Isaac Landerberry a free negro of black color aged years five feet three inches high. Has a scar above the right eye and one above the left eye and was born free in the County of Rockingham

Helconrad Quad Plff }
 vs } In Chancery
 Jacob Runckles Deft }

On Motion of the Plff it is ordered that Littleton Mc Garmire be appointed Guardian ad litem for the infant defendants in this cause

David Spores Plff }
 vs } In Case
 Joseph Billheimer's ex Deft }

This day came the parties by their attorneys and the defendant scith that he did not answer upon himself in manner and form as in the Plaintiffs against him hath complained and of this he putteth himself upon the Country and the Plff likewise

Robert Mc Mooney Constable presented in Court an account against the Commonwealth amounting to \$20.80 which

was sworn to in Court. was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

John H Rhodes Deputy for Al Byna Sheriff of this County presented in Court an account against the Commonwealth amounting to \$160 which was sworn to in Court & allowed was examined allowed and ordered to be certified to the auditor of Public accounts

Jacob Haws late of the County of Rockingham who stands charged with a felony by him committed in this that he did on the 10th day of September 1856 in this County with malice aforethought in & upon Mansfield Marshall an assault did make with a loaded gun in his hand then and there held with the intent in so doing willfully and unlawfully and with his malice aforethought to kill and murder the said Mansfield Marshall. was this day again led to the bar in custody of the jailer. and the Court having fully heard the evidence and argument of counsel upon mature deliberation are of opinion that there is not probable cause to charge the prisoner with the felony aforesaid and it is ordered that he be discharged of of the offence aforesaid. but the Court are of opinion that the prisoner is guilty of a misdemeanor. it is therefore ordered he enter into a recognizance in the sum of \$150 for himself and the like sum of \$150 for his securitys conditioned as that the said Jacob Haws shall make his personal appearance before this Court on the first day of the February term next then and there to answer an indictment to be preferred against him and not to depart thence without the leave of said Court. Thereupon the said Jacob Haws, Mr Adice, Wm Blakemore Francis Devor, Wm P McCall personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth the said Jacob Haws in the sum of \$150 and the said Mr Adice, Wm Blakemore Francis Devor & Wm P McCall in the like sum of \$150. to be levied of their respective goods and chattels, lands and tenements for the use of the Commonwealth.

yet upon this condition, that the said Jacob Hoare shall make his personal appearance before this Court on the 1st day of the February term next, to answer an Indictment then and there to be preferred against him for the misdemeanor aforesaid and not to depart thence without the leave of said Court, then this recognizance to be void otherwise to remain in full force

Commonwealth

vs

Noah Carrier

} Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney, and the Defendant by his attorney demurred to the Indictment in this cause, and the Court having heard the argument upon said demurrer, and the Court not being advised of what judgment to enter take time to consider of until to morrow

Ordered that the Court be adjourned until to morrow morning at 9 o'clock

Naason Bare

Wednesday November 19th 1856

Present

+ Naason Bare J. + Robert Black J. + Abner J. } Just
+ Reuben Buffum J. + Daniel Harrison J. } Justices

David Gilmer

vs

Nelson Michens &

Deff

Deff

} Melhancery

This cause comes on to be finally heard this 19th day of Nov. 1856 upon the papers heretofore read and the report of Thomas H. Harrisberger commissioner and the said report not being objected to is confirmed, and it appearing to the Court

that all matters in controversy in this cause have been finally adjusted and that nothing remains to be done which was required by the former decrees in this cause, it is ordered that the cause be dismissed.

Samuel R Sterling who has been heretofore appointed a Notary Public in and for the County of Rockingham appeared in Court and together with A. C. Sprinkel his security entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires which bond is ordered to be certified and recorded.

James Hoolerns a free negro who stands charged with a felony was led to the bar in custody of the Sheriff of this County. The attorney for the Commonwealth moved the Court to put to the Bar & proceed to try James Hoolerns a free man of color who was convicted of grand larceny at the October term last of this Court, but who owing to some alleged irregularity in the proceedings then had, had been refused admission into the penitentiary. The motion was resisted by the counsel for the prisoner on the ground of the former conviction but the Court one justice thereof dissenting decided there had been no legal trial and conviction of the prisoner, and thereupon the prisoner was put to the bar to answer the same charge as follows, "that he did on the 11th day of September 1856 in the County of Rockingham, divers bank notes for the payments of divers sums of money in the whole to the sum of three hundred and seventy one dollars and of the value of three hundred and seventy one dollars, then being the bank notes and the property of John McNeill feloniously did steal and carry away" and thereupon the prisoner filed a plea ^{in writing} in the words following to wit, James Hoolerns ad Commonwealth v. to which the attorney for the Commonwealth replied in writing in these words & figures viz "Commonwealth vs James Hoolerns" & and thereupon the issue joined and sundry witnesses being sworn and examined touching the premises as well on behalf of the Commonwealth as on behalf of the prisoner, and the Court upon mature deliberation and of

opinion that he is guilty of the felony aforesaid. It is therefore ordered that he be imprisoned in the penitentiary of this Commonwealth for the felony aforesaid, for the term of Three years and six months and it is ordered that the Sheriff of this County do so soon as possible remove and convey the said James Rodens from the jail of this Court to the said Penitentiary therein to be kept imprisoned and treated in the manner directed by law and thereupon the said James Rodens is remanded to jail. The following is the evidence taken upon the trial of the prisoner vs "Commonwealth against James Rodens" &c. which is ordered to be filed among the papers in this cause and be certified according to law.

Commonwealth

vs

Charles Rader

} upon an Indictment for unlawful gaming
at the ordinary of James Frank

This day came as well the attorney prosecuting for the Comth as the Def^t by his attorney and thereupon came a jury to wit Samuel Frank, Michael Beery, Martin Garber, George Well, George Gowl, Abraham Earley, John Heffmochel, Clemente Brin, Joseph Earley, Perry Houff, Hugh Swope and Joseph Coffman who being elected tried and sworn the truth to speak upon the issue joined and having heard the argument of counsel in part the cause is continued until tomorrow morning at 10 o'clock

Commonwealth

vs

James Frank

} upon an Indictment

This day came ^{as well} the attorney for the Commonwealth as ~~the~~ the def^t by his attorney and thereupon came the jury to wit the same jury as in the case of the Commonwealth against Charles Rader who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel in part the cause is continued until tomorrow morning

Commonwealth
vs
Cornelius Griebell } upon an Indictment

This day came before the the attorney presenting
for the Commonwealth as the Deft by his attorney and
thereupon came a jury to wit the same as in the case of the
the Commonwealth vs Rader who being elected tried and sworn the
truth to speak when the ifue joined and having heard
the evidence & not having time to hear all the argument it
concern the cause is continued until tomorrow morning
Commonwealth vs Rader upon an Indictment
The same jury as in the case of Commonwealth vs Rader and the same as

Same
vs
James Rifer } upon an Indictment

The same jury as in above case & same

Order

Jas Bowman presents in court an ap as cometh amounting
to \$44 which being sworn to & examined and allowed by the
court and ordered to be certified to the auditor of public
accounts —

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

Naason Bare

Thursday November 20th 1856

Present

+ Robert Black & Hiram Skite } Gent
+ Reuben Huffman & Daniel Harrison } Justices

Samuel Wenger

Plff

vs

Johnley Arey

Deft

} Felhancery

This cause came on to be heard finally on this 20th day of
of November 1856 upon the papers heretofore filed & the proceedings
heretofore had on the report of Joseph Huffman, Daniel Rood & others

Soleman Garber commissioners, to which no exception is taken and the same is hereby confirmed and ordered to be withdrawn recorded, and it is further ordered, that this cause be dismissed and the plaintiff recover against the defendants, two fifths of the costs expended in the prosecution of this suit

