

**ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA**

MINUTE

BOOK

27

1854 - 1855

Virginia Trust

At a Court held for Rockingham County at the Court house thereof on Monday the 19th day of June 1854 (that being the third Monday in the month)

Present

Samuel H Lewis (Off) Robert Gratton } Gent
A. Wolf & Isaac Hardesty } Justice

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

May 25 Deeds

- of Deed from Land from Eli Keeran wife to Christian Kiger
- of Same from Samuel (Driver) wife to Joseph Burkholder
- of Same from Thomas Johnston wife to Jacob Swartz
- of Same from Noah Price wife to John Pence
- of Same from Benjamin F. Bryerly wife to Edward F. Williams
- of Same from Henry Shaver wife to William D. Hopkins
- of Same from John Anders to R. M. Harrison
- of Same from John Argensbright wife to Henry Clark
- of Same from George Huff to John Fogel
- of Same from Richard Maury to Jacob H. Maury
- of Same from John Brock to D. Leoffman Trust for R. M. Harrison
- of Same from Francis M. Pender to Isaac Hardesty Trust for Jas. Bolton
- of Same from George Siley wife to George Life
- of Same from Manson Smith wife James Steeley
- X A Deed of Emancipation from John Wise to his slave Lavinia & her children
- of A Deed of Bargain Sale for Land from Samuel Emmsweller wife to Jacob A. Mitchell
- of Same from John Wallace wife to Jacob Dinkler
- of Same from Jacob A. Dinkler to same
- of Same from Jacob Bear wife to Adam C. Bear
- of Same from Adam C. Bear wife to Jacob Bear
- of Same from John R. Plecher to Cyrus Rhodes See Bakes
- of Same from Isaac R. Jordan wife to Ezra G. Huffman
- of Same from George Harcett to Livingston Fraizer

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- 1 of Deed of BtH from William R. Barbee wife to Mem H Peroy
- 1 of Same from same to Francis Malberry
- 1 of Same from Hammond Hahn wife to Geo Hunchkewitz & Sutz
- 1 of Same from Henry Sutz wife to Hammond Hahn
- 1 of Same from Ezra G. Huffman wife to Jacob Bauch
- 1 of Same from Madison Tyler wife to John Robinson Jr
- 1 of Same from Samuel Miller wife to Wendell Johnson
- 1 of Same from Samuel Goss wife to Anthony Jones
- 1 of Same from Anthony P. Huffman wife to Ezra G. Huffman
- 1 of Same from Hetty Johnson to George Moyers
- 1 of Same from John Van Trump wife to Martin Uempler
- 1 of Same from Christian Brunk wife to Daniel Brunk
- 1 of Same from Jacob Trumb's wife to Jacob Trumb's
- 1 of Same from Samuel Garner to Peter Zetty
- 1 of Same from Jacob Blecker wife to Samuel Blecker
- 1 of Same from H. Byrne contr. to Joseph Cronen
- 1 of Same from Augustus Rice contr. to St. Clair McKnight
- 1 of Same from John Paul wife to Branson M. Ponce
- 1 of Same from Mem. Shwaetzer wife to John Shwaetzer
- 1 of Deed of Trust from Nelson Bradley wife to David S. Young. Trust for Schuyler Bradley
- 1 of Deed of BtH for land from Samuel Seedy wife to John Joseph Seedy
- 1 of Deed of Trust from John Brunk to H. Blecker. Trust for Thos. Karmelberger com
- 1 of Deed of BtH from H. Bryan contr. to Andrew J. Van Fleet
- 1 of Same from Michael H. Karmelsh wife to Samuel Van Fleet
- 1 of Deed of Lease from H. M. & Carris to Mem. Kerman
- 1 of Deed of BtH for land from David S. Young contr. to John Quindone
- 1 of Same from John Campbell wife to William Lowry
- 1 of Same from Adam Tufing wife to Joseph Morse
- 1 of Same from Henry Hinkel wife to Henry Parker. (Parker to Hinkel)
- 1 of Deed of Trust from Henry Hinkel wife to Peter Miller. Trust for Henry Parker
- 1 of Deed of BtH for land from Mem. Meyerhoeffer wife to Edward Diffin. Alstott
- 1 of Same. Edward Diffin Alstott wife to Mem. Meyerhoeffer
- 1 of Same from Joseph Fry wife to Richard Winfield
- 1 of Same from John A. Winfield wife to Adam Humentrout
- 1 of Same from David Shwaetzer wife to George Karmelberger
- 1 of Same from George Karmelberger contr. to George Kiser.

- 1 of A Deed of Bt for land from Isaac May Jr To Isaac May
 of same from Wm J Thompson com^{to} to Albert Flemming
 5 of same from George R Gibbons wife To Henry H. Merriam
 5 of same from Isaac Richie wife To Gabriel Heratwile
 of same from James Baker wife To Jacob D Beery
 of same from E. Williams wife To A B Dick
 of same from Jas H. Flick wife To John Bowman
 of same from Arthur D. Spinkes com^{to} to David Coffman

Settlements of the estates of John Showalter dec^d. Wm Harrison dec^d.
 Joseph Dyerley dec^d. Henry Richie dec^d. John K. Beard^d. Maria Burges
 dec^d. Allen Dever dec^d. John Woodale dec^d. Christian Funkh^d.
 Leanna Cook dec^d. & Jacob Lipe dec^d. & Adam Wise ^{2^d dec^d} were returned into court by the
 clerk thereof and having been filed in his office for the time prescribed
 by law. were examined by the court and ordered to be recorded

A Settlement of the estate of Barnett H. Hoffman dec^d also of Peter Neff
 trustee with Elizabeth Flick & Julia Nicewander and their children was
 returned into court by the clerk thereof and having been filed with
 the clerk of this court for the time prescribed by law. was examined
 by the court and ordered to be recorded

Settlements of the Guardians of Henry & Sarah & Matheny Richard & Wm
 Wm Funkh^d. Margaret Conrath. Mary Shoemaker Jacob Shoemaker
 Hugh Bunk. Rebecca Naich. Catharine Nare. & Edw. were returned
 into court by the clerk thereof and having been filed in his office for the
 time prescribed by law. were examined by the court and ordered to be
 recorded

John Dinkle p Plff
 vs }
 Jacob Snell at al Deft } Melhancing

On motion of Plaintiff Sitteton W. Gamble is assigned
 as guardian ad litem to the infant Defendants & filed their answer
 to which the plaintiff replied, whereupon by consent of parties this
 cause is referred to a commissioner of this court, who is directed

after giving four weeks notice to the parties interested by publication in one of the Harrisonburg newspapers. is required to state & settle the administration account of John Dinklee with the estate of his intestate Richard Gibson dec^d and also to report the debts and demands against said estate, and the value or annual rent of the one acre of land in the bill mentioned & report to this court in order to a final decree.

Peter Heatswole wife & Magdalene Rhodes Plff

against

Anna Rhodes, Frederick Rhodes & others Defs

In Chancery

This cause came on by consent to be heard this 19th day of June 1852, upon the bill answers of Anna Rhodes & Frederick Rhodes and of the infant defendants by Elifambie, their guardian ad litem and the report of commissioners Samuel Hony, Abraham Early and John T Myers, to which no exception is taken and the same is hereby affirmed and adopted, whereupon the argument of counsel being heard, and it appearing to the court that the said mill property and lot in the bill mentioned is not susceptible of partition among the heirs of Samuel Rhodes dec^d the court doth thereupon, adjudge order and decree that David G Heatswole, who is appointed a commissioner for that purpose, having given four weeks notice of the time and place and terms of sale, by advertisement inserted for four weeks in one of the newspapers published in Harrisonburg and put up at two public places in the neighborhood, and at the Court House door for the like period, shall sell on the premises at public auction the said mill and lot, by metes & bounds agreeably to the report of the commissioners aforesaid, on the following terms, viz. one third of the purchase money in cash, on the day of sale, or within sixty days thereafter with interest from the day of sale, at the option of the purchaser and the remainder in three equal, annual payments from the day of sale taking bonds with good personal security for the payments and the title to retained until the whole is paid. But before said David G Heatswole receives any money under this decree, he shall execute a bond before the clerk of this court in his office, in the penalty of \$2500 with good security and conditioned agreeably

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to the act of assembly, and said Commissioner shall make report
to this Court

Robert M. Mooney. John H. Austin William K. Gailey. —
Philander Fanning John H. Ralston James Steele
Adam H. Brewer. Giles Dever & John C. Spinklee

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 of July next appeared in court
and took the several oaths prescribed by law and severally entered into
bonds with security in the penalty of \$5000 each conditioned as the law
directs which bonds were severally acknowledged by the parties thereto
and ordered to be recorded

Ordered that Thomas K. Kerns longer admr of said life sec^y convey
to the poor house of this county a slave named Sam belonging to said
th adm^r representing that he had not a pet in his hand to which said slave
said estate, but if it should hereafter appear that there will
be sufficient assets in the hands of said adm^r that he shall pay
the expense of keeping said slave

Ordered that John Ulliant be appointed surveyor of precinct No 4
of road No 27 in place of Jeremiah Powell resigned

Ordered that the following negroes be registered by the clerk of this
Court according to a description filed this day viz Clara Scott
Fannie Strother John Birkey all of whom were emancipated by
Jacob Parrott dec^d. but no leave is granted them to remain in
this state

Reuben Wm. Beesley who has been duly licensed to practice
as an attorney in the courts of this Commonwealth on motion
is permitted to qualify as such attorney in this Court. Thereupon
he took the several oaths required by law.

Abraham S. Byrd who was duly elected Sheriff in and for the
County Rockingham for the term of two years commencing on the

1st day of July next. appeared in court and took the several oaths prescribed by law and entered a ~~return~~ bond with security in the penalty of \$90,000 conditioned as the law directs which bond was acknowledged by the parties thereto and ordered to be recorded

On the motion of Abraham S Byrd who has been duly elected Sheriff of Rockingham County for two years commencing on the 1st day of July 1854, Melchior R Warren, Thomas K & Harnsberger, Simeon J Harnsberger, John Gordon & Peter Brick are admitted his deputies, who thereupon appeared in court and took the several oaths prescribed by law. The court being of opinion that they are all men of honesty & good demeanor which is ordered to be entered of record.

The Commissioners appointed to report upon the condition of a road established upon the petition of J Perkey & others returned into court their report which is ordered to be filed and the ~~report~~ received

George W Miller who has been duly appointed a Notary Public for this county, appeared in court & produced a commission under the hand of the Governor under the reverse seal of the Commonwealth whereupon said Miller entered into a bond with security in the penalty of \$500 conditioned as the law requires. & took the several oaths required by law

Ordered that the Clerk of this court register in his office Aaron, a black man aged 29 years next fall, five feet eight inches high, with a scar about an inch & a half long over the left eye, said negro was emancipated by John H Austin this day. No Slave is granted said Aaron to remain in this Commonwealth.

The court doth appoint David B Bowman Guardian for John Baker, Delilah Baker & Elizabeth Baker orphans of Wm Baker deceased who are under the age of 14 years, and thereupon the said

David B Bowman together with Jacob Bowman Abraham
Funky Christley Surimons 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.

On Motion it is ordered that Johny Girkel Guarantian for
Richard J Thomas orphan of Strather Thomas dec'd give a new
bond. Thereupon the said Johny Girkel appeared in court
and together with Wemy Thompson his security (who justified as to
his sufficiency) entered into and acknowledged a bond in the
penalty of \$3000 conditioned as the law requires, which bond
is ordered to be recorded.

Ordered the Benjamin Strickler be appointed surveyor of
Precinct No 1 of road No 8 of the road leading from Bath to Church
to the mountain road in place of Peter Wirtz resigned

Ordered that Daniel Thomas be appointed surveyor of
Precinct No of road No in the place of Noah Bowman

Ordered that Adam Fulk be appointed surveyor of precinct No 5 of
road No 27 in place of Jonathan Delevy resigned

Ordered that Anderson Ruess be appointed surveyor of precinct No 1 of road
No 30 in place of himself

Ordered that Jeroniah Tifer be appointed surveyor of precinct
No 1 of road No 25 in place of Abraham Huffman resigned
of the north mountain road

Mason Elrich

Plff

vs

Henry Goll

Def

} Upon an Attachment

The said Mason Elrich having obtained an attachment
against the estate of Henry Goll, who intends to remove his effects,

out of this state so that there will not probably be therein sufficient effects of the said Henry Galt to satisfy the claims of said Heirst when judgments are obtained therefor should only the ordinary process of the law be used to obtain such judgment, ^{which attack is in the words of the law} and said attachment having been returned by Mem. Chapman a constable of Augusta County. Executed &c. and thereupon came as well the Plaintiff by his Attorney as the defendant by his attorney and sundry witnesses being sworn and examined touching the premises and upon mature deliberation. It is abated the court being of opinion that it was issued on false suggestions & without sufficient cause ordered by the court that the said attachment be quashed and that the said Galt recover against the said Heirst his costs in this behalf expended. and it is further ordered that Mem. Chapman who levied said attachment & in whose possession the attached effects are do restore them to the possession of Abraham Smith the person to whom said goods &c. belong

R. W. Palmer Overseer of Poor for Dist. No. 2

Plff

George W. Euter. Amos Scott &
Harrison Bateman

Def

} On a motion &c

That day the attorney proceeding for the commonwealth and on his motion it is ordered that the said Defendants be summoned to appear on the first day of the next term to shew cause if any they can why ~~they~~ judgment shall not be rendered against them for the amt. found by said Overseer of Poor for the support of Jason an idiot boy said to be the property of said Defendants or one of them

Ordered that Josiah S. Roller be appointed surveyor of precinct No. 1 of road No. 2 in the room of David Wise resigned

Upon the petition of Harrison Bateman &c. for a new establishment of a road. On motion of said petitioners by attorney It is ordered that Jacob Strayer Stephen Harnsberger & Robert McPalmer be and they are hereby appointed commissioners

who are directed examine and report upon said petition according to law.

S H Lewis. R G Gratton A S Wolf & Isaac Hardesty each attended this day as members of the court

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

S H Lewis

Tuesday June 20th 1854

Present

Samuel H Lewis. W. Jackson & Co. Jacob Rush
Robert Gratton Mem B Jancey. John Burkholder. Jacob
Miller. Michael H & Harris Fountain. McLanlan. John
Bawyers. Daniel Harrison. John A Herring. O B Sterling
J M Envine. John A Dice. Samuel Miller. Anaxias Gent
Houch. Mem B Carpenter. Samuel R Spink. Peter Justice
P Keontz. Samuel Ruelish. Isaac Thomas. Isaac
Hardesty. Henry Martman. A S Wolf. Benjamin
Hoover. Reuben Dore. Maason Bare. John Bowman
Mem D Hopkins. John G Brown. Jno R Beagles. Archibald
Hopkins. Reuben Huffman

Ordered that Thornton Thomas be appointed surveyor of Precinct No 1 of road No 33 in place of Geo Lohr

Malinda Bolton

Petff

vs

William Silley &

Deft

} In Chancery

It is ordered by the court that the decree previously rendered in this cause be so amended as to enable the sale of the land of George Silley dec^d be made on Thursday the 22^d day of June proximo and that commissioner Mooney be required to make his report at the next term of this court

Ordered that George Null be appointed surveyor of precinct No 4 of road No 18 in place of Isaac Long resigned

Ordered that John Miller be appointed surveyor of precinct No of road No in place of John Ponce resigned (Grattons Brooks Gap road)

Ordered that Umlcarpenter be appointed surveyor of precinct No 4 of road No 18 in the place of Alon Bailey

Ordered that Leheres Fridley be appointed surveyor of precinct No 1 of road No 59 in place of Peter Neff resigned

Ordered that Hugh Swoope be appointed surveyor of precinct No 2 of road No 31 in the place of Samuel Paul resigned

Ordered that Joseph Attaffer be appointed surveyor of precinct No 8 of road No 1 in the room of Martin Whitmore resigned

Ordered that Abraham Harrison be appointed surveyor of precinct No 1 of road No 42 in the room of Wm Sellers

Ordered that John Strickler be appointed surveyor of precinct No 1 of road No 2 in place of Daniel Bayle

Ordered that Levi Pirkey be appointed surveyor of precinct No 2 of road No 28 in room of Samuel Hanley

Samuel Sanger

vs
The State

} On a report of Master comr

This day Wm M K Martineau comr returned into court a report in this cause which is ordered to be filed

Reuben M Harrison

vs
Barley & Gandle of engineers

} Upon an appeal from the judgment of a justice of the peace. On Motion Docketed and continued

Daniel Huffman
vs
Jane Meperly et al

Plff
Def

} In Chancery

On Motion of the Plff. Littleton W. Gamble is assigned as guarantian ad litem to the infant defendants and a plea their answer to which the plaintiff replied generally and thereupon the cause coming on to be heard by consent of parties upon the bill & exhibits the answer of the infant Defs. by their guarantian ad litem and the replication thereto & the subpoenas having been returned executed more than one month upon Jane Meperly & John E. Mapey the bill as to then is taken for confessed whereupon the argument of counsel being heard the court doth adjudge order & decree that Edward S. Kemper George Bourman & Jacob Brierly who are hereby appointed commissioners for that purpose do assign to Jane Meperly her dower in the land in the bill mentioned & this cause is referred to a commissioner of this court to settle the administration account of John E. Mapey the administrator of Solomon B. Meperly to take an account of the debts & demands against his estate & the value of the real estate of said Meperly exclusive of the said dower & also report whether the rents of the real estate will discharge the debts in five years in executing this decree the commissioner will give notice by publication for four successive weeks in one of the Harrisonburg news papers & the said commissioner shall report to court in order to a final decree

Moses Joseph appellant
vs
John Sites appellee

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

On Motion of the appellant it is ordered that this cause be docketed and continued

Ordered that James Smith be appointed surveyor of precinct No 1 of road No 20 in place of James M. Lewis resigned

Ordered that Washington Jones be appointed surveyor of precinct No 1 of road No 17 in the place of David Burkholder resigned

Ordered that the overseers of the poor for this county bind out according to law Mary McGahey aged 7 years & 4 months daughter of Amanda Jane to Reuben May upon condition that May pay the sum of \$80. to said Mary when she arrives to the age of 18 years & also ordinary Education & Clothing

Ordered that ~~the overseers~~ of the poor for this county bind out according to law Sydney Kenney son of Mrs Kenney aged 4 years to Robert Yancey said Yancey pay to said apprentice when he arrives to the age of 21. the sum of \$85. and a freedom suit

Jones wife & Smith &	Plff	} In Chancery
vs		
Yost &	Deft	

This cause came on to be heard at this term of the court and it appearing that parties indebted consisting of D S Jones & S McLeunter & Navel Rogers ^(his security) Wm Rhodoffer & M G Jones his security & Ashland & Abraham Smith his security have not promptly ~~met~~ their payments due estate it is ordered that a rule be issued against them and all indebted that they shall make prompt payment against the next term of this court or shew cause why an attachment should not be issued against them that they shall pay the costs for ^{the} motion asking this order & all costs incidental thereto

Benjamin F Marts Gent. who wishes to obtain a license to practice as an attorney in the courts of this Commonwealth. The court doth certify that he hath resided in this county for the last proceeding twelve months that he is a person of honest demeanor and upwards of twenty one years of age

A Johnson presented in court an account against the Commonwealth for arresting & George McCauley amounting to \$26.47. which account was examined and allowed by the court and ordered to be certified to the auditor of public accounts

Ordered that Sanford Breedon Keenlee Breedon and Reuben Daniel be allowed each the sum of five dollars to be paid out of the County Levy

Ordered that John Harris be and he is hereby appointed a commissioner to sell so much of the Poor House tract of land as is embraced within the following boundaries viz Beginning at a black ^{mark} Mannings corner on a line of the poor house tract & with a line of the poor house tract to a corner in Mannings field & with the line of the same to where it intersects the present public road & with the road to the beginning containing 5 or 6 acres and it is ordered that said commissioner do sell said land to John Manning at the price of \$10 per acre

Ordered that the agent of the County pay to B. B. Ralston out of any unappropriated funds in his hands the sum of one hundred & forty dollars that being the amount which the said Ralston had previously been improperly ordered to pay to the overseers of the poor by an order of this court as the father of a base born child which child this court is now satisfied is a mulatto

Whereas at the last term of this court it was ordered that the sheriff of this County cause an election to be held on the 23rd day of May last for the election of a justice of the peace to fill the vacancy occasioned by the death of ~~Levi~~ May a writ of election was issued and upon which the sheriff made a return that an election was held & and that the polls were not properly kept & certified it is therefore ordered that an election be held to fill said vacancy on the 1st Saturday in August next and that the clerk of this court issue a writ for that purpose

Ordered that the place of holding an election at the House of Daniel Bryant in the S. Magisterial District be changed to the school house or some convenient place in the town of Dayton

Ordered that Peter Bierly of District No 1. Urmly Thompson of District No 3 and Joseph Burkholder of the 3^d District of the county of revenue be appointed commissioners for the purpose of rearranging and numbering all the public roads in their respective Districts in this county and giving to each road some proper name by which it may be known and that they lay off each of the said roads into fit and convenient precincts at No 16 and recommend some proper & fit persons to act as surveyor of each of said precincts and to assign to each such and so many tithables as they shall deem proper and necessary for the working thereof always assigning to said precincts the tithables most convenient which allotment of hands is to be made by designating the names of the owners of the plantations on which they may reside or if more convenient (by certain meets & bounds) all which is to be done upon the personal view of the said commissioners or on such information as they shall be able to obtain from the former and present surveyors of roads and that they make special report to this court as soon as they conveniently can and it is further ordered that said commissioners examine & ascertain if in their opinion there are any precincts or roads that are of no public utility and ought to be discontinued that they report the fact to the court.

a petition signed by a large number of the citizens of this county praying the court to refuse to grant any license to retail intoxicating liquors in the said county having been presented to the court and the same having been respectfully considered. It is ordered, as the opinion of this court, that inasmuch as this court is invested with no legislative power but is bound to execute the laws as they are enacted by the Legislature, it is not competent for this court to adopt such a resolution as that contemplated by the said petition, but it is the opinion of this court, that we are bound to hear such motions as may be presented to us for license to retail & spirituous liquors, and in the exercise of that sound discretion with which the County's Corporation Courts are invested by the law to decide upon each case as to the court shall seem right & proper.

On the petition of John Argenbright, Mo. McFarminick, Jo. McMill, Jacob Neff

Samuel Coots Hon. Wm D Maiden, Anthony Miller, John Stonespring, J & P
 P & Effinger & Evan Clinton ~~Attorneys~~
 who produced the sheriff's receipt for the tax imposed by law
 license is granted them to keep ordinaries at their houses in this
 County until the May Term next of this Court, the Court being satisfied
 that the said applicants are persons of good character, not addicted to
 drunkenness or gaming

On the petition of John W Lee, John Fultz, John J Marty, Catharine Lincoln,
 John Fugler, Madison Meest, Wm Pickering, Curtis Yates, Jacob Cole, Peter
 Hitch, Wm Perry, Sam Parr, Wm Eiler, Wm K Gailey, F D Gilmer, Wm Kandle, Wm D
 Bowman, J Rhoads
 license is granted them to keep houses
 of Private Entertainment at their houses in this County until the
 May Term next of this Court, the Court being satisfied that the said
 petitioners are persons of good character, not addicted to drunkenness
 or gaming

Al Byrd Sheriff of Rockingham County John Gordon & Simon
 J Harnsberger ^{his} Deputies, each returned in to Court list of Delinquents
 in the musters fines in this County for the years 1857, & 1858 & 1859, which
 list were examined by the Court & allowed & ordered to be certified to
 the auditor of Public accounts

Ordered that the Sheriff of this County permit the Ladies
 of the Old School Presbyterian Church to have the use of the Court house
 on the 2^d of July next for the purpose of holding a fair therein

On the petition of Harnsberger & Coffman, Franklin Pence, Shacklett &
 Bruffy, Ann Kemper, Nick J Mayerhoffer, Andrew Conck, J & P Effinger,
 Wm D Bowman
 who produced the sheriff's receipt for the tax imposed by law certificate is granted them to
 retail ardent spirits at their store 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 personification being granted

Upon the application of Jennings & Life & Daugherty & Burnett
 for leave to retail ardent spirits in this County, for reasons appearing,

to the court it is ordered that said application be rejected

✓ *St Nicholas* presented in court an account against the Commonwealth for mending & repairing amounting to \$940 which was sworn to examined & allowed by the court and ordered to be certified to the auditor of public accounts

Isaac Hufferman this day presented an account against the county for services as surveyor of a public road amounting to \$18.49 for which was allowed and ordered to be paid. and it is further ordered by the court that no allowance will hereafter be made for any repairs & rebuilding any bridge upon the said precinct

Upon the application of *Ervin Clinton* who produced the Sheriff's receipt for the tax imposed by law a license is granted him to keep a Bowling Saloon at Taylor's Springs until the May court next. the court being of opinion that he is a proper person to keep such Saloon

Ordered that the Sizing of the County Levy be continued until tomorrow

Ordered that the court be adjourned until tomorrow morning at 9 o'clock

S. M. Lewis

Wednesday June 21st 1854.