George Moffett & others

against

Margaret & H. Moffett & others

Deff

Deft

McPhanerry

This cause came on to be finally heard this 20th day of November 1856, upon the papers heretofore read & the proceedings heretofore had, and the report of Thornton Thomas, Member of the County Thompson commissioners, to which no exceptions is taken and the same is confirmed and ordered to be withdrawn recorded. It is further ordered that this cause be dismissed and the administrator of Anderson Moffett do pay to the plaintiffs one fourth of the costs by them expended in the prosecution of this suit

Dutwiler's admrs as Valley Turnpike Company, Harpers heirs as Lynn Rockingham Turnpike Co as Bryan, Keister as Bully, White as Grove Farm as Thompson, Henton as Henton, Leffman as Hearnings Manafca Gap Rail Road Co as Diggs, same as same, same as McElffinger, Shaver as Holsinger, Sprinkel as Dussor, Long as Miller, Hurley as same, same as same, Dickey as Dimespring, Bare as Trifer, Sellers as Hughes, Bear as Lewis as Therman, Liggert as March, Clifton as March, Manafca Gap Rail Road Co as Leffinger, Dundore as Baleman, Meyerhoeffer as Rollers, Harpers as Randal, Pritchett as McCreath, Hume as same, McElffinger as Glover, Pritchett as Leffman & Hearnings as same on motion severally continued until the next term

Powell's heirs as Powell's ex, Byerly as Sprinkel, Manafca Gap Rail Road Company as Strickler's ad, same as Leffman, Shewalter as Dawson, Alt as same, Overseers of the Poor as Shoemaker & Kemper as Mincy on motion & for reasons appearing to the Court it is ordered, that the aforesaid several causes be dismissed.

Manafalah Rail Road Company vs Gray, & same vs same
On motion & for reasons appearing to the court it is ordered that the said
cause be continued until the next term at the costs of the Deft

Joseph Conrad Good

Plff

vs

Jacob Runckle &

Defts

In Chancery

This cause came on to be heard, this 20th of Nov. 1858 upon
the bill of the plaintiff. The bill as taken for confessed as to the
defendants Jacob Runckle, Oliver Runckle, Franklin Runckle,
Richard Runckle, Mary Runckle, Elizabeth Gager, Solomon Martz &
Susan his wife and Gertrude Runckle, the answer of Solomon
Martz and Susan his wife, Reuben Bonas and Margaret his wife,
and the answer of the infant children Charles Runckle, William
Runckle and Virginia Runckle by their guardian ad litem and
the depositions of witnesses and the argument of counsel, and it
appearing to the court that the interests of all the heirs and more
especially of the infant heirs will be provided by a sale of the
house and lot in the bill mentioned. It is ordered that Thomas
St. Lawrence a commissioner appointed for the purpose shall proceed
to sell at public auction on the premises in the town of W. Gagerville
the said house and lot on the following terms: one third of the
purchase money to be paid in 6 months, one third in 12 months
and the residue in two years; the purchaser giving bond with
approved security and the title to be retained as ultimate
security. But before proceeding to make the said sale the
said commissioner shall advertise the time place and terms
of sale, for four successive weeks in one of the papers published
in the town of Harrisonburg. And it is further ordered that the
said commissioner report to this court at the next term after
the said sale. But before the said court shall receive any money
arising from such sale, he shall deposit with the papers in this
cause his bond with good security personal security, in the penalty
of \$2000 conditioned for a proper discharge of his duties

Demeale vs Chandler on motion of the Deft & for reasons appearing it is ordered that this cause be continued until the next term at the cost of the Deft

Hearsey's Deft vs Flooke on motion continued until the next term

Darnall for De Miller on motion & for reasons appearing to the Court this cause is continued until the next term at the cost of the Deft

McGill vs Nicol on motion it is ordered that this cause be dismissed

David Spores Deft } In Case
vs }
Joseph Billheimer ex Deft }

This day came the parties by their attorneys & the Deft saith that the testator in his life time did not assume upon himself in the manner and form as the Deft against him hath complained and of this he putteth himself upon the country & the Deft likewise and so the trial of the issue is continued until the next term

Wm J Stevens was on the 17th day of the present month by the Board of School Commissioners in & for this County at present the Commissioners of schools for said County appeared in Court and together with Richard W. Thurman and his security, who justified as to his sufficiency, entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires which bond is ordered to be filed and recorded according to law

John Deaga for Deft vs Deft. This day came the parties by their attorneys, and the Deft saith he hath well & truly paid the debt in the Declaration mentioned

At the same time also filed an account of said debt which he desires to have upon the trial of this cause. In which case the Deft's atty replies generally thereupon the Court retains the case in status & the trial continues

Commonwealth

vs.

Charles Rader

} upon an Indictment

This day came as well the attorney for the Commonwealth as the Deft by his attorney, and the jury sworn and empannelled on yesterday for the trial of this cause appeared in Court pursuant to their adjournment and having fully heard the argument of counsel, retired from the bar to consider of their Verdict and after sometime returned into Court and upon their oaths do say "We the jury find the Defendant Not Guilty" and judgment accordingly

Same

vs.

James Trunk

} upon an Indictment

This day came as well the attorney for the Commonwealth as the Deft by his attorney, and the jury sworn and empannelled on yesterday appeared in Court pursuant to their adjournment having fully heard the argument of counsel, retired from the bar and after sometime returned into Court and upon their oaths do say "We the jury find the Defendant Not Guilty" and judgment accordingly

Same

vs.

Cornelius Grabel

} upon an Indictment
This day came as well the attorney for the Commonwealth as the Deft by his attorney, and the jury sworn & empannelled on yesterday appeared in Court and having fully heard the argument of counsel, retired from the bar & after some time returned into Court and upon their oaths do say "We the jury find the Defendant Not Guilty" and judgment accordingly

Same

vs.

Joseph Riadale

} upon an Indictment
This day came as well the attorney for the Commonwealth as the Deft by his attorney, and the jury sworn &

empannelled and having fully heard the evidence and argument of counsel retired from the bar and after sometime returned into Court and upon their oaths do say "We the Jury find the Defendant Not Guilty" and Judgment accordingly

Commonwealth
vs
John Grifer } upon an Indictment

This day came as well the Attorney prosecuting for the Commonwealth as the Deft by his attorney and the jury sworn & empannelled on yesterday appeared in Court and having fully heard the evidence and argument of counsel retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say "We the Jury find the Defendant Not Guilty" & Judgment accordingly

Commonwealth
vs
Joseph Ribble } upon an Indictment

The copies last awarded in this cause being returned & not executed it is ordered that a new capias be awarded against him returnable to the February term next of this Court and to be directed to the Sheriff of _____ County.

Commonwealth
vs
Abner Blain } upon an Attachment for failing to attend as a witness

The Same order as in the case of Ribble

Commonwealth
vs
Jane Carver } upon an Indictment. This day came as well the Att. for the Commeth as the deft by Atto. and by consent the deft confessed judgment for costs. It is therefore considered by the Court that the Commeth recover against the Deft the costs

expended in prosecuting ~~for~~ the said Indictment (Mento. it is agreed by & between the atts for cometh & atts for deft that no execution is to be given for said Costs, unless the cometh shall succeed in convicting the defts in other Indictment made at the same time this Indict was made for assault & battery)

Commonwealth

vs

Colerian Heyacker

} Upon an Indictment

This day came as well the attorney prosecuting for the cometh as the Deft by atts. who pleaded not guilty & filed a general demurrer to the Indictment in this cause, and therefore is continued until the next term

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 Jno Robinson Sr

The same order

Same vs Jackson Robinson

The same order

Same vs Jno Glesner

The same order

Same vs Henry Glesner

The same order

Same vs Noah Carrier

The same order

Same vs Henry Bear

The same order

Same vs Henry Glesner

The same order

Commonwealth vs John Base The summons awarded in this cause being returned not executed it is ordered that a new summons be awarded against him according to law