Present

Samuel S. Lewis, Of Isaac Hardesty, Henry T. Wartman, John A. Dice, Andrew Starch, Samuel Ruelus L. Robert Cotton, J. Rush, Wm. D. Yancy, Jno. Burkholder, Miller, Jno. Boyers, Dan. Harrison, O. Sterling, Sam. Miller, Samuel R. Spunkel, A. L. Wolf, Arch. Hopkins, J. Wm. D. Hopkins, Reuben Dove, Reuben Hufferman, Jno. G. Brown, Jno. J. Bowman, Mason Bare, Benjamin Hoover, Wm. C. Carpenter, Jno. A. Hemming, P. Phony, Isaac Thomas, Wm. R. Krogler, Jackson Herring

Gent
Justices.

Ordered that the Commissioners appointed by this Court to rearrange the public road in this County be ^{allowed} for their services \$2.00 per day while employed in carrying out said order.

Ordered that permission be granted to the corporate authorities of the town of Harrisonburg to sink a well on the land belonging to this County out side of the fence enclosing the Court yard.

Jones & wife & Smith &	Petty	} Machinery
Yost &	Deft	

It is ordered in this cause that the monies due upon bonds executed to Commissioners to Abram Smith & wife be applied as a credit upon the bonds executed by E. Ashman & wife Alm Smith and further that the rule ordered to be issued against said Shands & Smith be countermanded for the present.

Ordered that the pay of jurors in the Circuit & County Courts of this County be hereafter 75 cents per day to be paid by the County. This order is made in pursuance to the 33^d of an act of the General Assembly passed April 9th 1833.

The acting-Justices of the County having been summoned as required by the 40th section of Chapter 61 of the Code of Virginia and a majority being present the Court proceeded to consider the question of the subscription on the part of the County Court of Rockingham County to the Capital Stock of the Manassas Gap Rail Road Company and whereas at the term of this Court held in March 1833 an order was made by the Court requiring a vote to be taken to ascertain the sense of the qualified voters of the County upon the following question: "are you willing or not that a subscription of \$130,000 shall be made by the County Court of Rockingham on behalf of the County to the Capital stock of the Manassas Gap rail road Company upon the terms and conditions recited in the resolution adopted by a public meeting of the citizens of Rockingham County held on the 21st day of March 1833" and more than three fifths of the vote polled on that occasion having been cast in favour of

a subscription of the sum proposed when the terms and conditions recited in said resolution were complied with and it appearing to the Court that more than 1000 shares of the capital stock of said company ^{at \$50 each} have been subscribed for by individuals in Rockingham County and that said company has the means and ability with the aid of a subscription of 3000 shares of the stock of said company at \$50 per share on the part of this Court to complete the construction of their said road to Harrisonburg and therefore the conditions referred to in said order of March term 1853 have been complied with. It is therefore ordered that this Court do subscribe for 3000 shares of \$50 each of the capital stock of the Manassas Gap rail road company and that Robert Gratton esq. be appointed the agent of this Court to carry this order into effect and subscribe for that number of shares of said stock on behalf of the Court. But said subscription shall not be made by him until the work for the graduation of the entire line of said improvement from Strasburg to Harrisonburg shall be put under contract and of said subscription on behalf of this Court the sum of \$100,000 shall be made payable in instalments, as called for by the company but not payable until \$100,000 including the individual subscriptions already made in Rockingham shall be subscribed by individuals bodies or parties other than this Court and the state of Virginia and \$10,000 obtained or can by the company to the capital stock of said company payable in payments or instalments pari passu with the payments of the subscriptions of this Court and the whole of these sums to be appropriated for the purpose of graduating the road from Strasburg to Harrisonburg and the residue of the subscription of this Court viz \$50,000 shall be made payable in such instalments as may be required by said company when the graduation between these points shall have been completed.

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 taxable of the County be imposed for the purpose of meeting the interest on the bonds proposed to be issued by the County under the order of the Court this day adopted, which shall be collected by the Sheriff who shall receive a compensation

sation of three per cent for the collection thereof, and pay the same into the Bank of Rockingham subject to the order of Robert Gratten esq: agent of this court. and the commissioners of the Revenue for their county are required to open a separate column with the Sheriff books for the proper amount of the levy imposed by the foregoing order. and that said commissioners each receive the sum of \$20. for the duties imposed by this order.

The Court doth appoint George ~~Chickman~~ Allen & Bryan & Maason Bare ~~provis~~ to represent the stock of this county in the Manassas & railroad company in all meetings of the stock holders of said company.

The laying of the County Levy having been continued from yesterday until this day the Court proceeded to lay the levy for the year 1854 the justices having been summoned for that purpose. and a majority being present. the Court thereupon proceeded to lay the levy for the year 1854 as follows to wit

(Estimate of actual and probable expenses & receipts of the County & Parish) To amount of claims allowed & appropriations made by the overseers of the Poor	\$1902.22
To pay Steward of Poor House for quarter ending 30 th June 1854 say	350.00
Claims allowed & appropriations made by Court this day	1745.95
Allowance to County officers	680.00
Juries & Justices (pay of) say	1200.00
Amount due agent on his account this day	303.92 1/4
Allowance to agent of the County	100.00
Estimated number of delinquents 600 @ \$1.40	840.00
Sheriff's commission for collecting levy	410.08
Balance supposed to be sufficient to meet expenses of Poor at Poor House & to meet contingent expenses of County & Parish	1664.21 1/2
	\$9196.44 3/4

To meet which there are the following means
 for

By balance due from agent of overseers of Poor on his acc	\$87 13 $\frac{3}{4}$
" 3282 Lewis @ \$1.40	764.80
" payments on old jail due April 1833 1834 & 1835-	600.00
" balance due from Sheriff on levy of 1833	234.57
~~payment on Sheriff~~	~~600.00~~
	<u>\$9196.44$\frac{3}{4}$</u>

Ordered that the Sheriff of this County collect from each tithable in the County not exempted by law one dollar & forty five cents sixty pie cents of which shall be appropriated to the County and eighty cents to the parish and out of the monies arising from such collections pay the claims allowed by the County & Parish to the persons entitled thereto at the time directed by law and the balance after making allowance for delinquents & commissions pay to the agent of the County & Parish.

Upon the application of Gordon Rice who produced the Sheriff receipt for the tax imposed by law. certificate is granted them to retain ardent spirits at their store in this county. It is ordered to be certified that they are persons of good character and that the Court sees no objection to granting said permission

Ordered that Isaac Heardesty agent for this county be authorized to have any repairs ^{made} he may deem necessary to the Clerk's offices of this county

Upon the application of Samuel Miller who produced the Sheriff receipt for the tax imposed by law. a license is granted him to keep a house of private entertainment in this county until the next term next of this Court. the Court being satisfied that the Miller is a man of good character & not addicted to drunkenness or gaming

Ordered that the Sheriff of this county hire out according to law the following named free negroes who have not paid the ~~State~~ County tax imposed upon them namely Samuel Bryan Samuel Straker Sandy Bird & John Amos

It is ordered that Robert Gratton Erasmus Coffman and E. Marshall be appointed agents of this county to execute guaranty bonds of the County, which bonds shall carry six per cent interest payable semi annually in January & July with coupons attached for interest payable in the City of New York or elsewhere for such portion of said bonds as said agent may deem advisable the principal of said bonds redeemable at the expiration of twenty years with power to said agents to dispose of said bonds in such sums and on such terms as they deem judicious and proper to raise the sum requisite to meet the instalments or requisitions on the stock which shall be subscribed for on behalf of the Court and county of the Capital stock of the Manassas Gap railroad Company as the sum may be required by the Company in conformity with the order this day entered by this Court

Thomas & Harnsberger Jehu Gordon & Simeon J Harnsberger
Deputies for As Byrd Sheriff of this county returned into court
lists of Delinquents in the County of ~~Franklin~~ Lewis which being
sworn to was examined & allowed by the court & ordered to be
filed

Ordered that the sum of six hundred dollars be apesed on the Sheriffalty of this County to be paid by AS Byrd Shff (for the year ending June 1833) and that the agent of the County collect the same and credit it to the County of Rockingham.

Ordered that the ~~vote~~ order of the justices on yesterday granting license to J. H. P. Effinger to retail ardent spirits in this county be reconsidered. and thereupon said J. H. P. Effinger appeared by counsel & sundry witnesses being sworn and examined. It is ordered that the order of yesterday be affirmed and the license granted.

On the Motion of Daugherty & Burnett who applied on
yesterday for a certificate to ~~get~~ retain ardent spirits
which was rejected the ^{order} ~~making the refusal~~ ^{of application} is ~~reversed~~
and a certificate is granted them to retain ardent
spirits at their store in this county. It is ordered to be
certified that they are men of good character & that the
Court sees no ~~objection~~ ^{objection} to granting such permission

Ordered that the Court be adjourned until the third Monday of July, next

L. H. Lewis.

Virginia Court

At a Court held for Rockingham County at
the Court house thereof on Monday the 17th day
of July 1854

Present

Samuel H Lewis Pf. Isaac Hearnesty
John R Koogler Archibald Hopkins J. } Gent Justices
Wolgratten

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 1854 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

June Deeds

- 1 of A Deed for Land from Benjamin H Waacke to Samuel H Cartman
- 1 of same from Wm P Kyle to John C Woodson. In trust for Martha A Kyle
- 1 of same from A R Fout & trustees to Elijah W Jones
- 1 of same from Elijah W Jones wife to Sarah J Leake
- 1 of same from Andrew B Brick wife to Elizabeth C Beers
- 1 of same from Henry Sipe wife to Nicholas Miller
- 1 of same from John Stonberger wife to David Lincoln
- 1 of same from Joseph Tolly wife to Henry A Showalter
- 1 of same from Samuel Sheets wife to Jacob Long
- 1 of same from same to Rechy Sheets
- 1 of same from Henry Kyle wife to Allen L Bryan
- 1 of A Dispendous John W C Houston & Deff as James M Johnson & Deff
- 1 of A Deed for Land from David Weise wife to John M Smith
- 1 of same from James Baker wife to Jacob T Beery
- 1 of A Deed for Personal estate from Jeremiah McCarduce to John W McElhorn In trust for A H Cook
- 1 of A Deed for Land from John A Daffer wife to Adam Ramsburg
- 1 of same from Henry Ratz wife to John A Daffer
- 1 of same from Allen L Bryan wife to Abraham S Byers
- 1 of same from Joshua Jennings wife to Harrison Derron
- 1 of same from Eli H Kuntz wife to Peter Derron
- 1 of same from Jacob Driver wife to Jonathan Trunk
- 1 of same from John Hackley to Jacob Hackley
- 1 of same from Austin Blakely wife to Elias G Hall

- 1 of Deed for land from Ezekiel Bryan wife to Jonathan Hunt
 1 of same from Henry Higgins to Jacob D. Williamson
 1 of same from John Reed to Reuben Riggelman
 1 of same from Frederick Huch wife to Benjamin Bierly &
 1 of same from Joseph Holland to Joseph Hleatwole
 1 of same from Henry Baker to Jacob Baker
 1 of same from Jacob Driver wife to Benjamin Driver
 1 of same from John Hleatwole to John Hleatwole
 1 of same from Joseph Hleatwole wife to Solon Pl. Hleatwole
 1 of same from John Hleatwole wife to David Hleatwole
 1 of same from Robert W. Palmer wife to Geo. W. Hleatwole
 1 of same from Leffman & Robinson's exors to Simon Hartman *see Hartman*
 1 of same from Augustus Rice contra to William R. Speck
 1 of same from Elizabeth Teflinger to Harvey Kyle
 1 of same from Algray to Giles Dever
 X Deed of Emancipation from John H. Austin to Aaron

Settlements of the estates of Margaret Bazzle dec^d George Conrad dec^d
 Jacob Bourman dec^d & Jonathan Selamy dec^d were returned into court
 by the clerk thereof and having been filed in the office for the time
 prescribed by law were examined and ordered to be recorded

Settlement of the accounts of the Guardians of Christian Leitch &
 Benjamin Leffman & John B. Whitmore were returned into
 court by the clerk thereof and having been filed in the office for
 the time prescribed by law were examined and ordered to be recorded

Accounts of the debts of the estates of Peter Paulsel dec^d together with
 a settlement of his estate & same of the estate Franklin Horn dec^d
 were presented in court and having been filed in the clerk's office
 of this court for the time prescribed by law were examined and ordered
 to be recorded

Ordered that an account of George & C. Fitzer against the estate
 of Peter Paulsel dec^d amounting to \$8.82 be included & made a
 part of the account of debts of his estate this day ordered to be recorded

An Instrument of writing purporting to be the last will & Testament of John Shafer, Jr. dec'd was presented in court and proved by the oaths of H. Bouman, Michael Beckline & M. B. Linsden, the subscribers, witnesses thereto, and on the motion of Abigail Shafer it is ordered to be recorded.

Upon the petition of ~~Geo~~ Harrison Bateman for the establishment of a road. This day the Viewers made their report as follows to wit: "To the Court and on the motion of the petitioners it is ordered that Geo W. Eutsler be summoned to appear here at the next court to shew cause if any he can why said road shall not be established through his land according to the report of said Viewers."

Reuben W. Harrison Guardian for Francis Harrison infant of Nathaniel Harrison dec'd. It is ordered that said Guardian pay the fee for Medical attendance on said ward amounting to \$20, which will consume part of the principal.

A. Vanpest, this day presented in an account against the Commonwealth which account was examined, allowed by the Court and ordered to be certified to the Auditor of Public Accounts.

Plt Palmer, O. P. Ind. Dist.		Deft	} On a Motion
vs			
Geo W. Eutsler, Amos Scott & Harrison Bateman	}	Defts	

This day came the parties by their attorneys, and upon the motion of the plaintiff's attorney, judgment is granted against the defendant Eutsler for Twenty one dollar & fifty six cents with interest from the 17th June 1854, till paid, and the costs ^{the Deft} by him about his motion in this behalf expended.

Ordered that Andrew A. Vines be appointed surveyor of Precinct No. 5 of road No. 1 (Graham's Brook's Gap road) in the place of Durine Detrick.

An instrument of writing purporting to be the last will and testament of Joseph Smith Jr. dec^d. was presented in court and proved by the oaths of Thomas D. Beall & Isaac G. Hoffman the subscribing witnesses thereto and ordered to be recorded and on the motion of Crawford C. Strayer the executor therein named who made oath thereto according to law. and together with Jacob Strayer his security (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 Crawford C. Strayer for obtaining a probate of said will in due form. and it is ordered that ~~Alfred~~ ^{Wm} Stevens, John J. Harnsberger and Henry B. Harnsberger or any three of them do appraise the estate of Joseph Smith Jr. dec^d. and report to the court according to law.

On the motion of James Bolton who made oath thereto according to law. and together with Peter Neff his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500⁰⁰ conditioned as the law requires. certificate is granted the said James Bolton for obtaining letters of administration of the good chattels and credits of Silas Correr dec^d. in due form. and it is ordered that Samuel Bolton, Riley Armentrout, Washington Lites & Strother Bright or any three of them do appraise the estate of said Silas Correr and report according to law.

Margaret Rains orphan of ^{Rains being upwards of} fourteen years of age appeared in court and with the approbation of the court made choice of ^{as her guardian} Wm. B. Bowyer who together with Edward T. Allstott his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$200 conditioned as the law requires. ~~in due form~~

Malinda Bolton & ^{vs} William Kelley & } Chancery
 Off. }
 Cts

The Court doth adjudge order and decree that the decree of this Court as rendered at its March Term 1854 and amended at its last June Term shall be so altered and amended as to read as follows. The sale shall take place on the 8th day of August next and \$200 of the purchase money to be paid on the 1st day of Sept 1854. one half of the residue to be paid on the 1st day of Sept 1855 and the remainder on the 1st day of Sept 1856 with interest from the time at which the first payment becomes due

An Instrument of writing purporting to be the last will and Testament of William Hammer decd was presented in Court and proved by the oaths of Hiram A Kite and John Richards the subscribing witnesses thereto and ordered to be recorded, and on the motion of Conrad H Kite the executor therein named who made oath thereto according to law and together with Hiram A Kite, Joseph Conrad & Geo Miller his securities (who qualified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000⁰⁰ conditioned as the law requires certificate is granted to the said Conrad H Kite for obtaining a probate of said Will in due form. Ordered that Wm D Caverson Daniel Baugher, John Argonbright & Hiram A Kite or any three of them do appraise the estate of said Wm Hammer decd and report to the Court according to law.

Ordered that the Clerk of this Court register George Lewis decd in his office according to law. said George Lewis is five feet 10³/₄ inches high about 25 years of age. Color Black. No scars & marks visible.

An Instrument of writing purporting to be the last will and Testament of Jared Pounce was presented in Court for probate by Charles Yancey the executor therein named and thereupon came Henry Cook & Turner Shiflet to resist the probate of said will and on their motion said will is docketed and continued until the next term, and thereupon the Court doth appoint Charles B Yancey curator of the estate of said Jared Pounce decd and thereupon the said Charles B Yancey together with Thomas K Harnsberger & Robert LeMauch his securities

(who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$3000 conditioned as the law requires which bond is ordered to be recorded

On the petition of Samuel Erwin, Mem Britt, Jeremiah Doomy & Henry Booy. It is ordered that they have leave
 ✓ to close a road commencing at the Lawyers road on the top of the hill to its intersection with the Rockingham Turnpike they having complied with the law in such cases, provided

Ordered that Lewis Long, Joseph Baugher, William D Maiden & Hiram A Kite or any three of them being first sworn for that purpose do appraise the estates of Jared Preece dec^d and report to the court according to law

An Instrument of writing purporting to be the last will and testament of Elizabeth Herrington dec^d was presented in court and proved by the oaths of George H. Christman & George Christman two of the subscribing witnesses thereto and ordered to be recorded, and on the motion of John A. Herrington the executor therein named who made oath thereto according to law, and entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires. It appearing from said will that the testatrix has requested that no security should be required of her said executor, the court seeing no cause from its own knowledge or from the suggestions of others to require security the court accordingly requires none

Ordered that the overseers of the poor for this county bind Susannah Blatterbuck aged 12 years daughter of Blatterbuck to John Bowman, until she attains the age of 18 years, said Bowman to pay the sum of \$50 when she is 18 years of age & to learn her the business of house keeping. The father of said girl may make this order null and void by protesting in writing within thirty days

Ordered that the overseers of the poor for this County bind out according to law ~~John~~ Thompson, son of Ly Thompson, aged eight years last October (1833) to be bound to Mary K. Soflander, the said Mary K. Soflander to pay said apprentice the sum of \$200⁰⁰ when he arrives to the age of 21 years

Robert S R Beard & J. B. Beard appellants
vs
Benj. Johnson & ad appellees } Upon an appeal from
The judgment of Justice of the peace

This day came the parties by their attorneys, and summary witnesses being sworn and examined, the court upon mature deliberation are of opinion that there is no error in the judgment of the justice, it is therefore considered that the judgment of said justice be affirmed and that the said Johnsons admit to recover against the said Robert S R & James Beard ^{& Geo W. Leutscher their security in office of peace} the sum of \$12.91 with int from the 17 to 21 Aug 1850 and \$3.30 costs before said justice with damages ^{what the appellant opp^d for} thereon at the rate of 10 per centum per annum from the said 21st August 1850 to be paid and the costs by the appellees in this behalf expended.

John Keester Plaintiff
vs
Jacob Fultz Defendant } Unlawful Detainer

This day came the parties by their attorneys, and the ~~Def~~ by his attorney pleads "not guilty", and thereupon came a jury to wit, Jacob Bruenk, Peter S. Roller, Jesse Ralston, George Shuerman, James Bolton, Solomon Burtner, Enos Keezle, Zachariah Rains, John M. Harffman, Reuben St. Claffer & George Nicholas & Jas Harris who were elected tried and sworn the truth to speak upon the issue joined, and the jury having heard the evidence retired from the bar to consider of their verdict, and after some time returned into court and not being able to agree upon a verdict Jas Bolton one of the jurors is withdrawn & the balance from rendering an verdict & the cause continued

Ordered that the Court be adjourned until ~~tomorrow~~
morning at the next term

St. Lewis.

Virginia Court

At a Court held for Rockingham County at the
Court house thereof on Monday the 20th day of August
1854 (that being the third Monday in the month)

Present

Samuel H. Lewis J. J. O. Sterling J. Gent
Michael H. Harris J. J. No Burkholder J. 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
June last, which being seen and inspected is ordered to be entered
on the ~~minutes~~ as follows to wit

July
Deeds

- 1 of A Deed for land from Henry Empeville wife To Fortunatus S. Selley
- 1 of same from Jacob Strayer wife To Charles S. Weaver
- 1 of same from Margaret Houston To Jacob Bicerly
- 1 of same from same To Jacob Early
- 1 of same from same To Elijah Huffman
- 1 of same from James M. Hutton To B. F. Walker Trust for Jas. Walker
- 1 of same from Thomas Chapman To Adam Chaffin Trust for Becker & Byrd
- 1 of same from Samuel Viggart wife To Augustus Rice
- 1 of same from Mansfield Marshall wife To James D. Whitwell
- 1 of same from ^{for Baptist} Memoirs To Charles Lewis Trust for Clifton & Murry
- 1 of same for land from Samuel Wampler wife To Benjamin Wampler
- 1 of same from Daniel Glick wife To Samuel Bowman
- 1 of same from same To Reuben Sellers
- 1 of same from Simon P. Saunders wife To William R. Leavies
- 1 of same from John Bowman wife To David Beas
- 1 of same from Catharine Hept To Addison Harper
- 1 of same from Franklin Taylor To L. R. Allebaugh Trust for R. H. Harrison

- Of A Deed for land from Elizabeth Randal To Meriam Randal
 Of Same from Hugh Ervine & Co To Robert Black
 ✓ of Same from Jane McGlennte. To Jacob Andrew
 ✓ of Same from Michael E. McLaughlin To Henry Shull
 Of Same from Jas Taylor to Herrod Hornum. Indent for Mich Hornum &

Settlements of the estates of Jacob Brice decd. John Stephens decd.
 Henry Miller decd. William Houston decd. James Eddins decd.
 were presented in court by the Clerk thereof and having been filed
 for the time prescribed by law. were examined by the court and
 ordered to be filed & recorded

Settlement of the guardian accounts of Miss Beatty Caroline Steffen
 Jos. Huffman, Samuel Flora, Barbara Ann Corist, Rich. S. Mansfield
 Melvina Stephens & Peter Keeler. were presented in court by the
 Clerk thereof and having been filed in his office for the time
 prescribed by law. were examined by the court and ordered
 to be recorded

Hiram Goliday appellant
 vs
 Livingston Johnson appellee
 On Motion Docketed and continued until the
 next term

David Armentrout appellant
 vs
 Andy & Centon appellee
 On Motion Docketed & continued

On Motion of Geo. Bruffy
 In W. Bannum, who has been duly drawn & summoned as a juror
 appeared in court and for reasons appearing to the court it is ordered
 that he be discharged from service during the present term

On the Motion of Martin Burkholder Sr. adminr of Frederick G.
 Miller decd. It is ordered that the receipt of Jesse Burkholder

~~And~~ this day filed by said adm^r be recorded

Ordnation of David Rop who made oath thereof according to law and together with John Dearnphell his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of \$300. conditioned as the law requires certificate is granted the said David Rop for obtaining a certificate of administration in due form of the goods and chattels of Samuel See dec^d. appearing from the evidence of a witness sworn in court that the widow of said Samuel See relinquishes her right to administer. It is ordered that Peter D. Roller, George Sherman, John F. Craun & Andrew Lago do appraise the estate of Samuel See dec^d.

Benjamin F. Martz who has been duly licensed to practice as an attorney in the courts of this Commonwealth appeared in court and took the several oaths required by law. he is permitted to practice as an attorney in this court

By consent of parties the Settlement of the estate of Jacob Brill dec^d made by court Charles Lewis. It is ordered that that said settlement be recommitteed to said court

Col. Kite & Men & Hearnick counters of the revenue for this county. presented in court accounts against the Commonwealth which accounts were sworn to allowed and ordered to be certified to the auditor of public accounts

Ann E. Moyers & Frances Moyers orphans of Daniel Moyers dec^d being upwards of 4 years of age appeared in court and with the approbation of the court made choice of James D. Beard as their guardian thereupon the said James D. Beard appeared in court and together with Richard S. Mansfield his security (who justified as to his sufficiency entered into & acknowledged a bond in the penalty of \$500 conditioned as the law requires

H. W. Harris vs. Sarah P. Wendle upon an attachment docketed for

The members of the bar practicing in Harrisonburg desiring to express their sincere regret at the death of James M. Collins esq. late a member of said bar, and to place a memorial of the esteem in which they held him on the records respectfully ask that this preamble and the following resolutions be entered on the minute of the Court

Resolved: That our deceased brother from his high moral character amiable disposition and untiring industry had won our fullest confidence and regard, and we deeply regret that one so virtuous and full of promise has been cut down as it were, just as he was entering the vestibule of manhood. Resolved that we deeply sympathize with his family and tender them our condolence. Resolved that we will wear the ~~badge~~ usual badge of Mourning for thirty days. Resolved that the Clerk of the Court transmit a copy of these proceedings to the family of the decedent.

Harrison vs. Barley upon an appeal on motion this cause is dismissed

An instrument of writing purporting to be the last will and testament of Jacob Rhodes dec'd. was presented in court and proved by the oath of Peter Heenton the only subscribing witness thereto, and the said Peter Heenton & John Sibert were sworn and severally deposed that they were well acquainted with the testator's hand writing and verily believe the said writing and the name thereto subscribed to be wholly written by the testator's own hand whereupon the said writing is ordered to be recorded as the true last will and testament of the said Jacob Rhodes, dec'd. and on the motion of Cyrus Rhodes one of the executors therein named who made oath thereto according to law, and together with Erasmus Rhodes, Jacob Barley, H. Allen & Bryan his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$30,000. conditioned as the law requires, certificate is granted the said Cyrus Rhodes for

obtaining a probate of said will in due form. Erasmus Rhodes the other executor named in said will appeared in court & refused to take upon himself the burden of the execution thereof. It is ordered that Jacob Barley, Peter Heenton, Peter P. Hoots & Wm Sellers or any three of them do appraise the estate of said Jacob Rhodes dec'd.

An Instrument of writing purporting to be the last will and testament of John Turner dec'd was presented in court and proved by the oaths of Rd Maupin & Joseph Riddle two of the subscribing witnesses thereto, and ordered to be recorded and on the motion of Benjamin Trumbo the executor therein named who made oath thereto according to law and together with Abraham Brenaman 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 Benjamin Trumbo for obtaining a probate of said will in due form. and it is ordered that Abraham Brenaman, Isaac Riddle, Jacob Turner & Isaac Thomas or any three of them do appraise the estate of said John Turner dec'd.

On the motion of William W Hook who made oath thereto according to law and together with Fountain M. Layton 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 William W Hook for obtaining a certificate in due form of administration upon the goods and chattels of John Hook dec'd. and it is ordered that Madison Huey, Wm Mayerhoeffer, Joseph Altaffer & Peter Showalter or any three of them being first sworn do appraise the estate of said John Hook dec'd.

On the motion of Thomas Marshall who made oath thereto according to law and together with Henry E. Lipe his security who justified as to his sufficiency entered into and acknowledged

alone in the penalty of \$200 conditioned as the law requires
 certificate is granted him for obtaining letters of administration
 in and form of the goods and chattels of Ann Marshall dec'd
 and it is ordered that Lewis Long Joseph Bangher & John Merant
 do appraise the estate of Ann Marshall dec'd

Upon the petition of Enos Keeze setting forth that he is the
 owner of a saw mill and chopping mill useful to the public
 on Cub run in Rockingham county near the village of Keegstown
 and that a few feet of one end of the dam at the Eastern end
 of the dam not exceeding 4 or 5 feet which has been erected by
 your petitioner for the purpose of supplying the said machinery
 with water is on the land of Charles Nicholas but the said dam
 does not overflow any of the land of said Nicholas and further
 that he has cut a ditch or race of about 2 feet in width to conduct
 the water from said dam to the forebay near the machinery
 and about one hundred yards of the course of said ditch
 or race commencing at the dam and extending downwards
 about that distance the same is cut through land in which
 your petitioner this wife have a life estate and the petitioner
 own children & reversionary interest and praying that a
 writ of ad quod damnum may be awarded. It is ordered
 that Lemuel Carpenter be appointed guardian ad litem for
 the infant heirs & children of said Enos Keeze and said
 Carpenter appearing in court and waiving the usual notice
 and it appearing that Charles Nicholas has had legal notice
 of this application. It is ordered that a writ of ad quod damnum
 be awarded him ^{according to law} to be directed to the Sheriff of this County
 to be executed on the day of next and
 returnable to the next court thereafter

Commonwealth

vs

Joseph Riddle

} upon an indictment for a FB

This day the defendant appeared in court and with the
 consent of the attorney for the commonwealth confessed judgment

for one cent damages. and the costs experienced in prosecuting said indictment.

David Powell vs Cook & Shiflett On Motion continued for Defts

On the petition of Harrison Bateman & for the establishment of a road. the summons last awarded by Geo W Eutuler not being returned executed it is ordered that a new summons be awarded against him returnable to the next court

Connech vs Bull fragment confessed for costs

On the motion of Mary Moyers. It is ordered that Peter Acker Delittleffman Richard S Mauphin & John L Borman do a sign to the said Mary Moyers dower in the lands of which her ~~late~~ husband David Moyers died seized and possessed

It is ordered to be certified by this court being a court of record with common law jurisdiction and a seal that it has been sufficiently proved to the satisfaction of the court that Paul Shreckhise & Barbara his wife, John Baugher, Christian Switzer, Garret Morris, Samuel G Baugher, Daniel Baugher, Asa Baugher, Amanda Maiden Mary Pondalusk, Myrinda Moyers, Julia A Baugher, Barbara Baugher, Albert Baugher, Jacob Baugher, Ann M Baugher, Catharine Baugher, John Mayant & Elizabeth his wife are the only heirs of Daniel Baugher deceased late of this county. The said Daniel Baugher as a assignee of Nathaniel Clausdy being entitled to Virginia Military land warrant No 6131 for 100 acres of land the same having issued to him as appears by the original warrant of date December 30 1813

Porchy H Wheeler Guardian

vs

Elisha Bryan &

Plffs

Defts

In Chy

On Motion Littleton W Gamble is appointed Guardian ad litem for the infant defendants in this cause. and thereupon said Littleton W Gamble Elisha Bryan each filed their answers to the Plaintiffs bill in this cause

William A Conrad Foreman, Lehu W Bear, David S Jones
 Jacob Byra, Henry Rhodes, Anthony Rhodes, Henry Beery
 Abraham Carman, Jacob Long, Christian Site, William
 Seelers, Samuel Sheets Jr, Henry Sheets, Wm Naglerod, Joseph
 Dove & Abraham Brenaman, were sworn a Grand jury of inquest
 for the body of this county, and having received their charge withdrew
 and after some time returned into court, and not having time to
 dispatch all the business before them are adjourned until
~~Wednesday~~ ^{Wednesday} morning at 10 O'clock

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

S. H. Lewis

Tuesday August 22nd 1854

Present

Samuel H Lewis Jf. O. Sterling } Gent
 W H Harris & John Burkholder } Justice

It is ordered that the clerk of this court register the following
 free negroes viz Robert & Sampson born May 17th 1845. has three
 moles on the left side of his face. four feet 6 1/2 inches high. curly
 hair & of mulatto complexion & born free in the County of Rockingham
 Albert Francis born June 18 1845. has a scar on the right eye
 brow & a small mole on the left side of his nose also a small one
 on his left cheek. four feet one inch high. of bright mulatto
 complexion & Douglas Frances born April 9th 1851. no marks
 or scars. three feet high. white skin. with straight hair. all
 of whom were born free in the County of Rockingham

Prachy Wheeler Guardian of Louisa N
 William H Wheeler

vs

Elisha Bryant & the said Louisa

} Plaintiff

} In Chancery

} Defendants

This cause came on this day to be heard on the bill

and exhibits filed therewith and the answers of the defendants with general replication thereto and was argued by counsel. On consideration whereof and by consent of parties, it is adjudged and ordered that Allen W. Brown, John A. Gleaming, Solomon Garber & James Williams be and they are hereby appointed commissioners whose duty it shall be after being first sworn to view & examine the dower lands mentioned in the bill of proceedings and report to this court whether in their opinion the interest of the infant parties will be best promoted without detriment to the rights of others by dividing & laying off their joint share of one ninth and selling it separately from the rest, or by ascertaining and fixing the value of the same in its undivided condition at which valuation the defendant Bryan agrees to take it and if they are of opinion that the first suggested course will be best, that they will ascertain and fix the value of said share, and the said commissioners may if they see proper examine witnesses on the subject referred to them.

It appearing that there is not the requisite number of jurors present of those drawn. It is ordered that the sheriff summon six additional jurors.

John's wife & Smith's wife
vs

Plffs

Yost's heirs

Defts

} Mr. Ky

This cause came on again to be heard at this term and J. M. Siggett the commissioner in the cause tendering his resignation it is ordered that the same be received and S. M. Sumner on his giving bond with the proper security before the clerk of this court be appointed in his stead with all the authority and powers vesting in him at his resignation or any preceding commissioner. It is further ordered that the balance of \$58.50 cents be paid by said Siggett to commissioner appointed in his stead in convenient time with interest from the first day of July court 1857.

On the motion of Abraham S. Byrd Sheriff of this County Charles A. Vandear is admitted as his Deputy, who thereupon appeared in court and took the several oaths prescribed by law the court being of opinion that he is a man of honesty and good demeanor which is ordered to be entered of record

David Ramsburg Plff
vs
J. McLawford & Defts } Upon a petition & for the establishment
of a Dam by the Plaintiff.
This day ^{came again} the Plaintiff as Fountain Mc Layton by his attorney and sundry witnesses being sworn and examined and the Court not having time to hear the argument of counsel the cause is continued until to morrow morning.

Ordered that the Court be adjourned until tomorrow morning at 9 O'clock

S. H. Lewis.

Wednesday August 23^d 1854

Present

Samuel H. Lewis J. Obsterling } Genl
M. H. Harris & John Burkholder } Justice

Ordered that the Clerk of this Court register according to law Margaret Ann Harrison age 15 years, large scar on her right elbow height five feet 4 1/4 inches, color dark mulatto, hair nearly straight and black, a Negro was born free in this County

David Ramsburg Plff
vs
J. McLawford & J. Mc Layton Defts } Upon a petition &c. by the plaintiff
to establish a dam for the purpose
of propelling machinery useful to the public
This day came again the parties by their attorneys and the Court having fully heard all the argument of counsel and all circumstances being weighed, It is ordered that the request of Jury

which is in the words "this is" be made ~~part of the~~ record, whereupon on consideration of the inquest aforesaid, and upon the evidence adduced and argument of counsel and all circumstances being weighed, it is ordered, that the said David Ramsburg have leave to build the said ~~mill~~ mill, woolen factory and other machinery and dam, and that he be once seized in fee simple of the acre of land located in the said inquisition mentioned, and upon the conditions therein set forth, upon his paying the valuation of the said acre of land, and the damages found by the jury to the several parties entitled thereto, and judgment is granted the said David Ramsburg for his costs by him expended in prosecuting said writ of ad quod damnum from and after the return of the inquest by the sheriff upon the second writ

^{vs Robert Bowman}
 Robert Alpay who have been duly summoned to attend this Court as jurors being solemnly called and not appearing, it is ordered that they be summoned to appear here on the first day of Nov. term next to shew cause if any they can why they shall not be fined for such their contempt

James Kearney & B. F. Richard who have been duly summoned to appear here on this day as witnesses to give evidence before the Grand Jury being solemnly called and not appearing it is ordered that they be summoned to appear here on the first day of Nov. term next of this Court to shew cause if any they can why they shall not be fined for such their contempt

Commonwealth

vs

Albert Parker

} Upon an Indictment for retailing
 } ardent spirits

This day came as well the attorney prosecuting for the comth as the Defendant by his attorney and thereupon came a jury to wit, John Carvine, Samuel Miller (Jm) Rudolph Moyers, Reuben Altaffer, John Smith, Benjamin D. Bowman, Samuel Moyers, John Swank Sr., Samuel Frank, Joseph Vupel, Robert Black & Henry Euler who being elected, tried and sworn to try 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 do say, 'with
jury find the Deft not guilty' and judgement accordingly

The Grand Jury sworn on Monday last appeared in court according to their adjournment and were sent out of court and after some time returned and presented: an Indictment against Samuel Miller Jr for a T.A.B. "false bill". an Indictment agt Adam Seaside for retailing ardent spirits without license a true bill. an Indictment agt Jordan Blankenship for injuring & defacing personal property a true bill an Indictment against James Long for Petit Larceny a true bill. An Indictment vs Henry Freed for T.A.B. a true bill. an Indictment agt J. Blosper T.A.B. a true bill. an Indictment against Jonathan Christ for a T.A.B. a true bill. an Indictment against Adam Seaside for retailing ardent spirits without license a true bill. an Indictment against Adam Seaside for retailing ardent spirits without license a true bill. an Indictment against Washington O'Rorick for retailing ardent spirits without license a true bill. an Indictment agt Joseph Ribble for exhibiting a Faro Bank a true bill. an Indictment agt Washington O'Rorick for retailing ardent spirits without a license a true bill. an Indictment against Joseph Blosper for T.A.B. a true bill. an Indictment against Washington O'Rorick for retailing ardent spirits without a license a true bill. an Indictment against Adam Seaside for retailing ardent spirits without license a true bill. an Indictment agt Adam Seaside for retailing ardent spirits without license a true bill. an Indictment against Washington O'Rorick for retailing ardent spirits without a license a true bill. an Indictment agt Melrick Wittich for retailing ardent spirits without license a true bill. an Indictment agt Melrick Wittich for retailing ardent spirits without a license a true bill. an Indictment against Melrick Wittich for retailing ardent spirits without license a true bill. an Indictment against Melrick Wittich for retailing ardent spirits without license a true bill. an Indictment against Melrick Wittich for retailing ardent spirits without license a true bill. an Indictment agt Melrick Wittich for retailing ardent spirits without license a true bill. an Indictment agt Melrick Wittich for retailing ardent spirits without license a true bill. an Indictment agt Thomas Brighton for playing at Faro Bank a true bill. an Indictment agt Decker

An Indictment agt LeGrand Sampson for retailing ardent spirits without license a true lico & an Indictment against LeGrand Sampson for retailing ardent spirits without license a true lico. and then the said LeGrand jury, having nothing further to present were discharged and it is ordered that the several persons this day Indicted be summoned to appear here on the first day of the next term next to answer the indictments aforesaid

Commonwealth vs Mielebarger. the capias last awarded against the defendant in this cause not being returned executed it is ordered that a new capias be awarded against him returnable to the next quarterly term of this court

Commonwealth vs Jas Long Not guilty plea & cont 2

Commonwealth

vs
Albert Seigler

} 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. and thereupon came a jury to wit Benjamin D. Bowman John Smith Wm Zailer, Samuel Frank, Robert Black, Rudolph Mayers Hammon O'Hahn, Wm F. Smith, Isaac Klepp, John Swank W. Sam Myers & Philip Miller, who being elected tried and sworn to try the issue joined who having heard the evidence retired from the bar and after sometime returned into court and upon their oath do say, we the jury the defendant Not guilty and judgment accordingly

Commonwealth

vs
Levi Shoemaker

} Upon a Indictment for retailing ardent
spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit Reuben Altaffer John C. Ervine Abraham Andes Samuel Miller Jm Wm Kelley John Kovitz Hearsey Wise, Joseph Grifel, Peter Henton, John S. Heatwoole Wm Gay & Peter Meff who being elected tried and sworn the truth to speak upon the issue joined upon their oath do say, we the jury find the Defendant

guilty". Therefore it is considered by the court ^{that} the Commonwealth recover against the Defendant \$20 the fine imposed by law, and the costs experienced in prosecuting this indictment

Commonwealth

vs } Upon an Indictment for
Washington O'Rourke & Hannah May } Serious Corroboration

This day came as well the Attorney prosecuting for the Commonwealth as the Defendants by their attorney. (the deft by their attorney at a former ^{term} filed a demurrer to the indictment in this cause) whereupon the matters of law arising upon the demurrer of the defendant to the indictment being argued, it seems to the court that indictment and the matter therein contained are sufficient to have and maintain the charges alleged in said indictment, and thereupon came a jury to wit. Peter Neff, John S. Healdwell, Wm F. Smith, Hammond O'Leary, Wm Elder Benjamin O'Rourke, John Swank, Sr., John Smith, Wm Sillig, Rudolph Mayers Joseph Triple & Harvey Meise, 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 assess the fine of each deft to fifty dollars." Therefore it is considered ^{that} the Commonwealth recover against the deft Washington O'Rourke the sum of \$50, and against the said Hannah May the sum of \$50, according to the verdict of the jury, and the costs ~~in this~~ expended in prosecuting said indictment

On the motion of the Attorney for the Commonwealth. It is ordered that the clerk of this court issue capias' pro fine in all cases of the Commonwealth in which fines have been assessed

Peter Henton & John Swank are excused from ~~further~~ service during the present term

Commonwealth vs A. Seigler, same vs same, same vs Robert Phillips W. same vs A. Glover, ~~Seigler~~ vs Alvin Parkey & same vs J. H. Sawanides, same vs ordered that the above mentioned cause be continued until the next term

Commonwealth vs Jennings & wife (three cases) continued for the next
 Effinger vs Andes admits judgment-confesses for debt in the declaration men-
 tioned under case
 Commonwealth vs McDaniel same vs Jno Humes &
 same vs John Sanday upon rules on motion Dismissed

Commonwealth vs Wm P. Leran Not guilty plead & issue contd

Same vs Mc Owens Not guilty plead general rep. & issue contd

Ordered that the Court be continued until tomorrow morning
 at 9 o'clock

S. H. Lewis.

Thursday August 24 1854

Present

Samuel H. Lewis of Oysterling } Gent
 Mr H. Harris & Mr. Burkholder } Justices

Ordered that the Clerk of this Court register James Peters
 (son of Wm Peters) of dark complexion, aged 14 years on the 2nd day
 of March last, five feet high, a scar on the right eye brow. Left
 arm has been broken at the elbow and remains crooked, and
 was born free in Rockingham County

Clifton H. vs Beard & on D Bond Judgment & execution awarded
 Link vs Eustler & on D Bond The same order
 Beery vs Same on D Bond The same order

Giles Dever const Plff

vs

Shoemaker Deft

This cause came on at this term of the Court upon the report the final
 action of Special Commissioner Dever who reports the deeds to have
 been made by him for the lands in accordance with previous
 decree of Court to the purchasers thereof Saml Coates Charles Blunder

and William Good. and reports further that after payment of the debts due by said Shoemaker to judgment creditors for whose benefit the suit was brought & payment of costs & commissions there still remains a balance in his hands of \$39.54 cents upon which said balance he has levied execution against said Shoemaker now in his hands, which upon argument of counsel no exceptions being made, is recorded & confirmed by the court

Commonwealth

vs

Abraham Perkey

} upon an Indictment for unlawful
gaming -

This day came as the ^{well} attorney prosecuting for the Commonwealth as the Defendant by his attorney, and thereupon the matters of law arising upon the Defendant's demurrer to the Indictment in this cause being argued it seems to the court that the said Indictment and the matters therein contained are not sufficient to have or maintain the charges alleged in said Indictment. It is therefore it is considered that the said Indictment be quashed and dismissed.

Commonwealth

vs

Levi Perkey

} upon an Indictment for unlawful
gaming
The same order

Commonwealth

vs

Reverey Foster

} upon an Indictment for unlawful
gaming
The same order

Commonwealth

vs

Erasmus May

} upon an Indictment for unlawful
gaming
The same order

Commonwealth

vs

John Smith

} upon an Indictment for selling ~~spirits~~
without license (23 cases)

An motion continued until the next term

Commonwealth vs O'Riadey same vs John Heiney same
 vs Hy Gilmer same vs Jos Hoas same Phil Richie same
 Benj Hume on motion severally continued until the next term

Commonwealth }
 vs } Indictment for a wilful Trespass
 Christian Rizer }

This day came as well the attorney for the Commonwealth
 as the Defendant by attorney. and thereupon the matters of law
 arising upon the Defendants Demurrer to the indictment in this
 cause being argued. it seems to the court that the said indictment
 and the matters therein contained are not sufficient to have and
 maintain the charges alleged in said indictment. It is therefore
 considered that the demurrer be sustained and the indictment
 quashed and dismissed & judgment against Harrison Jeffries ~~for~~
~~prosecutor~~ for the costs by the deft in this behalf expended

Commonwealth vs LeRader same vs Funk same vs Keller
 same vs Riddle same vs Gracie same vs Tifer same vs Funk
 same vs Rodgers same vs Riddle Jno McDormann same vs Shiflet &
 same vs Henry McDormann on motion severally continued

Commonwealth vs Jas Funk same vs J. Leonard facts Dundon &
 John Blain ^{vs Geo. Brannan} on rules on motion Dismissed

Harper's heirs vs Lynne Rockingham Turnpike Co vs Alb Bryan
 G. W. Cutler vs Beard Kyle vs Turk Keester vs Fultz Leonard
 vs Corliss White Irons Grove Flock vs Bolton Powell's heirs vs
 Powell ex Leonard vs Thompson Gailey vs Beard ex Leonard & vs
 Riddle ex Varnfelt vs Smallwood Gailey vs Hite Vancey vs Leonard
 same vs Rockingham Turnpike Co on motion severally continued

Pearse vs Cook & Shiflet on motion continued for 4 days

Stephen Harnsberger }
 vs } On a Motion to
 Thomas Crawford }

of the Deft
An motion of Pltff. and with the consent judgment is granted
for Ten dollars. and the costs experienced by the plaintiff in prosecuting
this motion (except the attorney's fee)

J. Nicholas presented in court an account against the Court
amounting to eight and forty cents. which was examined & allowed
by the Court and ordered to be certified to the auditor of public accounts

Canada vs Neff. Neff vs Andes & same vs same. on motion
continued until next term

Ordered that Philip Miller be discharged from further service
during the present term as a juror

John T. Myers who was duly summoned to appear here as a witness on
behalf of William McEarnis vs Sarah Redbrook. being solemnly called
and not appearing. It is ordered that he be summoned to appear
here on the first day of the November term next to show cause if any
can why he shall not be fined for his said contempt

John Lauskinen } Pltff
vs }
Hugh Bruffey } Deft. } In Case

This day came the plaintiffs by their attorney. and on his motion
motion being granted a jury
judgment is granted the pltff against the defendant for \$37.42. with
interest thereon from the 3^d day of May 1857 till paid and the costs
by him about his suit in this behalf expended

McDowell vs Galey. Rader vs Blairfield. Switzer vs Leattets ad
Roller vs Galey. Blair vs Bligh. Samers vs McCall. Lendamon vs Houdyshell
Deloursey Laferriere vs Shipman & Roller. Cromer vs Rader. Hunter
vs Schifman. Philips vs Dever. Sigler vs Lilly & Butler. Finley vs
Sterling. On motion severally continued until the next term

Snyder vs Baker. This day came the parties by their
attornies and the defendant, for the plea of ^{Not Guilty &} justification

and the cause is continued at the cost of the Deft.

Stook vs Byerly & Keeton. On Motion continued at the cost of the Plaintiff.

William Gamrot Pltff
vs
John K Beery Deft } In Deft

This day came the parties by their attorneys. and the defendant pleaded Nil. debit. filed a general demurrer to Pltff's declaration and separate demurrer to each count of said declaration. and leave ^{granted} to file set off. On the motion of the Deft 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 the defendant and also of the fees which will become due from the Pltff to the officers of this court be given with the clerk within sixty days from this time.

Nanpelt & vs Miller. Kyle vs Jones. Ralston & vs Lites. Bowers vs vs Miller. On Motion severally continued until the next term.

Bourman vs vs Proffert & Eavman vs Shaver. On Motion severally continued for the Defts.

Breedon vs Royer. Not guilty pleaded, ^{general replication} leave granted to file special plea & offsets. & cause continued.

Miller vs Boutaler. On Motion continued at the cost of the Deft.

William Miller Pltff
vs
Hiram M Harris & Defts } In Plaintiff

This day came the parties by their attorneys and the defendants by attorney withdrew their plea of conditions performed and neither party requiring a jury. The court doth grant judgment for Ninety dollars with interest thereon to be computed after the rate of

six per centum per annum from the 31st day of May 1853 till paid and his costs by him in this behalf expended

Daniel Finner

Plff

vs

Samuel Bechtel

Deft

In Debt

This day came parties by their attorneys, and by consent of parties, the judgment is granted the Plaintiff against the defendant for \$84. with interest thereon to be computed at the rate of six per centum per annum from the 1st day of March 1853 till paid and the costs by the plff in this behalf expended. This judgment is subject to the following credits viz 1853 April 17 only \$25. 1853 May 21 only \$2.69. 1853 June 29 only \$10.

Martin Showalter vs

Plff

vs

William Showalter

Deft

In Case

This day came the parties by their attorney, and the court having heard the evidence and argument of counsel upon mature deliberation do grant judgment against the said William Showalter the sum of \$43.00 with interest thereon to be computed after the rate of six per centum per annum from the 3rd day of February 1850 until paid, and the costs by the Plff about his suit in this behalf expended

John Rader (use of Rader)

Plff

vs

Richard Winfield

Deft

In Case

The Plaintiff not further prosecuting, on the motion of the Defendant by his attorney, it is ordered, that this suit be dismissed and the Defendant recover against George Rader for whose benefit this suit is endorsed, \$5.00 Damages according to law, and the costs by the Deft about his defence in this behalf expended

Ordered that the Court be adjourned until tomorrow morning at 9 o'clock

S. H. Lewis.

Friday August 25th 1854

Present

Samuel & Lewis W. Osterling } Gent
 MoBankholder & Isaac Garafity } Justices

Ordered that Hammond & Cahn be allowed the sum of \$1.00
 Wm. Alley \$1.00, Harvey Wise \$1.00, Reuben Alstaffer 50¢, Saml
 Myers 50¢, Robert Black 50¢, Rudolph Myers \$1.00, John & L
 Ervine 50¢, Benj. D Bowman \$1.00, Wm. Gay 50¢, Abiam Andes 50¢
 Peter Hinton 50¢, Jno Swanck Sr. \$1.00, Wm. Eiler \$1.00, Saml Miller (of m) 50¢
 John Krontz 50¢, Mos Heatiwale \$1.00, Saml Frank 50¢, Isaac Keph 50¢
 D. Stinson King, Jos Trippel \$1.00, Jno Smith 50¢, Wm. F Smith \$1.00, Peter
 Neff \$1.00, which sums are to be raised by the Commonwealth

Ordered that the following persons be allowed the sums
 affixed to their respective names, to be raised by the County
 of Rockingham, viz: Hammond & Cahn \$2.25, Wm. Alley \$1.50
 Harvey Wise \$2.25, Reuben Alstaffer \$2.25, Saml Myers \$2.25, Robert
 Black \$2.25, Rudolph Myers \$1.50, Jno & L Ervine \$2.25, B. D Bowman \$2.25
 Nelson Sprinkel 75¢, Wm. Gay 75¢, Abiam Andes \$1.50, Peter Hinton \$1.50
 Jno Swanck Sr. \$1.50, Wm. Eiler \$2.25, Saml Miller (of m) \$1.50, Jno Krontz \$1.50
 Mos Heatiwale \$1.50, Saml Frank \$1.50, Isaac Keph \$2.25, Philip Miller
 75¢, David Stinson King \$0.00, Joseph Trippel \$2.25, Jm Smith \$2.25,
 Charles Nicholas 75¢, Wm. F Smith \$1.50, and Peter Neff 75 cents.