Commonwealth

vs

Jhn & Lucy Hume

} Upon an Indictment for felonious
habitation

This day came ~~the~~ as well the attorney prosecuting for the Commonwealth as the Deft by their attorney and thereupon

came a jury to wit. John Leedy, Morgan Clayton, Augustus
Holler, Timothy Frank, Martin Cronin, David Bear, John
Seller, Jr., Henry LeWinter, John Fishback, Stephen M. Harriberger,
Wm R. Hopkins and Andrew J. VanBelt who being elected
and sworn the truth to speak upon 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 upon their oaths do say the Jury
find the Defendants guilty and assess their amercements at
fifty dollars each. It is therefore considered by the Court
that the Comth recover against the Deft ^{John Leedy} the said sum of
\$50. and the said Lucy Leedy the sum of \$50 the fine aforesaid
and the costs expended in the prosecution of said Indictment

Commonwealth }
vs } upon an Indictment for unlawful gaming
James Frank } at his own ordinary

The attorney for the Commonwealth not
further prosecuting this indictment, therefore on the prayer
of the Defendant it is ordered that the same be dismissed

McLaurford for Plff }
vs } In Debt
Daniel Murry Deft }

This day came the parties by their attorneys and the
Deft pleaded a payment, and leave is reserved to the Deft to
file special pleas, and the issue is continued

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

Naason Bare

Friday November 21st 1856

Present

+ Naason Bare, Pf. Reuben Haffman & Abner White, Gent
+ Robert Black & Daniel Harrison } Justices

Commonwealth

vs

John Hume & Lucy Hume

} upon an Indictment

This day came again as well the attorney for the Commonwealth as the Deft by his attorney. who moved the Court to set aside the verdict and judgment rendered on yesterday which motion is overruled by the Court

Norm H. Hammond

vs

Jacob R. Brathwaite &

Plff

Defts

} In Debt

This day came the parties by their attorneys and the Defts filed two additional special pleas to which the Plff replied generally and thereupon came a jury to wit. Perry H. Haff. Augustus H. Holler. Clarence Brine. Abraham Earley. Henry Clay Hunter. George Jewell. John Hoofmockel. Stephen McCarver. Joseph Coffman. John Ashlock. Joseph Earley and Hugh Swope who being elected tried and sworn the truth to speak on the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oath did say 'we the jury find for the plaintiff \$52 the debt in the first count of the declaration mentioned with interest thereon from the 12th day of February 1855'. It is therefore considered that the Plff recover against the Defts the said sum of \$52. with legal interest thereon from the 12th day of February 1855. and the costs by the Plff about his suit in this behalf expended

The Court doth appoint Henry Martmann guardian for the said Anna orphans of Maria Bogardus dec^d who are under the age of 14 years and thereupon the said Henry Martmann appeared in Court and together with John H. Martmann his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1500. conditioned as the law requires which bond is ordered to be recorded

Ann Freeman orphan of Freeman dec'd being upwards
 of 14 years of age appeared in Court and with the approbation of
 the Court made choice of Andrew VanPelt as her guardian
 and thereupon the said VanPelt appeared in Court and together
 with John H. Wartmann his security (who justified as to ~~their~~
 his sufficiency) entered into and acknowledged a bond in the
 penalty of \$200 conditioned as the law requires, which bond is
 ordered to be recorded

Commonwealth
 vs } upon an Indictment
 Henry Gilmer & Catharine Black

This day came as well the attorney prosecuting for
 the Commonwealth as the ~~defendants~~ their attorney. and thereupon
 came a jury to wit: Martin Garber, Martin Leromen, John Stellers Jr
 David Bear, George Viree, John Seedy, Michael ^{Beery}, Andrew J VanPelt,
 Morgan Layton, Mem B. Hopkins, Timothy French & Henry Wartmann
 who being elected tried and sworn the truth to speak upon the
 issue joined and having heard the evidence retired from the
 bar and after sometime returned into Court and upon their oaths
 do say: "We the jury find the Defendants guilty and a fine of their
 amendments at two hundred dollars each" It is therefore
 considered that the Commonwealth recover against the
 said Henry Gilmer the sum of \$200 the fine aforesaid and ag
 the said Catharine Black the sum of \$200 the fine aforesaid
 and the costs expended in prosecuting said indictment

Commonwealth
 vs } upon an Indictment
 Joseph Hoar & Lydia May

This day came as well the attorney prosecuting for the
 Commonwealth, as the ~~defendants~~ by their attorney and thereupon
 came a jury to wit: Augustus Heller, Stephen McFarmlansen
 John Fishback, Henry L. Hunter, Clemence Irvine, George Gove
 Abraham Earley, John H. Mockel, Joseph Coffman, Joseph Earley
 Perry, Hault and Hugh Wolfe who being elected tried & sworn

the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oath do say 'We the jury find the Defendants guilty and assess their amercements at one hundred dollars each. It is therefore considered by the Court that the Commonwealth recover against the said Joseph Bloas \$100 the fine assessed as aforesaid and against the said Lydia May \$100 the fine assessed as aforesaid and the costs expended in prosecuting the said indictment

Commonwealth

vs

Benjamin Hume & Elizabeth Hume

} Upon an Indictment

This day came as well the attorney for the Commonwealth as the Defendants by their attorneys and thereupon came on jury to wit. Martin Garber, Martin Leromer, John Lellus, David Bear, George Will, John Leedy, Samuel Frank, Andrew Wauvelt, Morgan Dayton, William R. Hopkins, Timothy Frank and Henry Martmann who being elected tried and sworn the truth to speak upon the issue joined and having fully heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say 'We the jury find the defendants guilty and assess their amercements at fifty dollars each' It is therefore considered by the Court that the Commonwealth recover against Benjamin Hume \$50 the fine assessed as aforesaid and against said Elizabeth Hume \$50 the fine assessed as aforesaid and the costs expended in prosecuting said indictment

Commonwealth

vs

Henry McDorman

} Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and the Deft demurred to the indictment in this cause being argued the Court with overrule the same

Commonwealth

vs

Madison Glover

} Upon an indictment for petit larceny

This day came as well the attorney prosecuting for the Commonwealth as the deft by his attorney and thereupon came a jury to wit. Henry Clay Hunter, John Sellers Jr. Perry Huffy, Wm R. Hopkins, Abraham Carley, Morgan Layton, S. M. Larnberger, Timothy Frank, Levenance Ervine, John Hofmochel, Hugh Supe and George Givie who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say we the jury find the defendant guilty and ascertain the term of his imprisonment in the County jail of this County at 10 days whereupon on the motion of the att for the Commonwealth a writ of capias is awarded agt the Deft to be directed to the Sheriff of this County commanding him to take the said Defendant if he be found within his bailiwick & him safely keep so as to have him here on the first day of the February term next of this Court to show if any thing he hath to say why the Court should not proceed to pronounce judgment against him according to law

Commonwealth

vs

Jefferson Morris (No 2)

} Upon an indictment

This day came as well the attorney prosecuting for the Commonwealth as the deft by his attorney and the matters of law arising out of the the defendants demurrors to the indictment being argued and the Court upon mature deliberation doth overrule said demurrors and thereupon came a jury to wit. Martin Leromer, Augustus Holler, George Will, Joseph Coffman, John Seedy, John Fishback, Andrew J. VanBost, Henry Westmann, Joseph Early, Samuel Frank, Michael Beer, & Martin Garber who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and not being able to agree upon a verdict with the consent of the Deft by att. Henry Westmann one of said jurors is withdrawn and the balance from rendering a verdict are discharged & the cause is continued until the next Quarterly term for a new trial to be had therein