John Miller & Elizabeth his wife, Jacob Myers:

John Myers, Levi Baxter & Catharine his wife } Pliffs

against

Catharine Myers & others

Defts } In Chancery

This cause came on by consent to be finally heard this 25th day of
 August 1854 whereupon the argument of counsel being heard the
 court doth adjudge order and decree that there being no further
 necessity for retaining this cause in Court the same is hereby discon-
 tinued upon the docket and the Court doth further adjudge and
 order that the adult children of Benjamin Myers dec^d and the
 the guardian of the infant children pay to the plaintiff their

David Ramsburg

Plff

185

J McLawford & McDayton

Defts

upon a petition & for
a Dam

Fountain McDayton thinking himself aggrieved by an order of the County Court of Rockingham County made in this Court at this term, affirming the inquiry of the jury & authorizing the erection of the dam & machinery in the petition named, appeals therefrom & thereupon the Court having fixed the penalty of the appeal bond at \$200 & the said Fountain McDayton having now here in Court executed such bond with Henry B. Hornsberger as security ^{who justified as to his sufficiency} an appeal is granted him to the Circuit Court of Rockingham County

David LeMoore appe

Plff

185

Joseph Hornsberger

Deft

In Debt

This day came the parties by their attorney, and the Deft by Atty plead payment, and filed offsets as to part of the Debt in the declaration mentioned, to which plea the Plff replied generally, and by consent of parties judgment is granted the Plff for \$359.38 (the excess over the Defts offsets) with interest from the 29th day of September 1853 till paid & the costs in this behalf expended, and the cause is continued as to the balance

An Instrument of writing purporting to be the last will & testament of Thomas Logan sen^r was presented in Court and moved by the oaths of Allen LeBryan & Joseph D Logan two of the subscribing witnesses thereto, and ordered to be recorded and on the motion of John Woodson the executor therein named who made oath thereto according to law and together with Allen LeBryan his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires - Certificate is granted the said John Woodson for obtaining a probat of said will in due form. Ordered that Littleton McGinnis, Wm M K Eastman, Henry M M &

Isaac Hardesty appraiser the estate of Thomas Logan dec'd

The Rockingham Mutual Fire Insurance Company. Pltff

vs

H Malia's Heirs & McCarroll &c

Deft

In Debt

This day came the ~~case~~ the Plaintiff by his attorney... and neither party requiring a jury. the Court doth grant judgment against for the sum of \$200. the balance of the loan to be discharged by the payment of the defendants the sum of \$115.65 the amount claimed by the pltff. with interest thereon to be computed after the rate of six per centum per annum from the 18th day of March 1834 till paid and the costs by the pltff in this behalf expended

The Court doth fix the second day of the September term next for the trial of the appeal Docket of this Court, and the Clerk is directed to publish notice thereof

Steele vs Smith & Marshall. N. A. plead. General Demurrers and issue continued

Harper & Adams vs Hooke. N. A. plead. Offsets filed & General Demurrers and issue continued

Powells

Pltff

vs

Wentles &c

Deft

In Debt

This day came the Defendants by their attorneys. and it appearing to the Court by the affidavits of one of the defendants Geo. Wentles and of Thomas H. Harris senior one of the Deputy Sheriffs of the County of Rockingham. that the said Honorius Powell Pltff in said cause was not in existence at the time of the institution of the ~~said~~ suit aforesaid. the Court is therefore of opinion that a rule be awarded against the attorney or agent of the said supposed Honorius Powell to show cause why the said suit should not be dismissed & that said rule be made returnable to the first day of the November term next of this Court

54

Ordered that the order entered on Wednesday last directing the clerk to issue capias for all case where fines are imposed. be and the same is hereby rescinded

Brathwaite vs Kelly. upon an attachment. on motion of the Pltff. an order of Publication is awarded

Ordered that the Court be adjourned until the Sept^r term next

S^t Lewis.

Virginia Suit

The Court held for Rockingham County at the Court house thereof on Monday the 18th day of September 1852

Present

Samuel H Lewis. Jf. M^r. A Dacey
Daniel Harrison. Jacob Rush & } Gent
John Bowyer } Justices

August
Needs

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 August last which being seen and inspected by the Court is ordered to be entered on the minutes as follows. to wit

- Rf Alfred Forster from Albin Dover wife to Wm D F & John E Dove
- Rf same from Harrison Burk to J H Calvert In Trust for Thosden Thomas
- Rf same from Jacob Sanger & wife to Frederick Heep
- Rf same from same to Ebenezer Kincaid
- Rf same from William Dean to R D Fitzhugh & A G Gorman
- Rf same from Jacob Mitchell wife to Mathaniel Kelley
- Rf same from William Shinkles wife to Abraham Seedy
- Rf same from Noah Sife to same
- Rf same from David Sife to same
- Rf same from Catharine Rhodes to Joshua Wearnfield
- Rf same from Elizabeth McGahey to Robert Mooney
- Rf same from Philip W Lutz wife to David Sife
- Rf same from James Baker wife to David D M Diggs
- Rf Power of Attorney from Charles D Beard to David R Beard

- 13f Adm of Bts for land from Geo W Kerns wife To John Davidson
 13f Adm of Land from John Rader wife To Jas T Clarke Trust for Mrs McGuffin
 13f same from William Cummins Attor To Benjamin Stickler
 13f same from Moses Lee wife To Franklin Heumes
 13f same from Joseph Miller wife To Addison Royer
 13f same from Talner Gerald wife To Pleasant A Clarke
 13f same from Samuel Kline wife To John Kline
 13f same from Stephen H Lee wife To John Joseph Seedy
 13f same from Addison Royer wife To Nicholas Ryger
 13f same from Jesse Ewing To John Green Jr
 13f same from David H Gammell trustee to Jacob Yankey
 13f same from Hugh A Brunk wife To Jackson Horn
 13f same from Stephen Hew wife To J H Detrick & Jas Alexander
 13f same from Martha Ann Thorison to Amos Scott
 13f same from Friedrich Kline wife to Peter Good
 13f same from same to Jacob Brunk
 13f same from Peter Hontela wife To Robert L Mauch
 13f same from Solomon M Hewiter To James O'Brien
 13f same from James O'Brien wife To Solomon M Hewiter
 13f same from Ephraim Mitchell wife To John Dingledine
 13f same from same To George Ashenfelter
 13f same from John Dingledine wife To Baltzer Dingledine
 13f same from John Kline To Samuel Kline
 13f same from Margaret Miller To Edward Williams

Settlements of the estates of Henry Black dec^d Abraham Hartman dec^d
 Anna Wampler dec^d, Magdalene Fauley dec^d & Samuel Stoner dec^d
 were returned into Court and 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 filed

Settlements of the Guardian accounts of Isaac Thomas and
 Sarah M. Meyers were presented in Court and having been filed
 in the clerk's office of this Court for the time prescribed by law
 were examined and ordered to be recorded

Catharine Nave & Plffs }
 vs In Chancery
 Jackson Riddle & Deft }

This cause came on finally to be heard on the papers heretofore read and the proceedings heretofore had & the report of Commissioner Horn showing that after paying the costs of this suit & the sale of the Boy Arch. there is left \$220.71 to be divided among the nine heirs of Jackson Nave dec^d of whom Jackson Riddle & wife are one. Jonathan Nave is one & the Plaintiff the wards of Jackson Horn are seven it is therefore decreed that Jackson Horn pay one ninth of sd \$220.71 to Jackson Riddle & wife. $\frac{1}{9}$ th to Jonathan Nave & that he retain the remaining $\frac{7}{9}$ th as guardian of the Plaintiff

Umlc Grandall appellant
 vs }
 Jacob Lincoln appellee } upon an appeal from
 the judgment of a justice
 On motion of the appellant this cause is docketed

Littleton W. Gambell presented in court an account against the Commonwealth amounting to fifty two dollars & fifty cts which was sworn to in court and examined and allowed and ordered to be certified to the auditor of public accounts

On the motion of Lewis A. Meyerhoeffer Messrs Garber & Co have leave to transfer their license as merchants to the said Meyerhoeffer

Grandall vs Lincoln. On motion of the appellant this cause is dismissed

Peter Hea & wife & others Plffs }
 vs In Chancery
 Anna Rhodes & others Defts }

This cause came on to be further heard this 18th day of September 1854. upon the proceedings heretofore

had and the report of Commissioner David G. Heaville to which no exception is taken and the same and the sale made by him on the 5th of August 1832 are hereby confirmed and the said David G. Heaville is hereby appointed a receiver and is authorized to withdraw the bonds which were taken by him and collect the same and out of the proceeds of the first bond pay the expenses of the sale and the costs of this suit and also to pay to John Rhodes \$5.62 1/2 price of the eighteen poles of land mentioned in the Commissioner's report and that said Commissioner pay the residue to the adult heirs and the guardian of the infants agreeably to their respective proportions but before the said guardian receives the same he shall execute new bond in this court in the penalty of \$3000

Malinda Bolton	Plff	} McManissey
vs		
William Lilluy	Def	

This cause came on to be heard this 18th day of September 1834 upon the papers formerly filed in the cause and the Commissioner's report which has been received and it appearing to the Court that there is no authority vested in the Commissioner to pay out and distribute the money in his hands arising from the sale of the land in the case and proceedings mentioned it is therefore adjudged ordered and decreed by this Court that Robert McManissey the Commissioner in the case be appointed receiver to receive and collect the money due and to become due and after paying therefrom all costs which have accrued he retain the balance that will come into his hands subject to the further order of this Court

On the motion of Thomas R. Carnsberger who made oath thereto according to law and together with Abraham S. Byrd his security (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 him for obtaining letters of administration in and from the estate of

Adeline Sellers dec'd. It is ordered that Henry Harnsbarger
 ✓ Alvin Miller, John Sellers & Lem Burner or any three of them
 do appraise the estate of said Adeline Sellers dec'd.

John Chrisman presented in court an account against
 the Commonwealth amounting to \$180.40 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 William Keener, who produced the Sheriff
 receipt for the tax imposed by law, a license is granted him
 to keep a house of Private Entertainment in this county until
 the May Term next of this court. The court being of opinion
 that he is a man of good character not addicted to drinking or
 gaming and that he will probably keep a orderly & useful house
 and such as the law requires.

An instrument of writing purporting to be the last will and testament
 of Manoy Crawford dec'd was presented in court and proved by
 the oath of John H. Hopkins one of the subscribing witnesses thereto
 and continued for further proof.

Upon the petition of Enos Kezle for leave to build a dam
 and cut a canal &c. This day came the petitioner by attorney
 and the Sheriff returned an inquest taken pursuant to a writ of
 Ad quod damnum to him issued which inquest is in these words
 to wit: "we" &c. by consents of all parties interested and on consider-
 ation of the inquest returned by the Sheriff as aforesaid, and
 ✓ on fully hearing the petitioner and all circumstances being
 weighed, it is ordered that the said Enos Kezle have leave
 leave to build the said mill and dam and cut the canal
 and that he become seized in fee simple of the pole of land located
 for said allotment & the 632 ^{is grounds} feet in length 40 feet in width for said
 ditch or canal, in the inquisition mentioned upon his paying the
 valuation thereof and the damages found by the jury to the several
 parties entitled thereto.

Catharine Algrace orphan of Christian Grace deceased being upwards of fourteen years appeared in court and with the approbation of the court made choice of Henry Barnes as her guardian and thereupon the said Henry Barnes together with Thomas W Gordon & Benjamin D Bowman (his security) who justified as to their sufficiency entered into and acknowledged a bond in the penalty of \$200 conditioned as the law requires

James & Blakemore Plff }
vs } Upon an Attachment &
Thomas Young Deft }

On motion of the Plff by Attorney It is ordered that this cause be docketed and continued.

William H Carnrick who was duly elected a commissioner of the revenue for the 2nd District in Rockingham County on the 25th day of May last appeared in court and together with Gabriel Heatirole his security entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires thereupon said Carnrick took the several oaths required by law

Conrad H Kite who was on the 25th day of May last elected a commissioner of the revenue for the first District in Rockingham County appeared in court and together with John H. C. C. C. and Joseph H. Conrad his security entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires and thereupon said Kite took the several oaths required by law

Henry A Chrisman who was on the 25th day of May last elected a commissioner of the revenue for the third District in Rockingham County appeared in court ~~for~~ and together with John H. C. C. his security entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires and thereupon said Chrisman took the several oaths as the law requires

On motion of Jacob Rush. It is ordered that his name be
 withdrawn from the petition of Harrison Bateman for
 a road &c

On Motion and for reasons appearing to the court It is
 ordered that David Rhodes executed before this court a
 new bond as guardian for Henry, Samuel, Francis & Saml
 Rhodes, orphans of Samuel Rhodes dec^d Whereupon the said
 David Rhodes appeared in court and together with David
 H. Heavicle his security (who justified as to his sufficiency)
 entered into and acknowledged a bond in the penalty of \$3000
 conditioned as the law requires

Upon the petition of Harrison Bateman for the establishment of
 a road &c. This day came ~~the~~ as well the petitioner as George W
~~the receiver, executor and the next of kin~~
 Butler by their attorneys, and sundry witnesses being sworn and
 examined and all circumstances being weighed, the court not
 being advised of what judgment to render, take time to con-
 sider until to morrow

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

W. Lewis

Tuesday Sept 19th 1832

Present

Samuel H. Lewis J. Daniel Harrison } Gent
 Jacob Rush & John Beury & Wm. Adice } Justice

John Cinkel

Plff

vs

Jacob Snell & wife

Defts

} In Chancery

On Motion it is ordered that Littleton W. Gamble
 be appointed guardian ad litem for the infant depts

Flowers Bolton Peter for and on motion it is ordered that this cause be dismissed at Petitioner's last Judgment for Defendant last

Greer vs Blain. - On motion of the Deft this cause is continued until the next term at the costs of the Deft.

Upon the petition of Harrison Bateman for the establishment of a road &c. This day came as well the petitioners as those objected by their attorneys.

An Instrument of writing purporting to be the last will and testament of Nancy Crauford dec^d was again presented in court and further proved by the oath of John H. Frankhouse one of the subscribing witnesses thereto and ordered to be recorded and on the motion of James R. Crauford the executor therein named, who made oath thereto according to law and together with Allen B. Bryant & Lottan W. Gamble his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires certificate is granted the said James R. Crauford for obtaining a probate of said will in due form. It is ordered that John Herbert, Joseph Burkholder, Simon Bowman & Michael Whitmore or any three of them do appraise the estate of said Nancy Crauford dec^d.

On the motion of Isaac Hardesty and it appearing to the Court that Alexander Mc Givray who was administrator of Leonard Tuttle dec^d has departed this life. it is ordered that the estate of said Leonard Tuttle dec^d be committed to Abraham S. Byrd Sheriff of this County for administration according to law.

An Instrument of writing purporting to be the last will and testament of John Powell dec^d was again presented in court and thereupon came as well Charles R. Yancey the executor named in said will as Henry Cook & Turner Shiplett by their attorneys and sundry witnesses being sworn and examined and all circumstances being weighed the court on mature deliberation do order that the said

will be recorded as the true last will and testament of said Jared Powell dec'd. What the ex'rs named in it will recover of Hylock & Turner Shiflett his costs in this behalf expended.

Upon the petition of Harrison Bateman for the establishment of a road to this day came again the parties by their attorneys and the court having fully considered all circumstances are of opinion and do order that the said road be established agreeably to the report of the commissioners or viewers returns pay to said George W. Cutler his deeding damages and filed in this cause and that the petitioners recover against said George W. Cutler their costs in this behalf expended.

The said George W. Cutler considering himself aggrieved by the foregoing order and judgment appeals to the Circuit Court of Rockingham County and the court having fixed the penalty of the appeal bond at \$100. and thereupon the said Cutler together with Wm. Kyger & Daniel Mummy ^{who justified as to their sufficiency} his security executed a bond in the penalty aforesaid conditioned as the law requires whereupon an appeal is granted him from the judgment aforesaid.

Isaac Keller

Plff

vs

Solomon Armentrout

Def

Upon sum to answer certain interrogatories to

The defendant being ~~extremely~~ duly summoned to appear before a commissioner to answer certain interrogatories filed by the plff. It is ordered that the said Solomon Armentrout be summoned to appear hereon the first day of the next term of this court to shew cause if any he can why ~~he~~ an attachment shall not be issued against him for his failure aforesaid.

Henry Cook & Turner Shiflett considering themselves aggrieved by the judgment and order of this court this day rendered admitting to record an instrument of writing purporting to be the last will and testament of Jared Powell dec'd. appeal from the judgment and order aforesaid and the court having fixed the penalty of the appeal bond to be executed by Cook & Shiflett at \$60⁰⁰. and thereupon the said ~~Henry Cook~~ ^{Turner Shiflett} together with Severin

Powell — his security (who justified as to his sufficiency) entered into and acknowledged such bond conditioned as the law requires. therefore an appeal is granted them to the circuit court of Rockingham County

V. v. ~~George W. Roller~~. Benjamin T. Foy & Andrew Lago who have been duly summoned to appear here on this day as witnesses on behalf of Jacob Lipe vs. Peter Roller being solemnly called and not appearing. it is ordered that they be summoned to appear here on ~~the first day of the term~~ ^{next term} to shew cause if any they can why they shall not be fined for such their contempt

Mooney vs. Baithis. upon a suggestion in

On motion of the Deft. and it appearing to the Court that the Defendant has been duly summoned to appear before this Court and not appearing. it is ordered that an attachment be issued against the said Defendant according to law. to be made returnable to the next Court next of this Court

V. Wm. F. Hammer who has been duly summoned to appear here on this day as a witness on behalf of Charles B. Yancey vs. Joseph H. Conrad. 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 such his contempt

Yancey vs. Conrad. & same as Rockingham Turnpike Co.
On Motion. continued at the Court of the Defts

Entire record as Rockingham Turnpike Co. Harpers heirs vs. Lyman v. Rockingham Turnpike Co. vs. Bryan. Neff vs. Andreas same as same Cutler vs. Beard. Kyle vs. Turk. Lamada vs. Neff. Reister vs. Thelitz Conrad vs. Briggles. White vs. Grove. Powells heirs vs. Powells ex. Lamada vs. Thompson. Kratzer vs. Beery. Yancey vs. Beard's admr. Mauck vs. Miller. Conrad vs. Kitley ex. Brathwaite vs. Kelly. Harris vs. Urville. Williams vs. Shafter. Overseers of Poor vs. Urville. On Motion

severally continued until the next term

Dever vs Rader. Pence vs Michael. Rutherford vs Rader same as same. same as same. Smith vs Armentrout. Van Delt vs Beunt. Dowdall vs Heller. On motion severally continued until next term

Lyrimally vs Dever. On motion continued until the next term at the costs of Dever

Maiden vs Leare. continued at the costs of Maiden

Keran vs Harnsberger. Poda vs Harnsberger. Rogers vs Keagle. Seedy vs Seedy. Houston vs Joseph. Nicholas vs Keran. Joseph vs Siles. Loffand vs Hurley. ^{Butler vs Bateman & Armentrout vs Houston} Continued until next term

Hiram Goladay vs Livingston Johnson. this day M. W. Le Houston appeared in court and acknowledged himself bound as security for said Goladay for all the Debt. Int. Dam & Costs that may be awarded against said Goladay and thereupon the cause is continued for the next

Smallwood vs Spinkes. the Debt having departed this life the fact is ordered to be entered of record and the cause continued

Overseers of the Poor vs Empswiller & on motion continued until the next term at the costs of the Debt.

Re Thompson & appellants

vs

Samuel Miller appellee

} upon an appeal from the judgment of a justice.

This day came the parties by their attorneys and after hearing the evidence the court is of opinion that there is no error in the judgment aforesaid. it is therefore ordered that the said appeal be dismissed and that the said Miller recover agt

the said Thompson & Co and Giles Over their security the costs
expended in prosecuting defending said appeal and also his costs
recovered before the justice aforesaid

Bare vs Gibbons. Sike vs Rolent. Thompson vs Baker & Co. on motion
severally continued until the next term

~~Ordered that the Court be adjourned until the next term~~
~~at 10 o'clock the next term.~~

Ordered that ~~Blk~~ Green a free negro who has been committed
to the jail of this County for want of his free papers. it is ordered
that ~~he~~ be released from prison upon his paying all jail
fees and other costs ~~which~~ of arrest &c.

Ordered that the Court be adjourned until the next term of this
Court

St. Louis.

Virginia Court

At a Court held for Rockingham County at the Court-
house thereof on Monday the 16 day of October 1854

Present

Samuel H Lewis P.J. (Daniel Harrison }
John Bowyer & Reuben Cole } 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 September past, which being seen and inspected by the Court is ordered
to be entered on the minutes as follows to wit

Deed of B.L. for land from John Alstaffers wife to Geo F Turnkhouse &c.
same from Michael A Beers wife to Henry Reese
same from Charles Weaver wife to Saml & Frederick Gilmer

September
Deeds

- 1 of Deed of Bt for land from Frederick Kline wife to Daniel Heaton
 B of same from Stephen Tew wife to Peter Bierly
 B of same from Samuel Hurdow wife to Henry Hurdow
 1 of same from Martin Hefner wife to Christian Bowers
 B of same from Henry May wife to same
 B of same from Henry McAffee wife to James Miller
 B of Deed of Trust from Levi Yeable to Albyrd. Trust for Jos G Coates
 B of Deed of Bt for land from Wm R. Seck wife to Mrs Lucinda White & children
 B of same from John Kline to Henry Hyacker
 B of same from Jacob Byra wife to J. & D. Byra
 B of same from Samuel Lewis wife to James R. Crawford
 B of same from James R. Crawford wife to John H. Ralston
 B of same from Elizabeth Trasher to Nicholas Berkey
 B of same from Andrew Bare to John H. Bear
 B of same from John Argenbright wife to Jacob & P. H. Argenbright
 B of same from Eli Anderson wife to Daniel McAmpler
 B of Deed of Trust from Jeremiah Tifer to M. Siggert. Trust for Saml Coates
 B of Deed of Bt for land from Frederick Kline wife to Joseph Kline
 B of same from Giles (Dever) Coats to Samuel Coates
 B of same from Jacob Miller & Trustees to Daniel Gardner
 B of same from Ezekiel Byrns wife to Benjamin (Driver)
 B of same from John West wife to James Richards
 B of same from Jacob Miller wife to Isaac Miller
 B of same from Henry Millanger wife to John H. Beery
 B of same from George W. Maury to Andrew J. Johnson
 5 of same from John Weaver wife to J. & A. Gardner
 B of same from James Kenney Trustee to Joseph Beery
 B of same from Emanuel Rayer to Solomon M. Hunter
 B of same from M. H. Effinger wife to James Baker
 B of same from same to E. & H. Weaver
 B of same from same to Jacob Bare
 B of Deed of Trust from Daniel Miller. Trust for Jonathan Miller
 B of Deed of Bt from Joseph Hays wife to Algernon Hays
 B of same from E. H. Hays wife to John M. Gordon
 B of same to John H. Bear
 B of Deed of Trust from R. W. Taliaferro to Wm. H. Hartman. Trust for J. & H. Effinger

Settlements of the estates of John Deedy dec^d. Jonathan Shipman
David Lipe dec^d. St. Clair Kirkley dec^d. Jonathan Tutwiler dec^d. Joseph
Altruffer dec^d. Harriet S Irvine dec^d. Abraham Lincoln dec^d. Margaret
Saffama & Benj. Moyers dec^d. were returned into court by the clerk
and having been filed in his office for the time prescribed by law
were examined by the court and ordered to be recorded

Settlement of the Accounts of Silas Denton committee for
Henry Andes. was presented into court by the clerk and having
been filed in his office for the time prescribed by law was exam-
ined by the court and ordered to be recorded

Settlements of the Guardian accounts of Frances Harrison & David Harrison
Elizabeth Andes. Sarah, Est Dear. Mary Cool. Frances Elb Brock
Joseph D Bowman & Isaac Thomas. were returned into court by the clerk
and having been filed in his office for the time prescribed by law were
examined by the court and ordered to be recorded

John Maperly Perff
vs Deft } Upon interrogatories filed before
Emanuel Gyore a com^r

On Motion of the plaintiff it is ordered that the defendant
be summoned to appear here on the 1st day of the next term to show cause
if any he can why an Attachment shall not be issued against for
failing to appear before a com^r to answer certain interrogatories

Commonwealth vs Andrew Sago on a rule. On motion of for reasons appearing
to the Court it is ordered that said rule be discharged

On Motion of Abraham S Byrns Sheriff of this County. Preston
T Burkholder is permitted to qualify as his deputy. Thereupon
said Burkholder took the several oaths required by law

Commonwealth vs Benjamin Tifer. on a rule for failing to attend
the last term of this Court as a witness on behalf of Jacob Lipe vs Roller
appeared in Court and his excuse on oath. which excuse not being

deemed reasonable it is considered that he be fined eight dollars, and the costs in this behalf expended

Huffman v. ex. Miswander to one delivery bond notice proved and execution awarded

Peter Brick jailor of this county presented in court an account against the Commonwealth amounting to \$27.85 which was sworn to in court and examined and allowed and ordered to be certified to the auditor of Public accounts

James Reuben & Amanda L. Grub infants }
of Peter Grub dec. by their next friend James }
Bolton } Plffs

In Chancery
on Motion M^r

William Grub, Delilah Grub & others }
appointed Guardian ad litem for the infant defendants. }
This cause came on to be heard on this 16th day of October 1854 on the bill

answers, exhibits &c. to which there is no exception on consideration whereof the Court is of opinion that the prayer of the complainants be ought to be granted, whereupon the Court doth adjudge order and decree and it is accordingly adjudged ordered and decreed that Shadummers who is appointed a commissioner for that purpose shall proceed to give notice of the time and place and terms of sale by advertisement inserted in some news paper published in the town of Harrisonburg and posted at the court house door of Rockingham county for the space of four weeks and having given such notice shall sell the tract of land in the bill and exhibits described at public auction on the premises on the following terms namely, one hundred and fifty dollars of the purchase money to be due and payable within ten days from the day of sale, and the residue to be divided into three equal parts, and to be due and payable in one two and three years with interest from the day of sale, the interest however to be remitted if the payments are punctually made, the purchaser being required to execute bonds with good personal

security for the deferred payments, and a lien upon the land to be reserved in the deed of conveyance as additional security. But before said commissioner shall receive any money under this decree he shall execute a bond with good security in the clerk's office of this court in the penalty of two thousand dollars with condition according to law, and said court shall make report of his proceedings to this court at its next (December Term)

An Instrument of writing purporting to be the last will and testament of Samuel Hoover dec^d was presented in court and proved by the oaths of David Hoover & John A White two of the subscribing witnesses thereto and ordered to be recorded and thereupon Benjamin Hoover & Emmanuel Hoover the executors therein named who made oath thereto according to law and together with David Hoover their security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires. certificate is granted the said Benjamin Hoover & Emmanuel Hoover for obtaining a probat of said will in due form. It is ordered that John A White, Solomon Bowman, William H West & David Hoover or any three of them do appraise the estate of Samuel Hoover dec^d

The last will and testament of Daniel Miller dec^d was presented in court and proved by the oaths of Jacob Byrd and Joseph Thompson the subscribing witnesses thereto and ordered to be recorded and on motion of Jacob Miller the executor therein named who made oath thereto according to law and together with Joseph Miller & Jacob Moyers his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$3000. conditioned as the law requires. certificate is granted the said Jacob Miller for obtaining a probat of said will in due form. It is ordered that Peter Paul, David Shank, John Meine & Samuel Meine do appraise the estate of said Daniel Miller dec^d.