Commonwealth
vs
Jefferson Morris } upon an Indictment
No 3

This day came as the attorney prosecuting for the Commonwealth as the Deft by his attorney, and the Defendants demurred to the indictment in this cause being argued, and the Court upon consideration thereof, did overrule the same and thereupon came a jury to wit David Bear, Henry Hunter, Timothy Trunk, John Hoofmoeckle, Hugh Swofe, John Sellers, Abraham Earley, George Gowl, Stephen McEarnsberger, Clemence Ervine, Wm R Hoophkins and Perry Huff who being elected tried and sworn the truth to speak upon the issue joined and upon their oaths do say, we the jury find the Defendant guilty of selling liquor without a license at Heavicks sale, within twelve months next proceeding the finding of this indictment and the Court not being advised of what judgment to enter in takes time to consider until tomorrow. ~~Whereupon the trial of this cause the Deft excepted to an opinion of the Court which exceptions in these words "Commonwealth" & which exceptions were signed & sealed by the Court and ordered to be made a part of the record~~

Commonwealth
vs No 4 } upon an Indictment
Jefferson Morris

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney, and the Deft's demurror being argued, was overruled and thereupon came a jury to wit Henry T. Weartmann, John Leedy, Amos Manbelt, Augustus Holler, Martin Garber, Samuel Frank, Morgan Layton, Michael Beery, Martin Kromer, George Will, Joseph Earley & John Fishback who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict, and after sometime returned into Court, and upon their oaths do say we the jury

find the Defendant guilty." It is therefore considered that the Commonwealth recover against the Def^t the sum of \$30. the fine imposed by law and the costs by expended in prosecuting said indictment. ~~None of the Def^t by the~~ accepted to an opinion delivered in this cause which exceptions are in the record. Commonwealth & which were signed and sealed by the Court and ordered to make a part of the record.

Commonwealth
vs No 1 } upon an Indictment
Frances Wiswanda

This day came as well the attorney prosecuting for the Commonwealth as the Def^t by his attorney and thereupon came a jury to wit John Fishback, Clement E. Ervine, Stephen McNamee, Henry Leister, Martin Leromer, John Hofmochel, George Gowd, Joseph Earley, Perry Cluff, Abraham Earley, Augustus Keller & Timothy Frank who being elected tried and sworn the truth to speak upon their oaths joined, who upon their oaths say, "We the jury find the Defendant guilty." It is therefore considered by the Court that the Commonwealth recover against the def^t \$30 the fine imposed by law and the costs expended in prosecuting said indictment.

Same

vs No 2 } upon an Indictment
Same

This day came as well the attorney for the Commonwealth as the Def^t by his attorney and thereupon came a jury to wit Henry Hartmann, George Will, John Seedy, Morgan Layton, Michael Beery, Samuel Frank, Wm R Hopkins, John Sellers Jr, Hugh Suope, David Bear, Andrew Van Pelt & Martin Garber, who upon their oaths do say "We the jury find the defendant Not guilty" and Judgment accordingly.

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

Naason Bare

Saturday November 22^d 1856

Present

+ Naason Bare + Hiram A. Kite. Robert Black } Gent
+ Daniel Harrison. } Justices

Commonwealth

vs } upon an indictment
Jefferson Morris No 2

On motion and for reasons appearing to the Court it is ordered that this cause be dismissed

On the motion of J. Gilmer Minor who is a creditor of the estate of Coffman Bear deceased to the amount of \$25.45 for medical attendance, with interest thereon from the 20th day of October 1855 it is ordered that he be permitted to participate as a fourth class creditor in the assets of said estate and that the administrator George Ireland is directed to pay said claim pro rata with other creditors in that class

Same on behalf of same creditor of the estate of George Shank. P. S. Roller admr of said estate amount of Dec \$45.50 but from August 3^d 1855. The same order

Commonwealth

vs } upon an indictment
Jefferson Morris

This day came again as well the attorney prosecuting for the Commonwealth as the Deputy his attorney and the jury ~~find~~ sworn and impanelled on yesterday having found a special verdict in these words. "We the jury find the defendant guilty of selling liquor without license at Newark's sale within twelve

months next proceeding the finding of this indictment". and the
 deft moved the Court to allow and a venue de novo. which
 motion the Court did overrule. ~~and~~ It is therefore considered
 that the Commonwealth recover against the Deft the sum of \$30
 the fine imposed by law and the costs expended in prosecuting
 said indictment. Mem^o upon the trial of this cause the Deft
 excepted to an opinion of the Court delivered in this cause
 which exceptions are in these words, "Commonwealth" & which
 exceptions were signed, sealed and enrolled by the Court
 and ordered to be made a part of the record.

Commonwealth
 vs } upon an indictment
 Jefferson (Morrill No 4)

This day came again ~~the~~ the attorney prosecuting
 for the Commonwealth as the Deft by his attorney. and
 said Defendant excepted to an opinion of the of the Court
 delivered in this cause which exceptions are in these
 words "Commonwealth" & which exceptions were signed
 sealed and enrolled and ordered to be made a part of the record

Commonwealth
 vs } upon an indictment for
 John Downey & Lucy Downey & Lucious Cohabitation

This day came again, as well the attorney prosecuting
 for the Commonwealth as the Deft by his attorney. and it is
 ordered to be entered of record nunc Pro Tunc. that during
 the trial of this cause during the present term, the the Defts
 demurrer to the indictment. being argued and as was
 overruled by the Court. Mem^o the defendant excepted
 to an opinion of the Court delivered upon the trial of this cause
 which exceptions are in these words, "Commonwealth" which
 were signed sealed and enrolled and ordered to be
 made part of the record

Commonwealth

vs

No 3

} upon an Indictment

Frances Niswander

This day came ~~the~~ as well the attorney for the Commonwealth as the defendant by attorney, and thereupon came a jury to wit John Seedy, Perry Haff, Hugh Supe, John Schoffockel, John Ashlock, Samuel Frank, George Will, John Coffman, Henry T. Hartmann, Morgan Layton, Clemence Ervine and Michael Beery, who being elected tried and sworn the truth to speak upon the issue joined, upon their oaths do say "We the jury find the defendant not guilty" and Judgment according by

Commonwealth

vs

No 4

} upon an Indictment

Frances Niswander

This day came as well the attorney prosecuting for the Commonwealth as the defendant by her attorney, and thereupon came a jury to wit Abraham Earley, Henry T. Hartmann, John Seedy, John Schoffockel, Joseph Earley, Augustus Collier, John Sellers, Martin Coroner, George Will, Timothy Frank, Martin Garber, Michael Beery who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find the defendant guilty" It is therefore considered that the Commonwealth recover against the deft the sum of \$30 the fine imposed by law and the costs expended in prosecuting the said Indictment

Commonwealth

vs

No 5

} upon an Indictment

Frances Niswander

This day came as well the attorney prosecuting for the Commonwealth as the Deft by her attorney, and thereupon came a jury to wit

Clemence Grime, Henry C Hunter, Wm R Hopkins, David Beer, Morgan Layton, Andrew J Van Dett, Hugh Swope, John A Fishback, Perry Sluff, George Gould, Samuel Frank & Joseph Hoffman who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and ~~being~~ all to agree. Mr A Fishback one of said jurors by consent was withdrawn and the balance from rendering a verdict were discharged

Commonwealth upon a rule on Motion Discharged

Commonwealth
vs No 6 } upon an Indictment
Frances Wiswander

This day came as well the attorney prosecuting for the Commonwealth as the Def by her attorney and thereupon came a jury to wit Abraham Earley, Henry Wartmann, John Seedy, John Hofmochel, J^r Earley, Augustus Heller, John Sellers, Martin Coroner, George Will, Timothy Dunk, Martin Gardner & Michael Beery who being elected tried and sworn the truth to speak upon the issue joined who upon their oaths do say "We the jury find the defendant guilty" It is therefore considered by the Court that the Commonwealth recover against the Def the sum of \$30 the fine imposed by law, and the costs expended in prosecuting said Indictment

Commonwealth
vs No 7 } upon an Indictment
Same

This day came as well the attorney prosecuting for the Commonwealth as the Def by her attorney and thereupon came a jury to wit Abraham Earley, Henry Wartmann, John Seedy, John Hofmochel, Joseph Earley, Augustus Heller, John Sellers, Martin Coroner, George Will, Timothy Dunk, Martin Gardner & Michael Beery

who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say "We the jury find the defendant guilty." It is therefore considered by the Court that the Commonwealth recover against the Def^t the sum of \$30 the fine imposed by law and the Costs thereof in prosecuting and indictment

Commonwealth } upon Indictments
 vs } from No 8 to 50
 Frances Miswander

On Motion and for reasons appearing to the Court it is ordered that the aforesaid cases be dismissed (vs) from No 8 to 50/

Commonwealth } 7 Cases } upon Indictments
 vs }
 John A Murry

On Motion continued until the next term

Same as Grandison Randall (30 cases) The same order

Same as far Long

The same order

Same as Stoneback

The same order

Same as Mitchell

The same order

Same as Miller &

The same order

Same as Smiley

The same order

Same as Burgep

The same order

Same as Harrison

The same order

Same as Gordon

The same order

Same as Muller B

The same order

Same as Ingheller

The same order

Same as Roller

The same order

Same as Scott

The same order

Commonwealth vs Jarnels

On Motion this case is continued until the next term

at the last of the Def^t
 Same as Brock

The same order

Commonwealth vs George the capias awarded in this
cause being returned & not executed it is ordered that a
new capias be awarded against him according to law.

Commonwealth vs Peyton upon an attachment

The same or ven

Commonwealth

vs

John Wiswender

} Upon an Attachment

This day came as well the attorney prosecuting for the
Commonwealth as the Deft by his attorney, and thereupon
came a jury to wit: Abraham Earley, George Joriff, John
Windlelopfins, Joseph Earley, Henry L Hunter, Samuel Tharick
Martin Garber, Solomon Ervine, Perry Houff, Augustus Holler
and Michael Beery, who being elected tried and sworn the truth
to speak upon the issue joined, and having heard the evidence returned
from the bar to consider of their verdict and after sometime,
returned into court, and not being able to agree upon their verdict
Henry L Hunter ~~by consent~~ one of said jurors by consent of the Deft
was withdrawn, and the balance from rendering a verdict
were discharged.

Commonwealth

vs

Zachariah McDaniel

} Upon an Attachment

This day came as well the attorney for the Commonwealth
as the Deft by his attorney, and thereupon came a jury to wit
Morgan Layton, John Hoofmocker, Henry Hartmann, George Well
John Seedy, David Bear, Timothy Trunk, John A. Fishback, Hugh
Lwope, Martin Korman, Andrew VanBelt and John Sellers, who
being elected tried and sworn the truth to speak upon the issue joined
and having heard the evidence retired from the bar to consider of
their verdict and after sometime returned into court upon their oath
to say as the jury find the Deft not guilty, & so adjourned accordingly.

Peter Neff & Silas Keenton Plffs
vs
John Andes guardian for Adam Andes Deft } upon an Attachment

This day came the parties by their attorneys and on motion of the Plaintiff, it is ordered that unless the Deft give a new bond as such guardian at the next term of this Court the power and authority of said John Andes as guardian aforesaid shall be revoked and annulled.

Commonwealth as Relator, Samuels Harris, same as Miller, Shull vs Anderson, Harris vs Wendell & Black is Blockley on motion severally continued until the next term.

The Court doth make the following allowances to jurors for service during the present term, viz for the Commonwealth
 Timothy Frank \$3.00 Perry Clauff \$4.50
 Mo Sellers \$3.00 Hugh Swope \$4.50 Michl Beery \$4.50 Mo Hoffman \$4.50
 again before David Bear \$3.75, same Frank 4.50, Geo Will 4.50 for Hoffman 4.50
 the 5 June Stephen Harnsberger \$1.75 for Earley \$4.50 Calomance Ervine \$4.50
 1857 Abraham Earley \$4.50, Martin Garber \$4.50 Mo Fishback \$3.25
 George Grawl \$4.25 John Kelly \$3.00 Martin Coroner \$3.00 Henry Le
 Hunter \$2.75, Mem R Hopkins \$2.75, Morgan Clayton \$3.00 Augustus
 Heller \$3.00, A J Van Belt \$2.75 Weyl MacIntosh \$2.50 and it is ordered
 that the same be certified according to law

The Court doth make the following allowances to jurors for services during the present term to be paid by the County of
 Rockingham to wit, Timothy Frank \$1.75 Perry Clauff 75¢ John
 Sellers \$1.75, Hugh Swope 75¢, Michael Beery 75¢ Mo Hoffman 75¢
 David Bear \$1.00, same Frank 75¢, Geo Will 75¢, for Hoffman 75¢
 S M Harnsberger \$1.75, for Earley 75¢, Calomance Ervine 75¢, Abm Earley 75¢
 Dan Born 75¢, Martin Garber 75¢, Mo Fishback \$1.50, Geo Grawl 75¢
 Mo Kelly \$1.75, Martin Coroner \$1.75, Henry Le Hunter \$1.75, Mem
 R Hopkins \$1.75, Philm Kennon 75¢, Anthony Rader 75 cents
 Augustus Heller \$1.00 & A J Van Belt 25 cents, which is ordered that
 the Sheriff of this County, pay the same

Wm Boyers Plff }
 vs } upon an attachment
 Robert Boyers Deft }

This day came the parties by their attorneys, and
 on the motion of the Deft it is ordered that the order made
 at a former term of this Court requiring the Deft to give
 additional security, be and the same is hereby set aside
 and the trial of the cause is continued until the next
 term of this Court at the costs of the Deft

Chesley Kinney Plff }
 vs } In Debt
 Henry Snell Deft }

This day came the parties by their attorneys
 and by consent, it is considered that the Plff recover of
 the Deft the sum of \$75. part of the debt in the declaration
 mentioned with legal interest thereon from the 7 day of
 Nov. 1855 till paid and the costs by the Plff about his
 suit in this behalf expended, and the Deft pleases
 payment as to the remainder of the Debt to which the
 Plff replica generally and the trial of the issue is
 continued until the next term

Daniel E May for Plff }
 vs } In Debt
 John Miller Deft }

This day came the parties by their attorneys
 and the Deft pleases payment, to which the Plff replica
 generally, and the issue is continued until the next term

Wm Stimespring Plff }
 vs } In Debt
 Joseph C Brothwaite Deft }

This day came the parties by their attor.
 and the Deft by his attorney withdrew his plea and

confessed judgment for \$64 the debt in the Declaration mentioned with legal interest thereon from the 15th day of January 1852 till paid and the costs by the Plff about their suit in this behalf expended. this judgment is subject to a credit of \$10. of date Jan. 11th 1852

Warrent McGahay for Plff }
 vs } In Debt
 R. J. Snyder Deft }

This day came the parties by their attorneys. and the Deft by his attorney withdrew his plea and ~~pleaded~~ confessed judgment for \$25.67 the debt in the declaration mentioned with legal interest thereon from the 26th day of December 1854 till paid and the costs by the Plff in this behalf expended

Deatrick vs Lincoln's Grad. on motion and for reasons appearing to the Court it is ordered that this cause be dismissed

Anthony Miller for Plff }
 vs } In Debt
 Mc Smith Deft }

This day came the parties by their attorneys. and the Deft by his attorney and ~~pleaded~~ payment. to which plea the Plff replied generally and the trial of the case is continued until the next term

Miller & Cummett Co Plffs }
 vs } In Debt
 Robert Bryan Defts }

This day came the parties by their attorneys and the Deft pleaded infancy. to which plea the Plff by att. replied generally. and the trial of the case is continued until the next term

Benny Blakemore vs Burnett & Co latter in vs Hidden House vs Taylor
 Hancock vs Entler & Morris vs Lincoln on motion continued

George W. Farland Plff }
 vs } In Case
 Abraham Stoner Def

This day came the parties by their attorneys and the Deft said that he did not appear upon himself in the manner and form as the Plff against him had complained to which plea the Plff replied generally & the trial of the issue is continued.