On the motion of David Lookey son of Archibald Lookey dec^d and warrant in a land warrant for eighty acres No 24765 dated 16th of December 1834 the court doth certify that it was this day proven in court that the said David Lookey arrived at the age of 21 years on the 13th day of June in the year 1834

Barley vs Lamb. On motion of the Plaintiff he has leave to withdraw the original bond filed in this cause by leaving an attested copy with the clerk of this court

On the motion of George W. Kenner Jr. President of the
Birmingham Turnpike Company, who represents that
about five miles of said road has been completed in this County,
it is ordered that Jacob Strayer, Wm B. Yancy & Stephen Harnsberger
be and they are hereby appointed commissioners to examine
and report upon the condition of said road, according to law.

Susan Heiser orphan of William Heiser deceased
being upwards of fourteen years of age, appeared in court
and with the approbation of the court made choice of
Pleasant Allard as her guardian, who entered into a bond
in the penalty of \$250 with Sarah S. Roller his security (who
justified as to his sufficiency) which bond is conditioned as
the law requires.

J. H. Conrad & others

vs

Henry M. Doffland exor of Blair & Kitley decd

Plffs

Deft

} On a Motion in

This day came the plaintiffs by their attorneys and the
said H. M. Doffland appearing in court and refused to give counter
security as the law requires. The said Doffland's power & authority
as exor of Blair & Kitley decd is hereby revoked and annulled.

On the motion of Leatharine C. Kitley who made oath
thereof according to law, and together with Henry Miller, Jacob
Miller, George W. Harnsberger, Adam Bear & Henry M. Doffland
her securities (who justified as to their sufficiency) entered
into and acknowledged a bond in the penalty of \$60,000 conditioned
as the law requires. Certificate is granted the said Leatharine C.
Kitley for obtaining letters of adm^r de bonis mori with the will annexed
of Blair & Kitley decd in due form.

Commeth vs Tifer. It is ordered that the order this day
entered imposing a fine upon the said Tifer be reversed and
the rule continued.

Ordered that the Clerk of this Court register Betsey Lett a free
negro. who has been heretofore registered in this Court

Upon the Motion of John Sites who produced the Sheriff's writ for
the tax imposed by law. a license is granted him to keep a ~~house~~
Public Ordinary & Bowling Saloon at his house in this County
until the next term next of this Court. the Court being satisfied
that he is a man of good character and probably keep a useful
and orderly house and such as the law requires

John Hinton

Plff

vs
John Blain admr of David Hinton Deft } On a Motion &c

This day came the plaintiff by his attorney. it is ordered
that the said John Blain be summoned to appear here on the
first day of the next term of this Court. to shew cause if any he
can why his powers as administrator of said David Hinton shall
not be revoked and annulled

Commonwealth vs William a slave the property of Robert Gratten
charged with felony. it is ordered that this cause be referred back
to a any justice of the peace for this County to be tried according to
law

On the Motion of James O'Brien who made oath thereto and
together with George Bruffy his security (who justified as to his sufficiency)
entered into and acknowledges a bond in the penalty of \$2000. con-
ditioned as the law requires. certificate is granted the said
James O'Brien for obtaining letters of administration in due form
of the goods and chattels of William O'Brien dec^d. it is ordered
that Hugh Bruffy, Nelson Spink, St. Clair Spink & A. Bryan or
any three of them do appraise the estate of said William O'Brien dec^d

An instrument of writing purporting to be the last will and testament
of John Whetzel dec^d with a codicil thereto annexed was presented
in Court and since being proved by the oath of R. Gratten one of the

subscribing witnesses thereto and said Codicil proved by the oaths of Robt Grattan & George Sherman the subscribing witnesses thereto and ^{said Codicil was} ~~and~~ continued for further proof

Commonwealth vs John Bontz charged with feloniously and maliciously burning the barn of Jonathan Pease and the grain therein of the value of \$1000 situated in Rockingham County and the property of said Jonathan Pease. The prisoner was led to the bar in custody of the jailor and thereupon ^{with the consent of the prisoner} on motion ~~his~~ examination is continued until the November term next of this Court.

Present O. C. Sterling absent S. H. Lewis

George W. Cutler appellant

Harrison Bateman

appellee

} upon an appeal from the
fragment of justice of the peace

This day came the appellee of by attorney and on his motion it is ordered to be entered of record that this cause will be tried at the November term next of this Court.

absent O. C. Sterling Gent. Present S. H. Lewis Gent.

John Greer

Plff

vs

Joseph Blain

Def

} Unlawful Detainer

This day came as well the plaintiff as the defendant by their attorneys, and the Defendant pleads not guilty to which the plaintiff replied generally, and thereupon came a jury to wit: Calvin Kezle, John M. Huffman, James Olsen, Levi Holbert, John M. Brown, Samuel W. Bowman, Robert Black, Lemuel Bowman, J. W. Bolton, Abraham Kooty, John Lineweaver & David M. Huffman 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 oath do say we

the jury find that the Defendant unlawfully detains from the plaintiff the possession of the premises described in the within summons and so unlawfully detainer the possession thereof at the time of suing out this summons and that the plaintiff is entitled to the possession of the premises described in the within summons" Therefore it is considered by the Court that the plaintiff recover against the defendant possession of the premises aforesaid and his costs by him in this behalf expended. and a writ of habere facias possessionem is awarded to cause the said plaintiff to have such possession

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

St. Lewis.

Virginia &c

At a Court held for Rockingham County at the Court house thereof on Monday the 20th day of November 1832,

Present

Sam^l H. Lewis Jf. Perry Hoover Sam^l Miceley } Gent
Samuel Buelush & M. D. Herring } 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 October last, which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

October Deeds

- By Alfred for Land from Joel Floyd wife to Nelson Sprinkel
- By same from Richard Pickens wife to Wm Sprinkel & trustees
- By same from Jas R. Crawford wife to John Selbert
- By same from Jacob Fry wife to David Hoover
- By same from Jonathan Hunt wife to George Turney
- By same from Samuel Miller wife to David Showalter
- By same from Michael Shaver wife to John Harrison
- By same from Elias Michael to J. D. Gilmore In Trust for Robert Gibbons

- Bf Deed for land from Jacob Schorr wife to Philander Horning
 Bf same from Joseph M. Cheam wife to Benjamin H. Ralston
 Bf same from Andrew Sellers to Jacob Cole & trustees for M. E. Church
 Bf same from Thos H. Hamberg trustee to Cleaven T. McGahey
 Bf same from Jacob Baugh wife to John M. Ereck
 Bf same from John H. Dumanian wife to Edward F. Williams
 Bf same from Samuel Hoover to John A. White
 Bf same from William Thaley to John M. Thaley
 Bf same from John M. Thaley wife to Maria Thaley (Gift)
 * Bf same from Jacob H. Montross to Elizabeth Reedy
 * Bf same from Charles A. Gancey or to Samuel C. Moxley
 Bf same from Jacob Murtz wife to John Dove
 Bf same from Noah Brunk to George Brunk
 Bf same from Abraham Loffman wife to Daniel Garber
 Bf same from Ann Whitmer to A. Pifer Jr. Trust for David Wise
 Bf same from Joshua Crawford wife to John H. Austin
 Bf same from Abraham Seedy wife to Franklin Siskey
 Bf same from Frank Fultz wife to Thos W. Gordon Trust for M. H. Ralston Jr
 Bf same from John A. Miller wife to Pleasant A. Clarke
 Bf same from John Dinkle son to Peter MacHatfield
 Bf Mortgage from Manassas Gap Rail Road Company to Gayaway B. Larnar
 Bf Deed for land from Christian Hoover wife to William Williams
 Bf same from John Looker wife to John Harrison
 Bf same from Franklin Whitmore to French S. Duff
 Bf same from Jas Thompson to W. Gamble Trust for W. L. Barley
 Bf same from Abraham Muewander to same Trust for A. Couch
 Bf same from Benjamin P. Reid wife to Lydon & Jonas Reid
 Bf same from same to same
 Bf same from Cyrus Spitzer wife to Jonas, Isaac & Lydon Reid
 Bf same from Peter Paul to Solomon Flory
 Bf same from Solomon Flory wife to Jacob Bays
 Bf Marriage Contract between Maryona Keister of the one part Samuel Sandy of the 2nd part and Joseph Miller of the 3rd part

see chg
 Recd & Recd
 in my con
 for original
 1860

Settlements of the estate of Adam Wise sen.^{de.} Adam Wise Jr.^{de.}
 Wm Bryan ^{de.} — (Dorman Loffland ^{de.} Jacob B. B. ^{de.}

and Joseph Miller 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 ~~guardian~~ accounts of Eli Kowitz Guardian for Mrs. Francis Stevens & Henry Keller Guardian for Jacob Runkle 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.

A Sale Bill of property sold by John C. Woodson trustee in a deed executed by Daniel Glick Jr. was presented in court and ordered to be recorded.

Samuel R. Sterling who has been duly appointed a Notary Public for the County of Rockingham, by a commission issued by the Governor of Virginia, under the lesser seal of the Commonwealth, appeared in court and together with Aff. Effrentel ~~his~~ security (who justified as to his sufficiency, entered into & acknowledged a bond in the penalty in the sum of \$500, conditioned as the law requires, thereupon thereon Samuel R. Sterling took the several oaths required by law.

Commonwealth vs Jonathan Crist. Judgment confessed for one cent damage and the costs expended in prosecuting the indictment.

Samuel Miller

Plff

vs

Solomon Garber ex or of
Christian Mueen dec^d

Def

} Upon a Notice &

On Motion of the plff by attorney it is ordered that the said Solomon Garber be summoned to appear hereon the 1st day of the next term of this court to show cause why he shall not be required to give to the plaintiff good counter security in his official bond as set on aforesaid, the plff being one of the securities of the Def or that the powers of the Def as set on aforesaid shall not be revoked and annulled.

On Motion of Strather Bright the estate of Reuben Blatter dec^d is committed to the Sheriff of this County for administration.

according to Law

Commonwealth vs Jas Kearney on a rule on the motion of the Dept
the said rule is discharged

John Gordon Esqr Asst Byrd Shff of this County, returned
into Court a list of delinquents in the Muster fines, which being
sworn to, was examined and allowed by the Court and ordered to be
certified to the auditor of Public accounts

Samuel Hunter, Robert H Hunter, Mary Jane Hunter & Elizabeth
orphans of Matthew T Hunter dec^d
Hunter, being upwards of fourteen years of age ^{appeared in Court} and with the
approbation of the Court made choice of John Brown as their
guardian. Thereupon the said John B Brown together with
John Dinkel, Mem^r Warren & Josiah S Keller his securities (Mem^r
B Warren one of said securities having justified as to their sufficiency
entered into and acknowledged a bond in the penalty of \$15000
conditioned as the law requires

Ordered that John Kooty be appointed surveyor of
precinct No. Kezletown road in the room of Charles Weaver resigned

Erasmus L Palser being upwards of 14 years of age appeared in Court
and with the approbation of the Court made choice of Henry Tarflinger
as his guardian, and the Court doth appoint the Henry Tarflinger
guardian for Josephine L Palser, Sarah E Palser, Elizabeth J Palser
& Lemietta Palser, orphans of David Palser dec^d who are under the
age of 14 years. Thereupon the said Henry Tarflinger together with
David R Hopkins & Henry Horner
John B Miller, his security (who justified as to their sufficiency) entered
into and acknowledged a bond in the penalty of \$2500. Conditioned
as the law requires

John Ponty, who stands committed to the jail of this County charged
with felony by him committed in this to wit: that he did on the 1st
day of October in the year 1854 feloniously and maliciously burn a
certain barn the property of Jonathan Peale situated in the County of

Rockingham was led to the bar in custody of the jailer and on motion of the prisoner by his counsel the examination is continued until to morrow morning whereupon the prisoner is remanded to jail

On the motion of Robert Burke who made oath thereto according to law and together with Merriam Byrney his security (who justified as to his sufficiency) entered into and acknowledged a bond with the penalty of \$1000. conditioned as the law requires. certificate is granted the said Robert Burke for obtaining ~~and~~ letters of administration of the goods and chattels of Matthew Rankin dec'd in due form. and it is ordered that Madison Weaver, Addison Royce, Jacob Annon & Zachariah Raynes or any three of them do administer the estate of Matthew Rankin dec'd and report to the court according to law the widow of M Rankin having in writing relinquished to administer.

~~Commonwealth~~ vs Robert Bowman upon a rule for failing to attend at the last term as a juror. appeared in court and made his excuse on oath which being deemed reasonable. it is ordered that the said rule be discharged

Robert S R Beard

vs

John Beard ad of Jas Beard dec

Plff

Deft

On a Motion to

it is ordered that the Defendant be summoned to appear here on the first day of the next term of this court to shew cause if any he can why he shall not be required to give additional security as adm^r of Jas Beard dec's or his powers as such adm^r be revoked & annulled

cas. ~~of~~ Overseers of the Poor vs Wm. Corist. On Motion and for reasons appearing paid to the court. it is ordered that this cause be dismissed and that the Anne Perry ^{pay} the costs of the overseers of the poor

Robert S R Beard vs John Beard adm^r of James Beard dec
The defendant appeared in court and waived notice and thereupon the said John Beard together with Daniel Manning who justified as to his sufficiency) entered into and acknowledged a new bond

as administrator of said James Beard dec'd in the penalty of \$2000. conditioned as the law requires which bond is ordered to be recorded, it is therefore considered that the plaintiff recover against the said James Beard his costs by him in this behalf expended.

William K Gailey. P. 10/11

VS

Jim Hite

Def

11 } Unlawful Detainers

This day came the parties by their attorneys and the
Deft by his attorney the said Mr. Guilez and
thereupon came a jury to wit Brother Bright Jonathan Speck
Samuel Transfer Calvin Keegle John Billheimer Eli H Kooty
Emanuel Rhodes Peter Wise James Williams Samuel Long
Livingston Johnson William H Morris who being elected trier
and sworn the truth to speak upon the issue joined. The jury
and having heard the evidence retired from the Court to consider
of their verdict and after some time returned into the Court
and upon their oath do say "We the jury find that the Deft
unlawfully withhold the possession of the house and lot mentioned
in the within summons". It is therefore considered that the
the plaintiff recover against the Defendant the possession of the
house and lot aforesaid and that he recover against the Deft
the Deft his costs by him about his suit in this behalf expended
and on motion of the Plaintiff leave is granted him to sue out
a writ of possession against the Deft

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

L. A. Lewis

Tuesday November 21st 1854

Present

Samuel H Lewis Off. Samuel Ruelush

Wm W Carpenter, Saml Miller & Benjamin

Hoover

Gent
Justice

Commonwealth
vs
Geo Liley & } Indict

Same
vs
Same } Indictment

Same
vs
Same } Indictment

Same
vs Three cases } Indictment
Jennings & Lipe

Same
vs
Washington O'Rorick } Indictment

Same
vs
John Nicewander } Indictment

Same
vs 23 cases } Indictment
John Smith

Same
vs 2 cases } Indictment
LeGrand Sampson

On Motion of the attorney for the Commonwealth and for reasons appearing to the court, it is ordered that the aforesaid several causes be dismissed

Rec'd vs Carpenter Ind'y Ordered that Lillian W Gamble

be appointed guardian ad litem for ~~the~~ Robert & Victoria Carpenter infant heirs of Thomas Carpenter dec'd

Ordered that the District of the School Commissioners for Rockingham County be and remain as heretofore laid off and bound and the same Commissioners are hereby appointed last year be reappointed to serve the present year as such Commissioners

William G Stevens who was appointed by the school commissioners of this County Superintendent of Schools of this County appeared in Court and entered into bond with security in the penalty of \$5000 conditioned as the law directs which was examined and approved by the Court and ordered to be certified to the second Auditor of Public accounts in the manner directed by law

Samuel Miller

Plff

vs

Samuel Sterling

Def

} Upon a Notice to

This day came the parties by their attorneys and the Notice proved docketed and on motion of the defendant the cause is continued at their costs

Samford W Boden

vs

John Hackley

} upon the report of Court

On Motion of the plff by Atty. It is ordered

that the Def be summoned to appear hereon the 1st day of the next Court to show cause if any he can why an attachment shall not be issued against him for failing to attend before a Court of this Court to answer certain interrogatories propounded by the Plff

John Dinkel

Plff

vs

John Lerode Jr

Def

} upon the report of Court

The same order

Harrison for Plff

Plff

vs

John Hackley

Def

} upon the report of Court

The same order

+ Geo Shank for Plff

vs

John Hackley

Def

} On the report of a Court

The same order

Commonwealth

vs

Robert A Gray

} On a rule for failing to attend as a juror
 On Motion & for reasons appearing it is ordered to be
 discharged

Adam R. Gladden ^{George Bagtham & Lez Davis & Silas Henton} who have been summoned to appear here
 as a juror, appeared in Court and were excused from service
 during the present term

John Long Jr & Asa Dever, Smith Leffland, Peter Whitmer, J. S. Effinger & A. Kile
 who have been duly summoned as jurors, on motion and for reasons appearing
 to the Court, are excused from service during the present term

George Mayers ex vs Daniel Knist & one Delany bond
 Notice proved and execution awarded

Wm D. Kyle & John Miller who have been duly summoned to
 appear here as witnesses on behalf of the Commonwealth against
 John Pontz, being solemnly called and not appearing it is ordered
 that they be summoned to appear here forthwith to show cause
 if any they can why they shall not be fined for their failure

Committed vs Wm D. Kyle & J. Miller on a rule on motion it is ordered
 that they be discharged

John Pontz, who stands committed to the jail of this County
 charged with felony, in this to wit, that he did on the 1st day of October 1854
 feloniously and maliciously burn a certain barn the property of Jonathan
 Peale and the grain therein of the value of \$1000 the property of Jonathan
 Peale situated in Rockingham County. The prisoner was this day again
 led to the bar in custody of the jailor, and sundry witnesses being sworn
 and examined, and the Court upon mature deliberation are of opinion
 that a felony has been committed, and that there is probable cause
 to charge the said John Pontz therewith, it is therefore ordered that
 the accused be remanded for trial before the next term

of the ^{Court} Circuit of Rockingham and thereupon the prisoner was remanded to jail

Be it remembered that on this day, Robert Bower, Wm Hinton Richard Boyers, John Knider, Solomon Burtner, John Berry Harriet Berry, Benj. Berry, Phelb Berry, George Billchimer & ^{Wm Frazier} ~~Wm Frazier~~ & John Earman personally appeared before the court and ^{severally} acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of \$100. to be avails of their respective goods & chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Robert Bower, Wm Hinton, Richard Boyer, John Knider, Solomon Burtner, John Berry, Harriet Berry, Benj. Berry, Phelb Berry, George Billchimer, Wm Frazier & John Earman shall make their personal appearance before the Judge of the Circuit Court of Rockingham on the first day of the May term next of said Court: then and there to give evidence on behalf of the Commonwealth against John Ponty charged with felony, and not to depart thence without the leave of said Court: then this recognizance to be void or otherwise to remain in full force

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

S. M. Lewis

Wednesday November 23rd 1857

Present

Samuel S. Lewis Jf. Wm W. Carpenter }
Benjamin Bower Jm Ervine & Wm } Gent Justice
Berkholder Sam Miller }

On the motion of Wm R. Warren & for As Bryd Shiff of this County. It is ordered that to be certified that the Commissioners of the revenue of said Samuel P. Wendle with ninety six dollars the tax upon Pedlers license and that said Warren pay the same in to the state treasury and ~~that~~ that the said Wendle

was at the time of said agreement and still is insolvent and that said Winale did not continue to peddle under said license. It is therefore ordered that ~~that~~ the same be refunded to the said Warren.

Hallbrook vs Harris & O Bond. Notice proved & execution awarded
Baker & Brown vs Gailey O Bond. Notice proved & execution awarded

Malinda Bolton & others Pltffs
vs
William Lilley & others Defts } In Chancery

This cause came on this day to be further heard on the papers formerly read and was argued by counsel. on consideration whereof it is adjudged and ordered that Richard D. Fletcher esq. do ascertain and report to this court the present commuted cash value of the dower interest of the defendant Mary Lilley in the land in the bill & proceedings mentioned.

William Grimsely Appellant
vs
George Mesick Appellee } Upon an appeal from the judgment
of a justice of the peace
On motion of the Appellant this cause is docketed and continued.

George W. Entwistle Appellant
vs
Harrison Bateman Appellee } Appeal from the judgment
of a justice of the peace

This day came the parties by their attorneys and on motion of the appellee by att. and for reasons appearing to the court it is ordered that this cause be dismissed and that the appellee recover of the appellant his costs by him in this behalf expended.

Commonwealth
vs
Daniel Frisley & Michael May } Indictment for a Libel

This day came the parties by their attorneys as well the

the attorney prosecuting for the Commonwealth as the Defs by their atts. and with the consent of the Court judgment was confessed for one cent damage and the costs by the Defs expended in prosecuting the said Offense

Commonwealth vs McFarmer same vs Gilmore same vs Rice
same vs Richie same vs Hearn same vs Philips same vs B. Hume
same vs LeRader same vs Frank same vs Keller same vs Riddle
same vs Grable same vs Fifer same vs Frank same vs Owens. ~~W. D. Dorman~~
McDorman & same vs Wm McDorman. On Motion continued
until the next term

Commonwealth vs Glover On Motion Dismissed

Commonwealth vs Wm Rogers The same order

Commonwealth

vs ° } Indictment for AB
Jackson Riddle

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney. and on Motion and by consent of the Court judgment was confessed for one cent damages and the costs expended in prosecuting this indictment

Commonwealth vs Shiflett. The sum last awarded in this cause being returned not executed. it is ordered that a new summons be awarded against him returnable to the next term of this Court

Commonwealth vs Samuel Miller Jr. This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his atts who pleaded Not Guilty & entered General Verdict to Indictment

Same vs Fried The same order

Same vs Bloper (2 cases) The same order

Same vs Leasie (5 cases) The same order

Same vs O'Rorick (4 cases) The same order

Commonwealth vs Merrick Wittich. This day came as well the attorney prosecuting for the Commonwealth as the attorney for the Deft and the Deft filed a General Demurrer & separate Demurrers to each count in said indictment

Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order
Same vs Same	The same order

Commonwealth vs Blankenship. This day came the attorney prosecuting for the Commonwealth and the summons awarded in this cause being ^{not} returned executed it is ordered that a new summons be awarded against him returnable to the next term of this Court

Same vs Ribble. The same order except the summons be directed to the serjeant of Richmond City

Same vs Jas Long. This day came as well the atty for commt as the Deft by his attorney. On motion continued until the next term at the costs of the Defendant

Same vs B F Richards on a rule. On motion of the Defendant the rule in this cause is discharged

Tutunier vs vs Valley Turnpike. Harper's heirs vs Grinn. Rockingham Turnpike. vs Bryan. Cutler vs Beard. Kyle vs Turk Keester vs Feltz White vs Grove. Powell's heirs vs Powell ex Leana vs Thompson. Gaily vs Bears & sons. Mauck vs Miller. Williams vs Haughton. Fanners & Blakemore vs Young & Hinton vs Hinton & sons. On motion severally continued until the next term

Peter Neff vs John Andes. On the motion of the plaintiff by his attorney it is ordered that the Deft be summoned to appear here on the first day of the next term of this court to shew cause if any he can

why he shall not give to the plaintiff good counter security in his official bond as administrator of Adam Andes dec^d

Peter Neff vs John Andes. This day came the parties Plff by his attorney and on ^{his} Motion it is ordered that the Def^t be summoned to appear here on the 1st day of the next term of this court to shew cause if any he can why he shall not be compelled to give to the Plff good counter security in his (Def^ts) official bond as guardian for Adam Andes infant son of Adam Andes dec^d.

Christian Kratzer vs Henry Beeryth. This day came the parties by their attorneys and it appearing to the Court that this cause has been returned pending in this court more than twelve months without a trial thereof and by consent of parties this cause be removed to the Circuit Court of Rockingham.

Canada Infant vs Neff. On motion and for reasons appearing to the Court it is ordered that this cause be dismissed.

Keller vs Ammentruth. The summons awarded in this cause being returned not executed it is ordered that a new summons be awarded returnable to the next term of this court.

Correll vs Dagg. The summons awarded in this cause being returned and not properly executed it is ordered that a new sum^s be issued against him returnable to the next term of this court.

Meperly vs Grove. The summons awarded in this cause being returned executed and the defendant being solemnly called and not appearing it is ordered that an attachment be awarded against him returnable to the next term of this court.

Commonth vs Miltelarger. The Lapsias last awarded in this cause not being returned executed. It is ordered that a new Lapsias be awarded against the Def^t returnable to the next Term of this court to be directed to the Sheriff of this county.

John O'Neal (Laborer) a native of Ireland. this day applied to the Court to be admitted to become a citizen of the United States, whereupon the said John O'Neal exhibited satisfactory proof that he has resided in the United States three years next preceeding his arriving at the age of twenty one years and has continued to reside therein to the present time being which being more than five years including the three years of his minority and the said John O'Neal declared on oath and proved to the satisfaction of the Court that for three years next preceeding this application it has been ~~the~~ bona fide his intention to become a citizen of the United States, and it being proved to the satisfaction of the Court, by the testimony of Robert M. Kyle a citizen of the United States, who was examined as a witness on oath, that since the arrival of the said John O'Neal as aforesaid, has resided within this State one year at least and that during this residence therein has behaved as a man of good moral character attached to the principals of the constitution of the United States, and well disposed to the good order and happiness of the same, he the said John O'Neal declared on oath in open Court, that he will support the constitution of the United States and that he doth absolutely and intirely 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 John O'Neal is admitted a citizen of the said United States

Butler & Tinsley	Ploff	} In Debt
vs		
Ol Sterling	Deft	

This day came the parties by their attorneys and the Deft by his attorney confessed judgment for \$184.79 the debt in the declaration mentioned with interest thereon from the 9th day of January 1853 till paid and \$3.05 costs of protest, and the costs in this behalf performed. It is therefore considered that the Ploff recover against the debt the said sum of \$184.79 with interest thereon to be computed after the rate of six per centum per annum from the 9th day of January 1853 till paid & \$3.05 costs of protest, and the costs by the Plaintiff by & about their suit in this behalf expended. This judgment is

subject to a credit of \$95.62 of date January 14 1833.)

Commonwealth

vs

Wm P. Brown

} Indictment for Petit Larceny

This day came as well the attorney prosecuting for the Commonwealth as the Deft by counsel and thereupon came a jury to wit David Bloper, Fielding McGuire, Benj. F. Thomas, Reuben Sellers, Daniel Murry, Moses Bowman, David Gilmer, Abraham Simmons, Whitfield ~~Blauzy~~ Lemanuel Rhodes, George Campbell & Wm. C. Price, 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 as charged in the indictment and ascertain the term of his imprisonment in the county jail at twenty four hours", 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 here on the first day of the February term next 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.

Powell vs Cousins. On motion of the plaintiff by attorney, it is ordered that this cause be dismissed.

Almer Blain who has been duly summoned to appear here at this term as a witness on behalf of the Commonwealth against John McDorman, being ~~duly~~ solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the February term next of this Court, to shew cause if any he can, why he shall not be fined for his failure of presence.

Anthony Rader who has been duly summoned to appear here at

this term of this Court as a witness on behalf of the Commonwealth against James Frank being solemnly called and not appearing. it is ordered that he be summoned to appear here on the first day of the July term next of this Court to shew cause if any he can why he shall not be fined for his contempt aforesaid

George O'Connor
vs

Nathanial Longley & John McIntosh adms

Plff

Def

} upon a Motion &

This day came the parties by their attorneys and sundry witnesses being sworn and examined and the argument of counsel being heard the Court upon mature deliberation are of opinion that the award first made in this cause be confirmed. which award is in these words viz Harrisonburg July 23/53 &c. It is therefore considered by the Court that Andrew J Deakins administrator of John McIntosh dec'd recover against George O'Connor the sum of One hundred and five dollars & thirty one cents the amount found by the award aforesaid with interest thereon from the 8th day of May 1852 till paid and the costs by him in this behalf expended

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

S. H. Lewis.

Thursday November 23^d 1854

Present

Samuel H Lewis	Of	Samuel Miller	} Justices
Wm W Carpenter	J. M. Corwine	C. C. Sterling	

Bourman's admr vs Moffett. On Motion continued

Yancey vs Conrad

The same order

same vs Rockingham Turnpike Co The same order

Ordered that the clerk of this Court register in his office according to law
 cp. Madison Mayho, ^{of ~~black~~ black colour} aged about 34 years, five feet eight $\frac{1}{2}$ inches high
 with a scar across the third finger of left hand said to have been cut
 with a sickle & born free in the County of Shenandoah.

Mooney vs Balthis. On motion of the Plff. a new attachment is
 awarded against the Defendant in this cause.

Commonwealth

vs

Thomas Brightman

} Upon an Indictment for
 Betting at Harro

This day came the attorney prosecuting for the Commonwealth
 and thereupon came the Deft and confessed judgment for
 the fine and costs. It is therefore considered that the
 Commonwealth recover against the defendant the sum of
 \$50. the fine imposed by law. and the costs expended in
 prosecuting for this indictment.

Derrick Pennybacker who has been duly summoned
 to appear here as a witness on behalf of Joseph Crovier
 against George Rader. being solemnly called and not appearing
 it is ordered, that he be summoned to appear here on the 2nd
 day of February term next of this Court. to shew cause if any he
 can why he shall not be fined for his failure of presence.

Nanpelt vs Smallwood. On motion continued until the next term.

Harris vs Windle

The same order

McDowell vs Galey

The same order

Switzer vs Badletwood

The same order

Roller vs Galey

The same order

Blain vs Bligh

The same order

same vs McCall

The same order

Senclamood vs Howdyshall

The same order

DeLauray, DeFornadello vs Shipman & Roller

The same order

Philips vs Dever

The same order

Leigler vs Selley

The same order

Samuel Chandler & others

vs

John Hendrick & others

Plff

Deft

} In Chancery

This cause came on to be further & finally heard this 23^d day of November 1854 upon the papers heretofore read and the proceedings heretofore read and the report of Commissioners E. Dundore, George Bowman & J. Beale, to which there is no exception and the same is hereby confirmed and it is adjudged, ordered and decreed that the parties to this suit shall hold ^{severally} ~~in severalty~~ the shares respectively assigned them by the said Commissioners as laid down upon the plat returned and filed with said report. To wit Samuel Chandler and wife to hold Lot No 1 of 35 acres. Isaac Shewalter & wife to hold Lot No 2 of 31 acres. Emily F. Huffman to hold Lot No 3 of 31 acres. Elijah Huffman to hold Lot No 4 of 48 acres. John Hendrick wife to hold Lot No 5 of 45 acres as laid down in the plat & survey accompanying the report aforesaid. It is further decreed that a road shall be left open for the convenience of the parties across each lot adjoining George Bowman's land and the owner of every lot is to have the privilege of getting water for drinking purposes out of the well and the fences nearest the division lines at the time the division was made to be taken to make division fences and it is decreed that the Clerk of this Court record this partition according to the 18th Section of Chapter 103 of the Code of Virginia and that the costs of this suit including a fee of eight dollars to the surveyor, Josiah B. Roller, \$125 to each of the chain carriers and two dollars to each of the commissioners be equally divided among the parties to this suit.

Cromer vs Rader. On Motion continued until the next term at the costs of the Deft

Selah Holbrook

vs

Hiram M. Harris & others

Plff

Deft

} In Chancery

This day came the parties by their attorneys and by consent the Defts have leave to withdraw their plea & effects and plea waived (saving equity) and judgment confessed for \$304 the penalty of the obligation in the declaration mentioned to be discharged by the

payment of \$152. with interest from the 1st Sept 1832. It is therefore considered that the plaintiff recover against the defendants the said sum of \$152. the penalty of the obligation aforesaid to be discharged by the payment of \$152. with interest thereon to be computed after the rate of six per centum per annum from the 1st day of September 1832 till paid and the costs by the plaintiff in this behalf expended. But this judgment is not to preclude of the defts. right to seek to recover or have credit for their offets in any court they may select

Commonwealth

¹⁰⁵ } On a rule
Jno D Myers

On Motion and for reasons appearing to the court it is ordered that this cause be dismissed.

Wm & C Read & others

Plffs

¹⁰⁵
Madison Weaver & others

Defts

} In Chancery

This cause came on to be heard on the 23rd day of Nov- 1832. upon the Bill and exhibits. The answer of the infant Defts Robert and Victoria Carpenter by their Guardian ad Litem. L W Gamble and the subpoena awarded in this case having been returned. executed upon the other defendants Madison Weaver Benjamin F Carpenter and Sarah M Weaver more than one month and they still failing to appear and answer the bill as to them is taken for confessed. whereupon the argument of counsel being heard, the court doth order, adjudge and decree, that a partition be made of the land as referred to and prayed for in the Plffs bill that the widow's dower in said land shall be set apart. and for this purpose the court doth appoint Col Jos Manzy. Sen & C Ammon. John Boyer. Albert Nicholas. Jacob Strayer & Geo J Kinsling any three of whom may act as commissioners to make said partition to a firm and sounder, and that said commis. shall make partition of the whole land for Plffs and Defts with due regard to quantity, quality and value and with equal justice to all

parties, as near as the same can be effected repeat their proceedings to this court

George W Miller Deft }
105 } In Debt
George W Coulter Deft

This day came the parties by their attorneys and by consent of parties judgment is granted against the Deft for the sum of \$250. part of the debt in the declaration mentioned it is therefore considered that the plaintiff recover against the Deft the said sum of \$250 the with interest thereon to be computed after the rate of six per centum per annum from the 7th day of Sept 1853 till paid and the costs by the plaintiff ^{therein} up to this time and the cause is continued until the next term as to the balance

Peter Sleenton Deft }
105 } In Case
Thomas Chapman Deft

This day came the parties by their attorneys and thereupon came a jury to wit: John Huff, Wm Price, Daniel Murry, David M. Hoffman, Wm Sneweaver, Abraham Simmer, Geo Campbell, John Carman, Benjamin T. Thomas, Moses Bournan, M. Miller and Geo Carpenter 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 findth the plaintiff to pay his damages at the sum of one hundred and three dollars and six and a half cents, with interest thereon from the 15th of June 1847 till paid" It is therefore considered that the plaintiff recover against the defendant the said sum of \$103.06 1/2 the damages aforesaid, with interest thereon to be computed after the rate of six per centum per annum from the 15th day of June 1847 till paid, and the costs by the plaintiff his costs by him about his suit in this behalf expended

Myllray vs Johnson. On Motion Continued until the next term

Jacob Bowers vs
vs
Augustine Hollar } M. Debt
Plff }
Deft }

This day came the parties by their attorneys and the parties by their attorneys mutually submit all matters in difference between them in this suit to the final determination of Jackson Horn and Milton Moore and their award or the award of such person as they shall choose for an umpire. Thereupon is to be made the judgment of the court and the same is ordered accordingly. said referees are directed to return their award the 1st term next of this court.

Carman vs Shaver. On Motion continued at the costs of the Deft

Snyder vs Baker By consent of Parties this Cause is dismissed

Hook vs Byerly & Horton. On Motion continued until the next term of this Court

Garrett vs Beery (The same order)

Vanpelt vs Muller (The same order)

Harpers admrs vs Hooke (The same order)

Jennings vs Conrad (The same order)

Wm O'Kyle vs Hontelroy Jones. On Motion & for reasons appearing to the Court this Cause is dismissed and judgment is given against the plff for the Defts costs

Hugh Breedon vs Emanuel Royer. On Motion this Cause is dismissed and judgment is granted the Deft against the plff for his costs about his defence in this behalf expended

Ralston cont vs Sites &c. On Motion continued until the next term

De Moore for Pluff }
 vs } In Debt
 Joseph Cordell Deft

This day came the parties by their attorneys. And the debt
 by the his attorney answered the plea and confessed judgment for the
 balance of the debt in the Dec mentioned after deducting the amount
 of the judgment heretofore rendered in this cause

Jacob T Yount adm^r }
 vs } In Chancery
 Samuel Yount v^rors Defts

This cause came on this to be heard on this 23^d day of Nov. 1852
 on comp^t bill the answer of Joice & Baugher & exhibit^s filed therewith & process
 duly executed on Elizabeth Yount, John Fletcher and Samuel Yount where
 upon the court is of opinion that the real estate mentioned in comp^t bill
 ought to be sold together including the small parcel sold by John Fletcher
 to Jacob T Yount in the lifetime of Yount. it is therefore adjudged ordered
 and decreed that the complainant Philander Fleming after advertising
 the time & place of sale in Rockingham Register for four successive weeks
 & putting a like advertisement at two or more public places nearest the
 said lots of land do proceed on the premises in the Village of Dayton to
 sell the same at public auction to the highest bidder upon the
 terms following to wit. one half of the purchase money to be paid in sixty
 days from the day of sale & the other half in six months from day of sale
 the purchase money & the title to D^r lots of ground to be retained as
 ultimate security until all the purchase money shall have been
 paid. and it is further ordered that the said Philander Fleming make
 a report of his proceedings under this decree to the next January term of
 this court returning therewith the names of the purchaser of said lots.
 It is also ordered and decreed that out of the first money received as the
 proceeds of the sale of the said lots of ground the aforesaid sum of eighty
 dollars now due & unpaid to Mrs Elizabeth Yount shall be paid
 to her or her trustee together with any interest accrued thereon
 the balance of said purchase money shall go as assets to be distributed
 amongst the creditors of the said Jacob T Yount de^d. and it is finally
 adjudged ordered & decreed that Richard P Fletcher a commissioner

of this court shall without delay after the sale of the lots of land aforesaid and after he shall have given at least four weeks notice of the time & place of taking said account in the Rockingham Register proceed to settle & settle the administration accounts of the said Philander Herring adm^r of the said Jacob T. Mount dec^d & it is ordered that the said com^r shall bring into the account of assets the balance of the purchase money accruing from the sale of the said lots of ground after deducting therefrom the debt above mentioned due to the trustee of Mrs Elizabeth Mount. he shall also make a statement of all debts due or to become due against the estate of the said Jacob T. Mount dec^d and apportion the assets amongst them according to their respective priorities or rights, and it is ordered & decreed that the said commissioner make report of his proceedings under this decree to the March Term of this court in order to a final decree. But before the said Philander Herring receives any money under this decree he shall execute a bond with good security in the penalty of \$500. in the clerk's office of this court with condition agreeable to the act of assembly

David S Jones Surfer Plff
 10
 Jacob Mount's heirs Deft } McHam comy

This cause came on to be heard this 23^d day of Nov. 1837 upon the papers formerly read in the cause and it appearing to the court from the report of C. C. Strayer the commissioner formerly in the cause that there is money in his hands to the amount of \$302.53 it is therefore adjudged ordered and decreed by this court that the said former commissioner pay over to the acting commissioner the funds in his hands in a reasonable time

It is ordered to be certified that satisfactory evidence ~~was~~ ^{that} exhibited to this court James Barley was a pensioner of the United States at the rate of \$21 ⁶⁶/₁₀₀ per annum was a resident of the County of Rockingham in the State of Va. and died in the said County in the State of Virginia in the year 1841 on the 20 day of October that he left a widow who has since died and six children to wit William Margaret Michael

Certified
 Charles Barley

Samuel, Jacob & Augustus, and that the pension certificate of said pensioner has been lost or destroyed, and after due search and inquiry cannot be found.

James Steele

Deft

Plase

vs
Smith & Marshall

Deft

This day came the parties by their attorneys and thereupon came a jury to wit David Bloper, David McKuffman, John Miller, Newman McLaw, Abraham Simmons, George Carpenter, Wendel Price, John Sheets, Jno Eganman, John Neff, John T. Myers & Benj. F. Thomas 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 "That the jury find for the plaintiff & assess his damages at the sum of seventy two dollars & eighty two cents". It is therefore considered that the plaintiff recover against the Defts the said sum of \$72.82 with interest thereon to be computed after the rate of six per centum per annum from the 23^d day of November 1832 till paid and the costs by the plff about his suit in this behalf incurred.

Pennybacker vs Rader. Not guilty plead and general demurrer filed to declaration & issue continued

Reherd vs Hunter. Non assumpsit plead & issue continued

Lindon vs Tuttle. Payt plead general replication & issue continued

Haynes afee vs Haynes. Payment plead & issue continued & leave to amend declaration

The Court doth make the following allowances to jurors to be paid by the Court viz. David Bloper 50¢, Moses Bourman 50¢, Geo Campbell 50¢, David Gilmer 50¢, Daniel Murray 50¢, Whitfield Maury 50¢, Mel McGuire 50¢, Wendel Price 50¢, Emanuel Rhodes 50¢, Abm Simmons 50¢, Reuben Sellers 50¢, & B. F. Thomas 50¢, which is ordered

to be certified to the auditor of public accounts

Ordered that the following allowances be made to jurors to be paid by the County, viz. David Bloper \$1.50. Moses Bouman \$1.50. George Carpenter \$2.25. Geo Campbell 1.50. M. W. Leave 2.25. M. C. Effinger 2.25. Saml. C. Kempfeller 2.25. M. E. Carman 2.25. David G. Palmer 1.50. D. A. Heavole 2.25. D. M. Huffman 2.25. H. A. Kite 75c. Wm. S. Nauvau 2.25. Geo. T. Meyer 2.25. J. M. Miller (Jr.) 2.25. Daniel Murry 1.50. Wm. Murry 1.50. John Neff 2.25. Wm. C. Price 1.50. Ed. Peale 75c. John Sheets 2.25. Abm. Sommer 1.50. Reuben Sellers 1.50. Benj. F. Thomas 1.50. Curtis Yates 2.25. Field McQuinn 1.50. Emanuel Rhodes 1.50. which is ordered to be paid by the Sheriff of this County

George O. Conrad

vs

Pltff

Zachariah Crigler & John M. McIntosh admsrs Defts

On a motion &

This day came ^{as above} ~~the~~ (as well as the plaintiff by his attorney as Zachariah Crigler by his attorney and the Pltff by his attorney) and the Pltff by his attorney tendered a bill of exceptions to the opinion and judgment of this court entered on yesterday which exceptions are in these words "George O. Conrad vs Zachariah Crigler &c." & which exceptions were signed sealed and enrolled and ordered to be made a part of the record

Michael Wise

vs

Pltff

Shipman & Roller

Defts

M. Deft

This day came the parties by their attorneys and the defts by attorney, demurred to the Pltff declaration, which was argued by counsel and the court upon deliberation doth overrule said demurrer, and thereupon the Deft plead nil debet, Statutes of Limitations, and also filed an account of offsets which they desire to prove, and the case joined and continued until the next term of this Court

Overseers of Poor

vs

David Empweller &c

Deft upon an appeal from the judgment of
a justice of the peace taken by said
Deft Empweller &c

This day came the parties by their attorneys and the
Defts by counsel moved to dismiss this cause on the ground that the
the action was not properly proceeded in before the justice who rendered
judgment in this cause and the Court upon deliberation after hearing
the argument of counsel doth overrule said motion and the cause is
continued

Bryant trustees vs Gailey On D Bonds notice served & now arrived

Ordered that the Court be adjourned until to third Monday in December
next

S. H. Lewis

Virginia

At a Court held for Rockingham County at the
Court-house thereof on Monday the 18th day of
December 1854

Present

Samuel & C. Lewis Jr. Ch. Sterling

Wm B. Yancy & M. A. Herwing

} Gent
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 November last which being seen and inspected by the
Court is ordered to be entered on the minutes as follows to wit

November
Deeds

x A Deed of Trust from Adam Long to John (Devel) Trust for Paul Long

of A Deed for Land from Jacob Stichel comr to Eli S. Hollaw

of same from Leah Early & husband to Samuel H. Rogers

of same from Samuel H. Rogers to Jonas Early

of same between Allen Bryan, Samuel Shacklett & Jeremiah L. Gibson

x of the 1st part led by of the 2nd part & Peggy Gibson of the 3rd part

- X A Deed of Trust from Thomas J. Cline to Anthony Burkholder Trust for J. Burkholder
- B of A Deed for Land from Andrew J. Carmel wife to Henry Hagedorn
- of A Deed of Trust from George Perkey to Solomon Beery Trust for Joseph Beery
- A Deed from Joseph Maury wife to Abraham & Isaac Gudy
- B of Same from Philip Wagner wife to Joel Hony
- B of Same from Andrew Schutzen wife to Joseph Early
- of Same from Jacob Meise to Mathias Meier
- of Same from Anthony Showalter wife to John Kline
- B of Same from Henry Losker wife to Daniel Baggel
- of Same from Adam McPhecker wife to Josiah S. Moller
- B of Same from Samuel Fry wife to Lewis Meil
- of Same from Jacob Rush to Eli Royer
- of Same from Susannah Miller to Jno & Sam Meier
- of Same from Jno Alwhite wife to Sarah Mary
- B of Same from John Heulwa wife to Adam Richie
- B of Same from Same to Philip Baker
- B of Same from Same to Jacob Baker
- B of Same from Same to Elizabeth Baker
- B of Same from Samuel Cline wife to Jacob Silfure
- of Same from Nancy (Darl) wife to Rudolph Mayer
- B of Same from Jeremiah Lommens wife to Daniel S. Baker
- of Same from David Ammon wife to Strother Bright
- B of Same from David Meise wife to Levi Meise
- B of Same from John A. Major wife to Morris Vornbush & +
- B of Same from Abraham Shaver wife to John Silvers
- of Same from Frederick Heatter wife to Archibald. Galt
- of Same from M. Jones wife to Robert L. Mauck
- of Same from Isaac Handley to H. W. & C. Paulsen

Settlements of the estate of Theodorus N. Jourdau dec'd. Jacob Runkle dec'd. & Frances & Brock dec'd. having been filed in the office for the time prescribed by law. were presented in Court and being examined. & no exceptions being offered to the same are confirmed and ordered to be recorded

Settlement of the accounts of M. R. Wadsworth adm'r dec'd. commission

of Henry Moyers. dec'd & same as trustee for Margaret Moyers 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 affirmed and ordered to be recorded

Settlements of the accounts of George Rhodes Guardian for Elizabeth Stephens (now Strickler) and Anderson M Newman Guardian for Isaac & Edmund Perrybaker ~~at~~ 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 thereto the same is affirmed and ordered to be recorded

Samuel Miller

Plff

vs

Solomon Garber exor of Christian Miller dec'd Deft

On a Motion &

This day came the ~~for~~ plaintiff by his attorney, and the summons awarded against the defendant being returned executed and the deft solemnly sworn and not appearing, it is ordered that his power and authority as executor of Christian Miller dec'd be revoked and annulled: and on the motion of John Miller — who made oath thereto according and together with John Long Jr Isaac Blick, Clements Trine & Joseph Miller his securities (who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of \$10,000 conditioned as the law requires: certificate is granted him for obtaining letters of administration de bonis non of the goods, chattels and credits of Christian Miller dec'd in due form, and it is ordered that Clements Trine, George R Gibson Peter Ware and Joseph Miller do appraise the estate of Christian Miller dec'd

Ordered that Amos Scott be appointed surveyor of precinct No of road No in the place of Mr Dundore resigned

Mauzy adm'r of Raderth. Notice given, docketed and continued until the next term

James Grubb & ^{vs} Defts } In Chancery
 Wm Grubb & Defts }

This cause came on to be heard on the 18th day of December 1854 on the papers formerly read in the cause and the report of the commissioner to which there is no exception on consideration whereof the Court is of opinion that the said report ought to be received whereupon the Court doth adjudge order and decree and it is accordingly adjudged ordered and decreed that the decree entered in this Court at the last Octo Term of this Court be so amended and modified as to conform to the action of the Commissioner as set forth in his report, and that the said commissioner is hereby appointed a receiver to collect the money as it shall fall due and after paying all fees costs &c therefrom shall retain any balance that may remain in his hands subject to the further order of this Court. But before the said commissioner receiver shall collect and expend any money arising from the sale of said land he shall execute a bond with security in the clerk's office of this Court in the penalty of \$1000 with conditions according to law

On motion of Wm Thompson who made oath thereto according to law and together with George Branner, John Hinegardner & Henry Neff his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$7500 conditioned as the law requires. Certificate is granted the said Wm Thompson for taking letters of administration in due form upon the goods chattels and credits of John Knapp dec^d and it is ordered that George Branner, John Hinegardner & Henry Neff do appraise the estate of Michael Hornum, George Will
 v Abraham Knapp & Daniel Driver do appraise the estate of John Knapp dec^d

George Branner vs Philip Bille. On motion it is ordered that he be summoned to appear here on the 1st day of the next term to show cause if any he can why his powers as ex^r of M^r Bille shall not be revoked

4-11-54
 J. H. G.