Garland Gardner Plff }
 vs } In Debt
 Wm. D. Maiden & Co Defs

This day came the parties by their attorneys and the defendant filed a demurrer to the Declaration which being argued was overruled by the Court and refused to set aside the judgment obtained in the office.

Ordered that all the causes on the docket not tried or otherwise disposed of be continued until the next term.

Ordered that the Court be adjourned until the third Monday in December next.

Naason Bare

In the Clerk's Office of the County Court of Rockingham Dec. 8th 1856
 John O'Leary a native of Ireland this day appeared in Clerk's office and said the said Court being a Court of record with common law jurisdiction a Clerk and seal and on oath declared that it was bona fides his intention to become a citizen of the United States of America and to renounce forever all allegiance & fidelity he may have or owe to any foreign prince, potentate, State or sovereignty, particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland given under my hand this 8th day of Dec. 1856 Wm. D. Trout De

At Court held for Rockingham County at
the Court-house thereof on Monday the 15th
day of December 1856

Present

+ Newton Bare D.J. + Peter P Kowitz

+ Wm W Carpenter + Arch Hopkins

} Gent
Justice

The Clerk of this Court presented in Court a list of Deeds and
other writings admitted to record in his office during the month
of November last. which being seen and inspected by the Court
is ordered to be entered on the minutes as follows to wit

- | | | | |
|----|---|------|---|
| 1 | ✓ | of \ | A Deed of Release from William D South to David S Jones |
| 2 | ✓ | \ | A Deed of Bargain & Sale from Alexander McIlwray's ad to James Bunnigardner |
| 3 | ✓ | of \ | Same from Reuben Kingsbury wife to Charles Thidley |
| 4 | ✓ | of \ | Same from Albert Flemming to George Kippe |
| 5 | ✓ | of \ | Same from John S Heats wife to Adam Welch |
| 6 | ✓ | \ | Same from Jacob Ruck to Henry A Bearn |
| 7 | ✓ | of \ | Same from Robert Gray wife to Robert A Gray |
| 8 | ✓ | \ | A Deed of Trust from Daniel Nichol to H Shacklett Trust for Geo Buffy |
| 9 | | \ | A Deed of Bargain & Sale from Andrew McEllenrad to David S Jones |
| 10 | ✓ | of \ | Same from David S Jones wife to Robert A Gray |
| 11 | ✓ | of \ | Same from Same to Same |
| 12 | ✓ | \ | Same from Robert A Gray wife to David S Jones |
| 13 | ✓ | \ | A Deed of Trust from David S Jones wife to W G Smith Trust for R M Keyes |
| 14 | ✓ | of \ | A Deed of BTL from John S Effinger wife to Lelo Strayer |
| 15 | ✓ | of \ | A Power of Attorney from Sally Heall to James H Ewers + |
| 16 | ✓ | \ \ | A Deed of BTL from Sally Heall's atts to Philip Siggert + |
| 17 | ✓ | of \ | Same from James Ewers wife to same + |
| 18 | ✓ | \ | Same from John Keeney wife to Jacob Keeney |
| 19 | ✓ | \ | Same from Leandin Shifflet wife to James McChapman |
| 20 | ✓ | \ | Same from Leis Yeakle wife to Jackson Horn |
| 21 | ✓ | \ | Same from Reuben Lindamood wife to Elias Empiree |
| 22 | ✓ | of \ | Same from Isaac Thomas trustee to Benjamin Hoover |
| 23 | ✓ | \ | Same from Mathias Bowman wife to Gideon Yorkle |
| 24 | ✓ | of \ | Same from John Hottinger wife to John Black |

- 25 ✓ of \ A Deed of Bargain & Sale from M^{rs} Zirclewife To J^r Zircle
 26 ✓ of \ Same from John Lenz wife To Benjamin Hoover
 27 ✓ of \ Same from Benjamin Hoover wife To John Lenz
 28 ✓ \ Same from John Vand Trump & others To Christian Weine
 29 ✓ \ A Deed of Trust from Daniel Nichol wife To J^r Byrd Trust for M^{rs} J^r Brown
 30 ✓ \ A Deed of Bargain & Sale from John Runnels wife To Henry & Cinhel
 31 ✓ of \ Same from Simon & Harman wife To Michael Whitmore
 32 ✓ of \ Same from D^r Morgan Switzer wife To Robert A Gray
 33 ✓ of \ Same from John & Mafey wife To Thomas & Ganey
 34 ✓ \ A Deed of Trust from Geo Shaw to W^{illiam} Gamble Trust for Wm Clark
 35 ✓ \ A Deed of B^{ill} from Anthony & Huffman wife To Abraham Sager
 36 ✓ \ A Deed of Trust from Wm A Evans wife To Geo Bruffy Trust for Geo Evans
 37 ✓ \ A Deed of B^{ill} from John & Keatons wife To Harrison Gray

Settlements of the estates of Peter Pabel dec^d & Henry Powell dec^d having been filed in the Clerk's office of this Court for the time provided by law, were presented in Court and no exception being offered to them they are confirmed and ordered to be recorded

Settlements of the Guardians of John Cowen & Elizabeth Weaver & Sarah M. Moyers The Same order

A Settlement of the estate of Christian LeBeau dec^d together with an account of the debts against his estate The Same order

A Settlement of the estate of Henry Moyers dec^d & also a Settlement of the Testamentary Trusts of Margaret Moyers The Same order

Henry A. Robinson Cor^r of the revenue for this County presented in Court an account against the Commonwealth amounting to \$8.49 which being sworn to was examined and allowed by the Court and ordered to be certified that the number of births & death returned have been accurately & fully made according to the laws regulating the same, and within the time provided thereby

Jonathan Hulvey & Good Plff }
 vs
 Jonathan Hulvey & others Deft. } In Chancery

This cause came on to be heard on this 15 day of December in the year 1856, upon the bill filed & the subpoenas having been returned executed, more than one month the same is taken as confessed as to the defendants whereupon the argument of counsel being heard the Court doth advise order & decree that Samuel Miller Daniel Fulk Abraham Trunk and John Bowman or any three of them be and they are hereby appointed to partition the lands of which the late Jonathan Hulvey died seized lying in Brock's Gap & containing about 500 acres among the heirs at law of said Hulvey in equal shares having regard to quality & quantity report to this Court

John E. Brown Constable Plff }
 vs
 Diana Dove Deft. } In Chancery

This cause came on to be heard on this the 15 day of December 1856 on the proceedings heretofore had and papers heretofore filed and report of John E. Brown appointed a commissioner to sell the interest of the Defendant Diana Dove in the property in the bill mentioned and upon argument of counsel and examination of report of Commissioner Brown it is adjudged ordered and decreed that the said report of sale be received and confirmed and that the said Brown make a deed to the Henry Thompson the purchaser for the interest sold and purchased. Further that he pay out of the proceeds of sale the Commissioners fees and costs of this suit ~~and~~ costs of preparing and acknowledging deed and the remainder he pay over to the judgment creditor Samuel Coates to be applied as a credit upon the same due him and it appearing that all matters in this suit are finally settled it is ordered that the same be dismissed

Thomasworth Sheriff of Randolph County, who presented in Court an aff. adt. cometh amt. to \$19.15 which being sworn to was examined & allowed by the Court & ordered to be certified to the auditor of public accounts

SW Currence presented in Court an account against the Commonwealth amounting to \$11.50 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts.

Manapa Gap Gap Rail Road Co. Plff }
Bernard Heall. Deft } Upon a Notice

This day came the Plff by attorney and it appearing to the Court that the deft has been legal notice of this motion, and he being solemnly called and not appearing it is considered by the Court that Plff recover against the deft \$100. the debt with interest thereon from the times set forth in said notice, and the costs in this behalf expended.