Nancy Pence the widow of John Pence dec^d departed this life in the County of Rockingham intestate on the fifteenth day of March 1854. that the said Nancy Pence left the following children now living and none others, to wit John Pence, Eleanor Pence Polly Garner wife of Henry Garner, Catharine Ryger and an Eliza Pence. Margaret Shaver the wife of Samuel Shaver & Henry Pence. and it is further ordered to be certified that the said John Pence duly qualified in this Court which is a Court of record. at its last April Term as administrator of said Nancy Pence and gave his official bond with security in the penalty of Twentyfive hundred dollars conditioned according to law and that the original certificate of pension has been lost which was granted to the said Nancy Pence who was the widow of John Pence dec^d a revolutionary soldier

Meferly vs Grove on an attachment. on motion of the plaintiff this cause is dismissed

On the motion of James H Baker who made oath thereto according to law and together with Peter Bremnerman & Joseph Lermer his securities (who justified as to their sufficiency) entered into and acknowledges a bond in the penalty of \$10000 conditioned as the law requires. certificate is granted the said James H Baker for obtaining letters of administration in and from of the goods chattels and credits of Jacob T Beery dec^d the widow of said Jacob T Beery having relinquished her right to administer. and it is ordered that Emanuel Royer David Spies John Meferly & Joseph T Rohr do appraise the estate of Jacob T Beery dec^d

Namfelt vs Smalleywood. on motion continues until the next term of this Court at the costs of the Def^t

Present Reuben Cluffman & Archibald Hopkins Jr Justices

Morgan Vanpelt, John Riley & Martin Vanpelt who stand committed to the jail of this County charged with a felony by him committed in this that the said Morgan Vanpelt ~~and~~ on the 16th day of November 1853, in this County, did unlawfully, maliciously and feloniously shoot Daniel Fridley with intent to maim, disfigure, disable and kill him the said Daniel Fridley, was led to the bar in custody of the jailor and on motion of Defendant ~~this cause~~ this examination ~~the further examination~~ is continued until the next term of this Court thereupon the prisoner moved the Court to admit him to bail which motion after hearing the argument of counsel ^{the Court} refuse to admit to bail and overrule the motion, and thereupon the prisoner is remanded to jail

John Riley & Martin Vanpelt who stand committed to the jail of this County charged with a felony by them committed in this to wit that the said John Riley & Martin Vanpelt on the 16th day of November 1854 at the County of Rockingham, did feloniously counsel and abet a certain Morgan Vanpelt unlawfully, maliciously & feloniously to shoot Daniel Fridley with intent to maim, disfigure, disable and kill him the said Daniel Fridley which said felony he the said Morgan Vanpelt did accordingly commit, was led to the bar in custody of the jailor whereupon the prisoners by their counsel moved the Court to continue this ~~cause~~ examination, it is ordered that the cause be continued until the next term of this Court, and thereupon the prisoners moved the Court to admit them to bail upon deliberation and hearing the argument of counsel the Court ~~and~~ overrule said motion, and thereupon the prisoners are ~~committed to~~ remanded to jail

✓ Cordell vs Diggs The summons not being returned properly executed on motion of the plaintiff a new summons is awarded against him returnable to the next term of this Court

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

L. A. Lewis

Tuesday (December 19th 1854

Present

Samuel H Lewis Jf. O. Sterling } Gent.
 Wm B Yancey & John A Herring } Justice

Daniel H Huffman Plff }
 against } In Chancery
 Jane Meperly & Defts }

This cause came on to be further heard by consent this 19th day of December 1854 upon the papers heretofore read. the proceedings heretofore had. and the Defendants Jane Meperly and John E Mapey having failed to answer the bill although more than two months have elapsed. since the return of the process executed. the bill is taken for confessed as to them. and the plaintiffs exceptions to the report of commissioners Dorman Byerly & Kemper having been waived the said report is confirmed. and there being no exceptions to the report of commissioner Fletcher the same is likewise confirmed. Whereupon the argument of counsel being heard and it appearing that there are no personal assets of the estate of Solomon R Meperly in the hands of John E Mapey his administrator. and that the rents of the land belonging to the land belonging to the estate. exclusive of the widows dower would not be sufficient to discharge the debts which remain unpaid within five years. The court doth therefore adjudge and decree that Benj A Walker who is appointed a commissioner for that purpose shall proceed to give four weeks notice of the time place and terms of sale by advertisement published for four successive weeks in the Rockingham Weekly Register and put up for the same period at the court house. door & two public places in the neighborhood of the land. and having given such notice shall ~~thence~~ sell at auction on the premises. the residue of the tract of land which was conveyed to Solomon R Meperly by Robert M Skyle by his deed of June 29th 1849 after deducting the land assigned to the widow for her dower on the following terms. viz. in three equal payments at six twelve and eighteen months. with interest from that date. the purchaser

being required to give good personal security for the money & the title retained as additional security until the whole is paid. The proceeds of the sale to be applied in the first place to the payment of the costs of this suit and the expenses of the sale and next to the payment of the several debts ratably as reported by Commissioner Fletcher. But before said Benj^r Walker receives any money under this decree he shall first execute a bond with good security in the Clerk's office of this Court in the penalty of \$1000 with condition according to the act of assembly and he shall make report to this Court

This Court having heretofore appropriated three hundred dollars which has been expended on the line of the "Harrisonburg and Franklin Turnpike Company" this Court in pursuance of the 55 of an act of the General assembly, passed March 9th 1833 in regard to said Turnpike Company doth authorize Isaac Hardesty in the name of this Court to subscribe to the capital stock of said Company the said sum of \$300 upon the route he may deem most practicable and to represent the Court in all meetings of the stockholders of said Company

W^m K Gailey Constable of this County presented in Court an account against the Commonwealth amounting to \$8.90 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

Joseph Wilson presented in Court an account against the Commonwealth amounting to \$6.21¹/₂ which account being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

John Keister
or
Jacob Gaulty } Upon a writ of Unlawful Detainer

This day came again the parties by their attorneys and thereupon came a jury to wit: Zachariah Lerigler, James Redcab, Wm Steele, Thomas Logan, Jacob Bear, Benjamin H. Ralston, John Beechimer

Alfred Shankel, Abner Nicholas, Mem Rockheffer, Newman in the
leave, & Robert L. Mauck 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 sometime
returned into court, and not being able to agree upon a verdict
Alfred Shankel, one of said jurors being withdrawn, the others
from rendering a verdict are discharged, and the cause continued
until the next term.

Jacob Bear

Appellant

vs.
Samuel Gibbons
~~Attorney & Counsel~~

Appellee

} upon an appeal from
the Judge of a justice

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 no error in the judgment of the justice aforesaid. It is therefore
considered that the said ~~Gibbons~~ recover against the said Jacob
Bear and Lemly Stevens his security in said appeal, the sum of
eighteen dollars and fifteen cents with interest thereon at the rate
of six per centum per annum from the 9th day of January 1845
until the 17 day of Jan'y 1849. & Do (his) costs recovered before a justice
of the peace, and damages ^{on the whole amt. of \$8⁰⁰ paid} at the rate of 10 per centum per
annum from the 17th Jan 1849 until paid and the costs by
the appellee in this behalf expended

Giles Dever

Appellant

vs.

Mr Grimsley

Appellee

} on an appeal from the
judgment of a justice

On Motion of the appellant by attorney & for reasons
appearing to the Court it is ordered that the judgment of
the justice aforesaid be reversed and annulled and 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 January
next

L. H. Lewis

Virginia

At a Court held for Rockingham County at
the Court house therefor Monday the 15th
day of January 1855

Present

Samuel H Lewis Of. Frontenac & Langston } Gentl
Wm B. Yancy & O. Sterling Sam. Ruckelsh } Justices

December
Dec 15

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 December 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 BtH from Daniel Ship wife to Peter Miller
- 1 of Same from John Keedy wife to Franklin Lisky
- 1 of Same from Susan Conrad to Robt March & M G Jones
- 1 of Same from Robert Le March wife to Saml M & Co Bourman
- 1 of A Deed of Trust from Benjamin Truf wife to Adam Pefer. Ind Trust &
- 1 of A Deed of BtH from Wm Shawalter wife to John O & A H Shawalter
- 1 of Same from James H Coursey wife to Wm Shawalter
- 1 of Same from Algernon S Gray to Emmanuel Royer
- 1 of Same from Jacob A Mitchell wife to Sarah Carnes
- 1 of A Deed of Trust from Samuel Bare to Geo T Harris Ind Trust for Ind of Perkins
- 1 of A Deed of BtH from Daniel Whisler wife to Solomon Miller
- 1 of Same from Philander Fleming wife to Robert Wright
- 1 of An agreement between Leatharine Trobaugh & Abner Trobaugh
- 1 of A Deed of Trust from Leatharine Trobaugh to Wm Hooke Ind Trust for Abner Trobaugh
- 1 of A Deed of BtH from David Perry wife to Harvey Frank
- 1 of Same from Leatharine Nave to William Orebaugh
- 1 of Same from Riley Armontrout wife to Wm & Co Armontrout
- 1 of Same from Philip Reedy wife to David Holler
- 1 of Same from Hiram J. Stickler to John Weefly
- 1 of Same from James Daffy wife to James & Timothy O'Rourke
- 1 of Same from Jacob Custer wife to Conrad Custer
- 1 of Same from Jacob Andrew wife to Abraham Click
- 1 of Same from Joseph Burkholder com to John Sellers

see list

- 131 A Deed of Bt from Joseph Burkholder com^o Simon S Harmon &
 132 same from same to Wm R Hopkins
 133 A Deed of Trust from Wm R Hopkins to A Bryan Trust for J Burkholder
 134 A Power of Attorney from Barbara Link to Jacob Bayler
 135 A Deed of Bt from Henry Handlaw wife to Reuben Coffman
 136 A Deed of Trust from John Malden to Wm Stevens Trust for J Stevens
 137 A Deed of Bt from Mary Jones to Reuben Coffman
 138 same from Melliciam R Speck wife to Peter W Hatfield
 139 same from John W Shawalter to Andrew H Shawalter
 140 same from Simon P Summers wife to Abiam Summers Jr
 141 same from Andrew B Brick wife to Philip Miller
 142 same from Benj Vampelt wife to John & Geo Foster
 143 same from James Baker wife to Emanuel Royer
 144 same from Jacob Bare wife to M Harvey Effinger
 145 A Power of Attorney from Catharine Kyger to John Pence Jr
 146 A Contract between Polly Pence & Lewis Pence
 147 A Deed of Trust from John W Miller to Charles Lewis Trust for J Clifton H.
 148 A Deed of Bt from Jacob Bare wife to A B Brick

Settlements of the estates of Abraham Deery dec^d - J^r Ryerly dec^d -
 Daniel Frymoyer dec^d - Robert Hooke dec^d & John Connor 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. the same are confirmed and ordered to be
 recorded

Settlements of the accounts of J Marshall McCreigh for
 Isabella Smith & Abm Leary late guard for Geo M Shoemaker &
 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 ordered to be recorded

Joseph Wenger

Plff

vs

George Foster

Def

} on a report of a com^r

The com^r this day returning into court his report which was ordered to be filed

Ordered that Malinda Hall have leave to bind her son Wm Hall
 along 13 years of age
 to William Peters to learn the trade of a Saddler. upon the following
 conditions said Peters to pay to the mother of said boy the sum of \$15
 annually until the said boy becomes twenty one years except the last year for
 which he shall pay the said boy the sum of \$50⁰⁰

On the motion of Charles P Smith who made oath thereto according
 to law and together with John McNeill, Robert McKyle & Ed Shamas
 his securities (who made oath thereto according justifies as to their sufficiency)
 entered into and acknowledged a bond in the penalty of three thousand
 dollars conditioned as the law requires a certificate is granted the
 said Charles P Smith for obtaining letters of administration in due form
 of the goods and chattels of Asenith Butler dec'd. It is ordered that
 Anthony Miller, Joseph C Brathwaite & Isaac Hardesty do appraise the
 estate of said Asenith Butler dec'd.

Marshbarger & Beam Guard & Petff }
 101 } McChancery
 McKay & others }
 121 }
 McKay & others }
 121 }
 McKay & others }
 121 }

This cause came on to be further heard this 15th day of January 1855
 upon the papers heretofore read the report of commissioner Jacob Shickel to
 which there is no exception whereupon the argument of counsel being heard
 the court doth order, to adjudge & decree that said report be received & confirmed
 and that the deed bearing date the 10th day of October 1852 from Jacob Shickel
 Com'r to Eli S. Hollan be & is hereby confirmed & that said Shickel shall
 pay whatever balance may be in his hands due Isaac McKay, to
 said McKay or his order subject to the costs expended by said Shickel
 a committee for said McKay

Upon the petition of George C Deaneale for a road & It is ordered
 that the said petition be referred to Peter Byerly or any other com'r of
 road for this County to be acted and reported on according to law

Overseers of Poor Petff }
 121 } Upon a Notice re
 George W Entzler Deft } This day leave the Petff by

the attorney prosecuting for the Commonwealth; and in his motion judgment is granted against the said Eitzen the sum of \$39.04 with interest thereon from the 15th day of January 1855 till paid and the costs in this behalf expended

On the Motion of Collin Watterson & William W Hedrick who made oath thereto according to law and together with Benjamin F Brown Elijah R Demott, Richard Dorsey, Parrot H. Elliott, Wm Watterson James Carley, Joseph Maury, Jacob Rush, Jacob Ammon Henry Kisting & Henry Sellers their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of seventy five thousand dollars conditioned as the law requires certificate is granted the said Collin Watterson & William W Hedrick for obtaining letters of administration in due form upon the estate of John Hedrick dec^d. It is ordered that Samuel H Lewis Jacob Strayer, George W Kemper senr, Wm B Yancey & Henry Harnberger do appraise the estate of John Hedrick dec^d and report according to law

On the Motion of Lydia Hedrick widow of John Hedrick dec^d It is ordered that Joseph Maury, Jacob Ammon & Wm B Yancey do assign to said Lydia Hedrick Dower in the estate of which Jno Hedrick died seized

Samuel Misewander orphan of Misewander being upwards of 14 years of age appeared in court and with the approbation of the Court made choice of Saml Misewander as his guardian who thereupon together with John Misewander his security (who justified as to his sufficiency) entered into a bond in the sum of \$300. conditioned as the law requires

Andrew Louck

Plff

Wm Hedrick

Def

On a Notice to

On Motion this Cause is docketed and continued until to morrow

The Court doth appoint Robert Ryger guardian for his children George, Jacob & Maximilian Ryger who are under the age of 14 years thereupon the said Robert Ryger appeared in court and together with Andrew Johnson his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires

George Branner

Plff

On a motion &

Philip Bible ex'or of John Bible Deft

This day came the parties by attorney and by consent the power and authority as executor of same of the said Philip Bible as executor of John Bible dec'd be revoked and annulled. and thereupon Michael J. Givelle administrator who made oath thereto according to law and together with Jackson Horn & Christian Bowers his security 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 Michael J. Givelle for obtaining letters of administration ^{de bonis opor} with the will annexed of said John Bible dec'd.

Charles & Deborah orphan of John Hedrick dec'd being upwards of 14 years of age appeared in court and with the approbation of the Court made choice of Wm H. Hedrick as his guardian thereupon the said Wm H. Hedrick together with Richard B. Hedrick & Collin Catterton who gave his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$15000 conditioned as the law requires

Amanda Reuben Grubb, child of Susan Grubb being upwards of 14 years of age appeared in court and with the approbation of the Court made choice of Susan Grubb as her guardian. The Court doth appoint Susan Grubb guardian for her children James, Amanda & Reuben Grubb. thereupon the said Susan Grubb appeared in court and together with Cyrus Wise her security who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$300 conditioned as the law requires which bond is ordered to be recorded

For reasons appearing to the Court it is ordered that a writ issue to the Sheriff of this County directing him to cause an election to be held for a constable in addition to the present Constable Giles Dewar in District No 8. on the 10th day of February 1855 and that the Commissioners heretofore appointed at the several places of voting in said district do superintend said election to be held as aforesaid.

The Commissioners heretofore appointed to lay off a pign to Mary Moyers her dower in the lands of her late husband David Moyers do this day make their report which was examined by the Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded.

Ordered that the order entered at a former term of this Court binding Edwin Thos. Watkins a free boy of color to Jno W Lee which order has not been executed be and the same is hereby renewed and the overseers ^{of the poor} are hereby directed to bind the said boy to Jno W Lee upon the conditions set forth in said order.

Present Isaac Heardesty. Gent Justice

Morgan Vanpelt who stands committed to the jail of this Court charged with a felony by him committed in this that he the said Morgan Vanpelt on the 16th day of November 1854 in the County of Rockingham did unlawfully maliciously & feloniously shoot Daniel Fridley with intent to maim, disfigure, disable and kill him the said Daniel Fridley; was again led to the bar in custody of the jailor of this Court and sundry witnesses being sworn and examined and the prisoner fully heard in his defence and the Court upon mature deliberation are of opinion that Morgan there is not probable cause to charge the prisoner with the offence aforesaid. It is therefore ordered that he be discharged from custody.

John Riley & Martin VanPelt who stand committed to the jail of this County charged with a felony by them committed in this to wit that the said John Riley & Martin VanPelt on the 16th day of November 1834 at the County of Rockingham did feloniously counsel and abet a certain Morgan VanPelt unlawfully maliciously & feloniously to shoot Daniel Bradley with intent to maim disfigure, disable and kill him the said Daniel Bradley, which said felony he the said Morgan VanPelt did accordingly commit. the prisoners were again led to the bar in custody of the jailor and sundry witnesses being sworn and examined and the prisoners fully heard in their defence and the Court upon mature deliberation are of opinion that there is not probable cause to charge the prisoners with the offence aforesaid. It is therefore ordered that the prisoners be discharged from custody.

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

S. Lewis

Tuesday January 16th 1855

Present

Samuel H. Lewis	Of	Old Sterling	} Gent
Samuel Ruebush	Of	Almond Branch	
			Justice

Daniel Thomas is appointed surveyor of road No. leading from Holinger's school house to the Shenandoah River

Andrew Clough	Plff	} upon a notice
vs		
Malvin Smith	Deft	

This day came again the parties by their attorneys and by consent the Deft filed interrogatories to Plff. a copy of which is directed to be served on the plff

Allen (Bryan

Pltff

vs

John Smallwood

Deft

} Upon a writ of Unlawful Detainer

This day came the parties by their attorneys and the Defendant plead Not Guilty to which the pltff replied generally and thereupon came the jury to wit. Peter Henton. Jeremiah Holland. Wm Smallwood. George W. Effinger. Augustus Rice. Hugh Mc Harris. A. Hochman. Levi Leromen. J. C. Ralston. Peter Showalter. Thomas W. Gordon & John Funk. who being selected and sworn. who find the following verdict. "We the jury find that the defendant unlawfully withholds from the plaintiff the premises described in the within summons. and that the plaintiff is entitled to the possession thereof." Therefore it is considered by the court that the plaintiff recover against the defendant possession of the house & lot in the writ mentioned and his costs by him in this behalf expended. and a writ of habere facias possessionem is awarded to cause the said plaintiff to have such possession.

Vanpeet vs. Smallwood. On motion continued until the next term at the costs of the Pltff.

Nicholas vs. Keran. On motion continued until the next term

Samuel Sager

Pltff

vs

N. C. Smith

Deft

} On the report of a com. & c.

Joseph Wenger

Deft

vs

George A. Foster

Deft

} On report of a com. & c.

On motion it is ordered that the Deft in the above named causes be summoned to appear here on the first day of the next term of this court to shew cause if any they can why an attachment shall not be issued against them for failing to attend before a commissioner of this court and answer certain interrogatories filed by the Pltff.

Dinkle fr
 vs
 leele jr } Upon a report of Com^r
 Plff Deft

This day came the plff by his attorney and the summons last awarded in this cause not being returned executed it is ordered that a new summons be awarded against him returnable to the next term of this court

Keller
 vs
 Armentrout } Upon the report of a com^r
 Plff Deft

This day came the plff by his attorney and the summons awarded in this cause being returned executed and the defendant solemnly called and not appearing it is ordered that an attachment issue against him to compel him to answer interrogatories filed by the Plff before a commissioner

Cordeell
 vs
 Diggs } Upon a suggestion
 Plff Deft

The summons last awarded in this cause not being returned executed it is ordered that a new summons be awarded against him returnable to the next term of this court

Jacob Sipe Appellant
 vs
 Peter Roller 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 of the peace It is therefore considered that the judgment aforesaid be affirmed and that Peter Roller recover against Jacob Sipe the sum of \$19, Debt of \$1,20 ^{of George Whitesee for security} costs with damages thereon at the rate of ten per centum per annum from the 27 day of March 1852 till paid and the costs by the said Peter Roller in his defence expended

Noah Keller

Plff

} In Chancery

The widows heirs & admrs of Jacob A Beery dec'd Defts

Ordered that Lilliston W Gamble be appointed guardian ad litem for the infant heirs. defendants

Anderson M Newman guardian
against

Plff

} In Chancery

The widows heirs of Isaac S Pennybaker dec'd Defts

On the motion of John D Pennybaker and it appearing that to the court that the plff. Anderson M Newman who was appointed a special commissioner by the order of the 22^d of August 1849 to receive and loan out the widows proportion of the proceeds of the land in the proceedings mentioned. has no objection to resign & surrender his appointment of commissioner made by the order of that date aforesaid and said John D Pennybaker is willing to receive the appointment. The court doth thereupon this 16th day of January 1855 substitute said John D Pennybaker as a commissioner in lieu of said Anderson M Newman for the purposes specified in the order of the 22^d August 1849. but this change not to take effect, or said John D Pennybaker receive any money under this appointment until he executes a bond in the clerk's office of this court before the clerk with good security and conditioned according to law in the penalty of \$10000 and six months time are allowed to the commissioner Newman to collect and pay over the funds in his hands as commissioner under the former order

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

S. A. Lewis

Virginia

The Court held for Rockingham County at the Court House thereof on Monday 19th day of February 1855

Present

Samuel H. Lewis J. Henry A. Warrington } Gent
Jackson & Coon & John Brown } 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 January last. which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- of A Deed of Bargain & Sale from Edward G. Hughes wife to Jeremiah Taylor
- + A Deed of Trust from Elm Thompson to M. C. Effinger Trust for J. C. McLean &c
- of A Deed of Bargain & Sale from Peter Acker & wife to Anthony Showalter
- of Same from Samuel Miller wife to George Weaver
- of Same from John Showalter wife to Conrad Rodcheffen
- of Same from Charles P. Smith wife to Addison H. Stern
- of Same from Jonathan M. Shipman to Francis W. Shipman
- of Same from Cyrus Rhodes comr to Elm H. Barclay
- of Same from Jacob Shaver wife to John W. Snare
- of A Deed of Trust from Eli Royer wife to Jonathan Miller Trust for A. Miller
- of A Deed of Bargain & Sale from Elizabeth Acker & to Peter Acker
- of Same & to Peter & Jacob Acker
- of Same from Benjamin Kerlin wife to John Hollander
- of Same from Peter Acker wife to Erasmus Leoffman &c
- of Same from Christian Landers wife to Albert Melchite
- of Same from Anthony Showalter wife to George Branner
- of Same from Joseph Billhimer's admr to Jonathan Beale
- of Same from Daniel Miller wife to Abraham Miller
- of Same from John Sanger wife to Frederick Rhodes & others
- of Same from J. M. Crawford wife to Joseph Randol
- of Same from David McLaughlin wife to Noah Keller
- of Same from John Bible's ex to John Ashenfeeter
- of Same from Elizabeth Reed to Gideon & Jonas Reed
- of Same from Same to Jonas Isaac & Gideon Reed

See Chas. H. Reed & Co. v. Reed & Co. 1853 of
for origl

See Chancery papers
Reed & Reed
Court and per origina
1853

this Court for the time prescribed by law was examined by the Court and ordered to be recorded

A Settlement of the accounts of Michael Norman Committee for David Norman having been filed in the office for the time prescribed by law, was examined by the Court and ordered to be recorded

A Settlement of James Kenney Trustee & of James Morris, having been filed in the Clerk's Office for the time prescribed by law was examined by the Court and ordered to be recorded

John Smith	Plff	} Comts Report
vs		
Samuel Bear	Deft	

This report was ~~was~~ presented in Court and ordered to be filed

A Hough	Plff	} Comts Report
vs		
Daniel Freeze	Deft	

The same order

Levi Hurdale for	Plff	} Comts Report
vs		
Abner Harrison	Deft	(The same order)

R M Harrison	Plff	} Comts Report
vs		
Wm Sinebaugh	Deft	(The same order)

Harrison & Allebaugh	Plff	} Comts Report
vs		
Same	Deft	(The same order)

Henry Williamsberger	Plff	} Comts Report	} Sam Simmons Plff	} Comts Report
vs				
Mo Brown Senr	Deft	(The same order)	Geo H Foster Deft	(The same order)

Malinda Bolton vthers Pltffs
 against
 William Lilley vthers Defs } In Chancery

This cause came on this 19th day of February 1853 to be further heard on the papers formerly read & the report of Comr R P Fletcher made in virtue of a decretal order entered in this cause without exceptions thereto and was argued by counsel on consideration whereof the Court doth adjudge, order and decree that the report aforesaid be approved and confirmed & that commissioner Robert Mooney collect & distribute the fund in or to come into his hands and after paying the costs of sale pay out & distribute the remainder according to the respective rights of the parties - paying to the female deft Mary Lilley the amount ascertained to be due hereby Comr Fletcher less her proportion of the costs of sale & her costs with this suit with interest from the 1st day of September 1852 & report his proceedings to this Court retaining therewith his vouchers of disbursement.