The Last will and testament of David Wise dec^d was presented in Court and proved by the oaths of Michael & C Harris & Peter S Roller two of the subscribing witnesses thereto and ordered to be recorded, and thereupon John & Levi Wise the executors therein named appeared in Court and refused to take upon themselves the burthen of the execution thereof and on the motion of Samuel Base, George Sherman & Samuel Plecker, John D Wise, Levi Wise & Harvey Light, who made oath thereto according to law, and the said Samuel Base, George Sherman & Samuel Plecker together with John D Wise, Levi Wise & Harvey Light (their securities) who justified as to their sufficiency entered into and acknowledged a bond in the penalty of \$20,000 conditioned as the law requires, and the said John D Wise, Levi Wise & Harvey Light, together with Samuel Base, George Sherman & Samuel Plecker their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$20,000 conditioned as the law is required. Certificate in due form is granted the said Samuel Base, George Sherman, Samuel Plecker, John D Wise, Levi Wise & Harvey Light for obtaining letters of administration with the will annexed of the said David Wise dec^d.

Ordered that Peter L. Rollen, John A. Craun, Peter Weiss & Charles Gratton or any three of them being first sworn for that purpose do appraise the estate of David Weiss dec^d and report to the Court according to law

✓ Commonwealth vs George Strother a free negro who stands committed to the jail of this Court charged with a prison escape upon motion and for reasons appearing to the Court, it is ordered that the said George Strother be released from jail & committed to the custody of the Constable ^{any other proper Officer of the Court} who arrests a fugitive in ~~custody~~ for trial before a justice of the peace for this delinquency

Robert Pritchett & son of Moodyaney Plff } Upon a suggestion that
105 Reuben Hoffman Def } the Deft is indebted to
Wm Snow

This day came the parties by their attorneys and the Deft being sworn and examined in Court, and upon such examination it appearing to the Court that there is a liability on the Deft. It is therefore considered that the Plff recover against the Deft \$14.59 with interest thereon from this day and the costs in this behalf expended.

Robert Pritchett Plff } Upon a suggestion that the
105 Same Def } Deft is indebted to Wm Snow

This day came the parties by their attorneys and the Deft being sworn and examined in open Court and upon such examination it appearing that there is a liability on the Deft. It is therefore considered that the Plff recover against the Deft \$12.08 with legal interest thereon from this day and the costs in this behalf expended.

On Motion of John R. Krogler Sheriff elect of this County Henry Neff, Melvinton C. Ammon, Joseph A. Logan & Peter Brick are admitted his deputies, and thereupon they severally

took the several oaths required by law

This day Daniel Bierly produced an account for his services as
~~commissioner of the revenue~~ afeper for of lands for the first District
 for Rockingham County. and the Court have considered that 65
 days were requisite for the said afeper to perform the same.

This day Jackson Hoan. produced an account for his services as
 afeper of lands for the third district of Rockingham County. and the
 Court have considered that 70 days were requisite for said
 afeper to perform the same.

Wm H. Carmich a commissioner of the revenue presented
 in Court an account against the Comynth amounting to \$11.25
 which being sworn to was examined and allowed by the Court
 and it ordered to be certified that the number of Births & Deaths
 returned have been accurately & fully made according to the laws
 regulating the same within the time prescribed by the law.

John Welles & appellants

vs

Amos Scott appellee } Upon an appeal from the Judgment
 of a Justice of the Peace

On Motion of the appellants this cause is ordered to
 be docketed.

On Motion it is ordered that the Ladies of the Old School
 Presbyterian Church be permitted to use the Court house on
 1st Nov. for the purpose of holding their fair

Upon the petition of David B. Croushorn for the establish-
 ment of a road in this County. On Motion of Asaorn Shaw alter
 it is ordered that the report of the Court heretofore filed be set aside
 and that the said petition be referred to John H. Hopkins, DOR
 Hopkins & Henry W. Harnesberger who are hereby appointed Special
 Viewers to examine & report upon said Petition according to law

John H. Doock appeared in Court and resigned his trust as Guardian of Catharine E. Kyle, which is ordered to be entered of record.

Ordered that Stephen Hearnberger or his off. Jacob Hearnberger do pay to Isaac Hearnbery the receiver of this Court such balance as may be remaining in his hands after settling his executorial accounts before a commissioner of this Court.

Abraham Tunk ~~an~~ overseer who has been duly elected as Commissioner overseer of the Poor for this County, appeared in Court and took the several oaths required by law.

Barley M. Holtz on Delivery bond Notice proved & execution awarded Maiden. as same & The Same order

Barley M. Holtz on Delivery bond Notice proved & execution awarded Maiden. as same & The Same order

Upon the petition of Henry St. Johns for the establishment of a road in this County. This day came the petitioners by their attorneys, and on their motion it is ordered that the said road be opened and established agreeably to the report of the Comrs. filed, and upon the conditions set forth in said petition.

Conrad H. Kite a commissioner of the Revenue, ^{presented} an account against the Commonwealth amounting to \$660 which being sworn to & examined and allowed by the Court, and it is ordered to be certified that the number of births and deaths returned have been accurately & fully made according to the law regulating the same and within the time prescribed thereby.

Present Jackson & Conn.

Marcellus Gibson

Upon an appeal from the judgment of a Justice of the Peace for Rockingham County. This day came as well the appellant by his attorney as the attorney for the Commonwealth, and thereupon the

the appellants moved the Court to quash the proceeding had before the justice & discharge him from custody on the ground that the papers do not set forth sufficiently the charge against him, which motion being argued which ~~motion~~ the Court doth sustain, it is therefore ~~ordered~~ that the said and quash the said proceedings had before said justice, and thereupon it is ordered that the said Marcellus Gibson enter into a recognizance in the penalty of \$25. and the like sum of \$25 of his security, for his personal appearance before this Court on the first day of the February term next, to answer an indictment then to be preferred against for unlawful gaming, and thereupon the said Marcellus Gibson & Jeremiah Gibson personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia, the said Marcellus Gibson in the sum of \$25. and the said Jeremiah Gibson in the like sum of \$25. to be levied of their respective goods and chattels, Land and Tenements and for the use of the Commonwealth yet upon this condition that the said Marcellus Gibson shall make his personal appearance before the Justice of this Court on the 1st day of February term next, then and there to answer an indictment then and there to be preferred against him for unlawful gaming at cards, and not to depart thence without the leave of said Court, then this recognizance to be void otherwise to remain in full force and virtue

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

Naason Bare

Tuesday December 16th 1856

Present

+ Naason Bare of Henrico
+ Arch^d Hopkins Jr. & Peter O'Konty

} Gent
} Justices

At May v Jacob West upon an appeal from the Judge of a justice
on motion Docketed & continued

The attachment awarded at the last term against James Sharp & Sarah Sharp witnesses on behalf of A Beazley was same not being returned executed. it is ordered that a new attachment be awarded against them returnable to the next term of this Court

The report of the accounts of John L. Woodson executor of Thomas Logan dec'd. and of the debts and demands against the estate of said decedent. having been filed in the Clerk's office of this Court more than one month. the Court proceeded to examine the same with the exceptions thereto made by said executor which exceptions is sustained. and the said report so modified by said exceptions is confirmed. and the said executor is directed to pay out the debts in his hands to the creditors making giving to creditors by judgment against testator in his lifetime priority out of the real estate.

Joseph L. Brathwaite & Tinsley Noel who have been duly summoned to appear here on this day as witnesses on behalf of the decedent. being solemnly called and not appearing. it is ordered that they be severally admonished to appear here on the first day of the next term to their cause if any they can why they shall not be fined for their contempt aforesaid.

Wm. Rupert & Co.

vs

Plffs.

Benjamin L. Rushnell

Def.

} upon an attachment

This day came the Plffs. by their attorney and thereupon came George R. Lofforth by his attorney who filed his petition and also a bond conditioned according to law with security for the payment of damages & costs. and thereupon came a jury to wit. Henry L. Berry. Joseph T. Rohn. Joseph Loffman. William L. Rice. David Berry. Wm. A. Conrad. Henry A. Chrisman. Abner J. Nicholas. Zebedee Gray. Isaac Aiken. Solomon Burton & Andrew Dyer who being elected tried and sworn

the truth to speak upon the issue joined and having heard the evidence and argument of counsel retired from to consider of their verdict and after some time returned into Court and upon their oaths do say in the jury find that the box of goods levied on by the attachment of Rufus Mopff and mentioned in the within Petition were at the time of the levy of said attachment and are now the property of the petitioner George R. Coffroth. It is therefore ordered that the officer who levied upon said box of goods restore the same to the interpleader George R. Coffroth and by consent of the parties by their attorneys it is ordered that the costs be paid equally by Mopff Rufus & Co & said Coffroth.

Commonwealth vs. Winsey Noel. On motion and for reasons appearing it is ordered that the said writ be discharged.

Moffett Sheriff	Deft	} McManary
Reel wife	Defts	

On Motion and for reasons appearing to the Court it is ordered that this cause be dismissed.

Hogan vs. O'Neal. On motion continued until the next term at the cost of the appellee.

Ordered that all the causes on the Docket not tried or otherwise disposed of be continued until the next term.

Ordered that the Court be continued until the third Monday in January next.

Naason Barr

State of Virginia

Rockingham County p

This day John D Brennan personally appeared before me Deputy Clerk of the County Court of Rockingham said court being a court of record with common law jurisdiction a clerk and seal and upon oath declared it was bona fide his intention to become a citizen of the United States and to renounce forever all allegiance he may have or owe to any ^{and} foreign prince potentate state or sovereignty whatever and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland
Given under my hand this 8 day of January 1857
Wm D Trout

State of Virginia

Rockingham County p

This Day Daniel Scanlon a Native of Ireland personally appeared in the Clerk's office of the County Court of said County, ~~and~~ the said Court being a court of record with common law jurisdiction a Clerk and seal, and on oath before me ^{h2} Deputy Clerk of said Court declared that 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 and Ireland
Given under my hand this 22 day of Jan'y 1857
Wm D Trout

B Coaling

vs

J B Sherrill &

Plff

(Def)

In Chancery

The order of attachment in this cause being returned. Executed &c it is ordered that the Sheriff of this county see the attached effects upon the terms prescribed by law. and hold the proceeds subject to the

Virginia

At a Court held for Rockingham County
at the Court house thereof on Monday the 17th day
of October 1864

Present

Wm M^r Martin P. J. Madison Moore } Gent.
P. F. Earman, Geo S. Christie & Isaac Wright } Justices

Bro Long

Plff.

vs

D B Showalter &c

Deft.

In Chancery

The order of attachment issued in this cause
being returned "executed &c". It is ordered that the Sheriff of
this County sell and dispose of the attached effects upon the
terms prescribed by law and hold the proceeds subject to the
future order of this Court and all other questions arising
in this cause is continued until the next term

John E. Woodson

Plff.

vs

P F Showalter

Deft.

Upon an attachment

This day came the Plff by his attorney and
the attachment in this cause being returned "executed"
and the deft being called and not appearing it is ordered
the Sheriff of this County make sale of the attached effects and
hold the same subject to the order of this Court and the
cause is continued until the next term

Wm Saufley

Plff.

vs

A J Baughen

Deft.

Upon an attachment

This day came the Plff by his attorney and the
def't not appearing upon evidence it is considered that the
plff recover against the def't six hundred and ninety
dollars with legal interest on \$200 with interest from the 1st

day of March 1862. on \$240 and other part thereof from the 1st day of March 1863 and on \$250 the residue thereof from the 1st day of March 1864 till paid and the costs by the plaintiff in this behalf expended, and it is ordered that the officer who levied this attachment make sale of the attached effects, and after paying this judgment pay the surplus if any to the debt. or such persons as may be duly authorized to receive the same.

James Templeman (Plff)
vs
Jesse Leavies (Def) } upon an attachment

This day came the plaintiff by his attorney and the attachment in this cause being returned executed and the debt not appearing, it is ordered that the plaintiff recover against the debt. the sum of fifty dollars with interest thereon from the 13th day of October 1858 till paid and the costs in this behalf expended and it is ordered that the sheriff officer who levied this attachment make sale of the attached effects upon the following terms. the personal estate for cash in constitutional money. and the real estate for the same currency payable in orn. two and three years from the day of sale taking bond with approved security & title retained as ultimate security, and pay out of the proceeds this judgment and the surplus (if any) pay to the debt. or such persons as may be authorized to receive the same. arranged for his recording in this court

Milton J Leavies (Plff)
vs
Jesse Leavies (Def) } upon an attachment

This day came the plaintiff by his attorney and the attachment in this cause being returned & executed and the debt not appearing it is ordered that the officer who levied the attachment make sale of the attached effects

security, and out of the proceeds pay and satisfy this judgment and the surplus (if any) pay to the deft or such person as may be authorized to receive the same.

Elizabeth Hagg Plff }
vs } upon an attachment
Jesse Learner (Deft)

This day came the plff by her attorney and the attachment issued in this cause being returned executed and the deft not appearing, it is considered that the plff recover against the deft \$291.30. with interest from the 4th day of July 1864 till paid and the costs in this behalf expended and it is ordered that the officer who levied the said attachment make sale of the attached effects upon the terms set forth in the order of Court is learner out of the proceeds pay & satisfy this judgment report his proceedings to this Court

John P Minor Plff }
vs } upon an attachment
Wm Sloughes (Deft)

This day came the plff by attorney and the attachment being returned executed and the deft not appearing, it is ordered that this cause be placed upon the docket and continued until the next term

Catharine Humes Plff }
vs } upon an attachment
Jesse Learner (Deft)
The Same order

Daniel Link Plff }
vs } upon an attachment
Wm House (Deft)
The Same order

Wm Bear & Enock B Dolly who have been duly elected

and commissioned as justices of the peace for the fourth magisterial district for this county, appeared in court and took the several oaths required by law

On the Motion of William Martin who made oath thereto according to law, and together with Stewart Little his security (who justified as to his sufficiency) entered a plea and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires, a certificate is granted him for obtaining letters of administration in and for upon the estate of J B Polana, dec^d.

Absent M Moore P D Egan & Isaac Wright } Gent.
Present Mem Beason & W T McGahery } Justices

On the motion of David Jones it is ordered that he have leave to close for 12 months the road commencing at North Street at the Northern end of German Street in Harrisonburg facing in front of his house to the intersection of the Krätzer road on the hill beyond his buildings. the parties heretofore opposed to said motion not raising their objections for the time aforesaid.

Ordered that the Court be adjourned until the next term.

Wm M K. Watson Jg

Bear vs Jones 1 Sp
 Hooker vs Berry 1 Sp
 Mansfield vs Gault D Sp
 Cornick vs Shee 1
 Thomas vs Perkins 1
 Dice vs Egan 1
 Dunnington vs Beebe 1
 " 2
 Cornick

Ed Hader
 Dan Munn
 W. M. Langton
 Mrs. P.
 H. P. Clifton
 " 2
 Crawford

March

B. B. Fishback vs Overseers of Poor D. 20 Ls

August Ct 1856

Burketts vs Miller & Grove D. 1
 Lane vs Beasley D1
 Cogle vs Cornick D1
 Wm Peters vs Bear D1 + C.
 Wm Smith vs Robinson D1 + C.

Sept Ct 1856

Z Rankin vs Baughen D1
 Brackwiler vs Nicholas D1
 E Rhodes vs Long D1

Nov. Ct 1856

A Seeds vs Brackwiler D 1 she B Co
 Hader vs Roller D1 - 91 Co
 Haus vs Cornick D1
 P. Diggett vs Ward D1 - 4 Co
 Hamman vs Brackwiler D1 - 1

Mr. Shuman 18.2.156
 203 July 156
 Mr. Shuman
 for 156
 Mr. Miller
 203 156
 Mr. Miller

Mr. Shuman
 203 156
 Mr. Miller

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203 156

203 156

Rockingham Co VA
 Minutes 28

Bae
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