Ordered that Richard P Fletcher be and is hereby appointed a commissioner in Chancery to state and settle the accounts of all the receivers of this Court both general and special and all persons to whom any money has been loaned under the order of this Court or who have money subject to the future order of the Court and which remains undischarged.

Commissioners heretofore appointed to examine the the Browns Gap Turnpike from the Base of the Blue Ridge to the Albemarle County line ^{this way made their report} which report was examined and adopted by the Court and ordered to be filed.

The Last will and testament of Rachael Dancy dec^d was presented in Court and proved by the oaths of Solon P. C. Henkel & George Letholz two of the subscribing witnesses thereto and ordered to be recorded and on the Motion of Solomon P. Rupert the executor therein named who made oath thereto according to law and together with David Kagy his security (who justified as to his sufficiency) entered into and acknowledged a bond in the

penalty of \$500 conditioned as the law requires. a certificate is granted the said Solomon P Rupert for obtaining a probat of said will in due form. Ordered that Michael Hoolsinger of Peter John Knapp & Henry Spitzer do appraise the estate of the said Rachael Dary dec^d

On the Motion of John Jackson who made oath thereto according to law and together with Morris Loenbaugh his security (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 Jackson for obtaining letters of administration in due form of the goods and chattels of John Jackson dec^d. Ordered that D^r Mem^r W^r Butler B^r F^r Fishback J^r Loenbaugh & Jonas Loenbaugh do appraise the estate of said John Jackson dec^d

Hillyard	Plff	} In Chancery
01		
Ripps adm ^r &c	Defts	

On this 19th day of Feby 1855. the Deft Moses Ripps & son of Henry Ripps dec^d moved the court to continue this cause and assigned as his reasons for asking sd continuance. Matters contained in the foregoing affidavit in the words & figures following to wit. "Buckingham County to wit" &c. after argument of counsel for & against sd continuance. the court overruled the motion to continue sd Cause

The Last will and testament of Samuel Wine dec^d was presented in court and proved by the oaths of Abraham Knapp sen^r & Jacob Spitzer two of the subscribing witnesses thereto. and ordered to be recorded and on Motion of Samuel Wine the executor therein named who made oath ^{according to law} thereto, and together with John Wine & Christian Wine 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 said Samuel Wine for obtaining a probat of said Will in due form. Ordered that Jacob Spitzer. Nathan Hewston. Michael Shank and Thomas Kirkpatrick do appraise said estate.

On the motion of David R Hopkins who made oath thereto according to law and together with John R Hopkins his security (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 David R Hopkins for obtaining letters of administration in due form upon the goods and chattels of John Sansman dec^d ordered that Benjamin Driver, Jonathan Funk, John R Miller & Peter Swanek do appraise the estate of John Sansman dec^d.

The Last will and testament of Peter Holsinger dec^d was presented in court and proved by the oaths of Isaac Thomas and Jacob K Maury two of the subscribing witnesses thereto and ordered to be recorded on the motion of Isaac Thomas the executor therein named who made oath thereto according to law and together with Thornton Thomas & Michael Hornum 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 certificate is granted the said Isaac Thomas for obtaining a probat of said will in due form. Ordered that Martin Wampler, John Cline, John Driver & Lewis Driver do appraise the estate of Peter Holsinger dec^d.

Wanger	Deft	} On a sum. for failing to attend before a
vs	Com ^r	
Toster	Deft	

On motion it is ordered that said sum be dismissed

Ordered that Henry S Showalter guardian of John P Myers orphan of Mrs (P Myers dec^d) & Elm J Myers have leave to execute a new bond as such guardian thereupon the said Henry S Showalter together with Archibald Hopkins & Gabriel Heaville his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2500 conditioned as the law requires

Coffman's adm^r, vs Hulverth. On motion this cause is docketed and continued

John E. Brown who was duly elected a constable on the 10th day of the present month a constable for the 8th district in this County appeared in Court and together with David B. Bauman, Michael J. Yorkes & John Van Trump, his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2000 conditioned as the law requires. Thereupon the said John E. Brown took the several oaths prescribed by law.

On the motion of George Brammer, the Court doth appoint William G. Thompson, Abraham Funk, John J. Bauman and John Hindgardner (or any three of them may act) commissioners to assign to Leatharine Knupf widow of John Knupf dec^d her dower in the real estate of her late husband, and they are required to report their assignment to Court.

Archibald Hopkins Sen

Deft

vs

Samuel Base

Deft

} On a Notice

On the motion of Archibald Hopkins Sen. it is ordered that Samuel Base, be summoned to appear here on the first day of the next term of this Court to shew cause if any he can why he shall not execute a new executorial bond as executor of Christian Coffman, dec^d or that upon failure to execute such new bond his powers as executor as aforesaid shall in all be revoked and annulled.

Robert Gattam who was appointed agent for this County to subscribe to the Capital Stock in the Manassas Gap Railroad Company, made a report to the Court, which report was examined and ordered to be filed.

Upon the petition of Christian Simmers, Wm McFarlin & others ~~represented in~~ it is ordered that Henry Hale, Felix Sampson, and Joseph S. Sharp, do examine and report upon the said petition according to law.

John M. Smith presented in Court and account against the

Commonwealth amounting to \$9.75 which account being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

Simson Hearnberger Deputy for Abraham S Byrd SR returned into Court a list of Delinquents in Muster fines in part of the this County which list being sworn to was examined by the Court and ordered to be certified to the auditor of public accounts

Present Reuben Hoffman Gent Justice

Mariah a slave the property of Douglas charged with a felony in this that the said Mariah did on the 16th day of January 1855 in this County feloniously and maliciously burn a certain Barn, loom-house & straw stack the property of Philip Liggett situated in this County which was then of the Value of one thousand dollars was led to the bar ~~in~~ in custody of the jailor of this Court and sundry witnesses being sworn and examined and the Commonwealth as well as the prisoner by Counsel ^{being} fully heard the Court is of opinion that the evidence introduced is not sufficient to convict the prisoner it is ^{therefore} ordered that she be discharged from custody

Charles B Yancy & Philip Liggett ^{vs S H Lewis Jr} who have been drawn & summoned to serve as jurors during the present term appeared in Court and ~~was~~ for reasons appearing to the Court they are discharge from service during the present term

Jacob Baxter

vs

Robert Boyer

Plff

Def

} upon an Attachment

On Motion this Cause is docketed and continued until tomorrow

Ferdinand G. Way foreman, John Harrison, Michael Shaver, Peter Getter, Madison Moore, Michael Sellers, Abraham Heatwole, Felix Sheets, George R. Gibbons, John Silbert, Arthur J. O'Baden, James S. Harris, Alexander Riger, Henry Michael, Charles R. Rush, and Henry Parker 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 Isaac Algiers for Petit Larceny. A true bill and the Grand Jury not having time to dispatch all the business before them, are adjourned until tomorrow morning at 10 o'clock

Joseph H. Conrad &

Plffs

vs.

Anderson Moffett late Sheriff of
Rockingham Co and as such admr
of John Embree &c

Defts

In Chancery

This cause came on this 19th day of February 1855 to be heard upon the bill, exhibits & deposition of witnesses. It is adjudged, ordered and decreed that any one of the commissioners of this Court do proceed to examine, state and settle the administration accounts of Anderson Moffett admr as aforesaid, and also after a proper notice proceed to take an account of the debts and demands against the estate of said John Embree dec^d and report to the Court according to law

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

S. H. Lewis

Tuesday February 20th 1855

Present

Samuel H. Lewis CJ. Henry T. Wartrawing Gent
John G. Brown & Jackson Hoorn } Justices

William W. Herdick et al Plffs In Chancery

against
James S. Harrison &c

Defts

This cause came on to be heard by

consent of parties this 20th day of February in the year 1855 upon the bill answers of James S Harris and wife and E McDonough Harris and wife and replication thereto upon consideration whereof the Court is of opinion that dower should be assigned to Lydia Hedrick the widow of John Hedrick dec'd in the land and slaves of her deceased husband and that partition of the remainder should be made among his heirs at law. It is therefore adjudged ordered and decreed that Jacob Strayer Mm B Vancey, Robert Lyttan and Joseph Maury who are hereby appointed commissioners for that purpose, any three of whom may act do assign to Lydia Hedrick as her dower in the tracts of A 320 and A 216 and A 60 of land in the Bill mentioned, one third in value thereof for her life, and also assign to the said Lydia Hedrick during her life one third in value of the 24 slaves in the bill mentioned and of the remaining two thirds of the land and slaves that they assign, one seventh in value to William M Hedrick, 1/7 to Collin Batten & Lucy Ann his wife, 1/7 to Richard B Hedrick 1/7 to James S Harris & Sarah Jane his wife, 1/7 to Ed McDonough Harris & Margaret E his wife, 1/7 to George M Hedrick - & 1/7 to Charles A Hedrick and report to this Court at its next term. And this cause is by consent of parties referred to Mm M K Martman as a Special Commissioner with instructions to take an account between John Hedrick the intestate and each of his heirs, to ascertain the advancements they have received or are chargeable with, together with any indebtedness from the said John Hedrick to any of his heirs, or from any of his heirs to him and on executing this decree the commissioners shall take testimony and be at liberty to examine any of the parties upon oath

On the motion of the Manassas Gap Rail Road Company (due notice of this application having been given in the manner prescribed by law) It is ordered, that Joseph Maury, Stephen Hearnstong Sen
 of No G Brown Mm B Vancey and Peter Roller be appointed commissioners to ascertain a just compensation to the owners of land upon the line of said improvements ~~within~~ the said County for such of the said lands as are proposed to be taken by said Company for its purposes

Commonwealth ^{vs} ~~the~~ ^{vs} ~~Flumet~~. same vs Gilmer &c. same vs Hoag &c &c
 same vs Benj. Flumet On Motion the above several causes are
 continued until the next term

Beline vs Moore. On Motion continued until next Court.

Overseers of the Poor vs G. Washington Dunnivant. On Motion and
 for reasons appearing to the Court it is ordered that judgment be granted
 against the Defendant for the costs by the Overseers of the Poor for their
 costs in this behalf expended.

Commonwealth

vs

Joseph Riddle

} Upon an Indictment for unlawful gaming
 at a Public Ordinary.

This day came as well the attorney prosecuting for the
 Commonwealth as the Defendant by his attorney, and thereupon came
 a jury to wit. Wm. Wright, Samuel Bowman, John Biechimer, John M.
 Cluffman, John Hearnberger, Wm. McAtee, Mo. D. & Co. Cawole, Jacob
 Hooser, Reuben Coffman, Peachy Rice, Samuel Lang, Jacob
 Minnick who being elected tried and sworn the truth to & spoke 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 Deft
 the sum of \$30 the fine imposed by law and the costs expended in
 prosecuting this indictment.

Commonwealth

vs

Cornelius Grall

} Upon an Indictment for unlawful
 gaming

This day came as well the attorney prosecuting for the Commonwealth
 as the Deft by his atty. & thereupon came a jury to wit. Geo. W. Effinger, Mo. Hunkhauser,
 D. Ammontrout, Jo. H. Sheets, Jacob Bane, Jo. R. Hanford, Daniel Bierly, Elizah. Dudley,
 H. Rutherford, Lydia Rosenbarger, Jacob Minnick & Mo. Biechimer who being elected tried
 & sworn the truth to & spoke upon the issue joined, as their oaths do say, and not being able
 to agree upon a verdict, Jo. H. Sheets one of the jurors is withdrawn & the others from rendering a
 verdict are discharged & the cause continued.

The Grand Jury sworn on yesterday appeared in Court and
~~appeared in Court~~ and in pursuance to ~~an~~ their adjournment
were sent out of Court and after sometime returned in to Court and
presented An Indictment against Jundry Bigod for retailing
ardent spirits without license "a true bill". an Indictment
agt Baldwin G Harris for unlawful Distress "a true bill". an Indictment
agt Madison Glover for Petit Larceny "a true bill" an Indictment agt
Madison Glover for Petit Larceny. "a true bill". an Indictment agt
Daniel Wazze for retailing ardent spirits without license "a true bill"
An Indictment agt Adam Leaside for retailing ardent spirits ^{without license} "a true bill"
an Indictment agt Jefferson Morris for retailing ardent spirits ^{without license} "a true bill"
an Indictment agt Jefferson Morris for retailing ardent spirits without license
"a true bill". an Indictment agt Jefferson Morris for retailing ardent
spirits without license "a true bill". an Indictment agt Jefferson
Morris for retailing ardent spirits without license "a true bill"
an Indictment agt George Herring for retailing ardent spirits without
license "a true bill". an Indictment against George Herring for retailing
ardent spirits without license "a true bill". an Indictment agt James
Johnson for retailing ardent spirits without license a true bill
An Indictment agt James Johnson for retailing ardent spirits
without license "a true bill". an Indictment agt James Johnson
for retailing ardent spirits without license "a true bill". an Indictment
agt James Johnson for retailing ardent spirits without license "a true bill"
an Indictment agt ^{James Johnson} for retailing ardent spirits without license a true bill"
an Indictment agt James Johnson for retailing ardent spirits without license. "a
true bill". an Indictment against James Johnson for retailing ardent
spirits without license "a true bill". an Indictment agt James Johnson
for retailing ardent spirits without license "a true bill". an Indictment agt
Elias Hall for retailing ardent spirits without license "a true bill"
an Indictment agt Elias Hall for retailing ardent spirits without license "a
true bill". an Indictment agt Elias Hall for retailing ardent
spirits without license "a true bill". an Indictment agt Elias Hall for
retailing ardent spirits without license "a true bill" an Indictment
agt Elias Hall for retailing ardent spirits without license "a true bill"
an Indictment agt Elias Hall for retailing ardent spirits without license
"a true bill". an Indictment agt Mrs. Marry for retailing ardent spirits without

Commonwealth vs Mittelberger. The copiers last awarded in this cause not being returned executed, it is ordered that a new Copias be awarded & that he be returnable to the May term next of this Court

Commonwealth vs Anthony Rice. Ordered that this cause be dismissed

Commonwealth vs Philip Richie The same order

Commonwealth vs Robert Philips The same order

Commonwealth vs Tifer Continued until the next Term

Commonwealth vs Adam Seaside (5 Cases) on motion and for reasons appearing to the Court it is ordered that these causes be continued

Commonwealth vs J^r Riddle. ~~This~~ The Defendant by ~~his~~ attorney and moved the Court to set aside the Verdict of the jury & judgment this day entered in this cause which motion was resisted by the Atty prosecuting for the Commonwealth on consideration the Court doth overrule the motion for a new trial to set aside the Verdict & judgment & grant a new trial

Commonwealth vs Penrybacker on motion & for reasons appearing to the Court the rule is discharged

Commonwealth

vs

Isaac Alger

} Upon an Indictment of Petit Larceny

The defendant by attorney pleads not guilty and files a general demurrer to the indictment & the issue continues

Commonwealth vs Madison Glover upon an Indictment of Petit Larceny

The same order

Commonwealth vs Same upon an Indictment for Petit Larceny

The same order

Commonwealth vs Blaser. On Motion this cause is continued for the Deft

Commonwealth vs Same

The same order

Peromer vs Rader

The same order

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

S. H. Lewis

Wednesday February 21st 1855

Present

Samuel H. Lewis J. Henry D. Weismann } Gent
Jackson H. Horn & John G. Brown } Justices

John H. Gracie Plff

vs

John Allen

Deft

} upon an Attachment

The said John H. Gracie having obtained an attachment against the estate of John Allen who intends to remove his effects out of this Commonwealth so that there will probably not be ^{therein} sufficient effects of the said John Allen to satisfy the debt of the Plff. and John H. Ralston a constable of said County having returned said attachment executed by "Summoning David as Garnishee David and also by the Sheriff executing by seizing on one saddle one horse and one mule of the summoning as garnishee to Gordon & John Laneman" 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 the sum of ~~for~~ Sixty dollars his debt and by single bill with interest from the 10th day of January 1855 till paid and his costs by him in this behalf expended. It is ordered that the Sheriff make sale of the property seized upon as aforesaid by him attached as the law requires and out of the money arising from such sale pay and satisfy this judgment to the Plaintiff and restore the overplus (if any) to the defendant and return an account of such sale to the next Court. The cause is continued as to the Garnishee.

Jason Peters of Mulatto complexion age about 20 years of age five feet 6 1/4 inches high has a scar between the eyes ^{also} one on the wrist of the right hand also one on the knuckles of the same hand also one on the small finger of same hand & also a scar near the groin caused by the bite of a dog. The Jason Peters is ordered to be registered and to be known.

for suffering unlawful gaming at his ordinary
 Court is James Hunt upon an Indulment Jury sworn to try the issue
 To wit Jacob Mosher Geddon Rosenbarger Samuel Boumain Reuben
 Koffman George W Effinger Peabody Rice Joseph H Sheets Elyah Shidley
 F. C. Way James R Crawford Samuel Long John Bullhimer who
 being elected tried and sworn the truth to speak upon this issue joined
 and after 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. George W Effinger one of said
 jurors is withdrawn and the balance from rendering a verdict are
discharged

Comstock vs Long & Co. vs. Strickland continued until the next Term

✓ A J Nicholas Comstock presented in court an account against the Comstock
 amounting to \$7.90 which being sworn to was examined and allowed
 by the court and ordered to be certified to the auditor of public accounts

Bagley for vs Crawford on D Bond Notice proved & execution awarded
 Walker vs Gayle on D Bond The same order

Harrison for vs Hackley The summons awarded in this cause
 being returned executed and the Deft solemnly called and not appearing
 It is ordered that an attachment be awarded against him to force his
 appearance before a court to answer certain interrogatories filed by
 Plff. which attachment to be made returnable before said court

On the Motion of George Bruffey it is ordered that Franklin Perkins have
 leave to transfer his Merchants License unto the said George Bruffey

Comstock vs. Mallett

agg

upon An Indulment

Samuel Mallett vs

Jury sworn to try the issue to wit William Wright David Ammentout
 George Sherman A S Rutherford Jacob Manick Jacob Bear Madeson Moore
 John H Frankhouser John W Healecole James S Harris John W Hoffman
 & Anthony Rader 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 oath do say we the Jury find the defendant guilty & as per his fine to me Court it is therefore considered that the Commonwealth recover against the Deft. the said sum of one cent and the costs ^{of the} about the prosecuting the said Indictment.

Effinger ex for vs Effinger on Davis Notice proved & execution awarded

A Copy of the last will and testament of Joseph Baxter dec^d was presented in Court and having been duly admitted to record in the office of the probate of wills and granting letters administration for the County of Fayette in the state of Pennsylvania and being certified by the Register for Probate of wills &c. The President Judge of the 4th Judicial District & (Daniel Kaine Notary of the Court of Common Pleas ^{under seal} all officers of the said County of Fayette in the state of Pennsylvania and said Copy together with the certificates thereon endorsed ordered to be recorded and thereupon Augustus Rice who made oath together thereto according to law and together with John B. Brown, Allen C. Bryan, Ediffin H. Beaman and Allen B. Beaman his 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 Augustus Rice for obtaining letters of administration with the will annexed of the said Joseph Baxter dec^d in due form

Noah Keller

against

James Baker adm^r of said T Beery dec^d & the
widow thereof said Beery dec^d

Deft

Defts

} Althaminy

This cause came on by consent to be heard this 21st day of February 1855 upon the bill of the complainant exhibit the answers of the defendant James Baker the answer of the infant Defts by their guardian ad litem and the bill which is taken for confessed as to Isabella Beery upon whom the subpoena in this cause has been returned executed more than one month and the deposition of Michael Beery whereupon the argument of counsel being heard and it appearing to the Court that the complainant is not entitled to the specific performance of the contract filed as exhibit JTB the Court doth therefore adjudge order and decree the contract aforesaid be and the same is hereby rescinded. The Court doth further adjudge

and order that this cause be dismissed without costs to either party, and that the defendants have right to take possession of the lot near Harrisonburg mentioned in the lree. and the plaintiff is not required to deliver possession of the two lots mentioned in the lree. It is further adjudged & ordered that the plaintiff is not required to refund any part of the consideration of \$125 mentioned in the contract

John Caldwell who has been duly summoned to appear here at this term as a witness on behalf of James Long and Commonwealth, being solemnly called and not appearing, it is ordered, that he be summoned to appear here on the 1st 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 of process

~~Commonwealth~~

ag't { upon the Indictment for retailing ardent spirits without
Wittig 803 } License

Jury sworn to the try the issue to Peachy Rice John St. Hinkhouse Samuel Bouman John Billheimer George W. Effinger Anthony Radin George Sherman Jacob Munich James S. Harris Gordon Rosenberg William Wright and Dana Armentrout 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 the verdict and after some time returned into Court and upon their oath do say, "we the find the Defendant Not Guilty" and judgment accordingly

Commonwealth vs Wittig No 5. On Motion continued for next

On the Motion of John M. Claffman, he is discharged from further service as a juror during the present term

Commonwealth vs Wittig No 7 On Motion continued for next

Commonwealth vs Jordan Blankenship. The summons awarded in this cause not being returned executed a new summons is awarded against him returnable to the next term of this Court.

Commonwealth vs Bloper. Not same vs same Nos. Cometh vs Blittig No. 1 same vs same No. 2. on motion severally continued until the next term.

Commonwealth vs Ribble. The Capias awarded in this cause not being returned, it is ordered that a new Capias be issued against him. to be directed to the Sheriff of Henricks County, and returnable to the 1st day of the May term next of this Court.

Commonwealth

vs } Upon an Indictment for retailing ardent spirits
Ulrich Blittig } without license Not

This day came the parties by their as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney, and thereupon came ~~as well the attorney prosecuting~~ a jury to wit James B. Crawford, Jacob Base, Samuel Bowman, Jacob Minnick, James S. Harris, John de Frankhauser, Daniel Dierly, George W. Effinger, David Shmontrout, George Sherman, Elijah Dudley & Anthony Rader 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 & after sometime returned into Court and not being able to agree upon a verdict, Elijah Dudley one of said jurors is withdrawn & the balance from rendering a verdict are discharged.

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

S. A. Lewis.

Thursday February 22nd 1855

Present Samuel de Lewis of Henry H. Hartmann } Gent
Jackson Hearn & John B. Brown } Justice

Hearper's admrs vs Hooke. on motion continued until next term

Jacob Younts adm^r }
 101. } In Chancery
 Samuel Yount &c. } Defts

This cause came on further to be heard this 22^d day of February 1855 upon the papers heretofore read, the proceedings heretofore had and the report of Philander Fleming, the commissioner appointed to sell the lot of land in the tree and proceedings mentioned, to which there is no exceptions, and it appearing is therefore adjudged, ordered and decreed, that the sale of said lot of land as reported by the commissioner to John Stinespring for \$130. one half payable in sixty days from the 22^d of January 1855 the remainder in six months from the same date, be and the same is hereby confirmed by the Court, and the said commissioner is authorized to withdraw the bonds of the purchaser, and collect the same as they become due

Commonwealth }
 101. } No. 4 } Upon an Indictment for retailing ardent spirits
 Alrick Wittick } without license

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney, and thereupon came a jury to wit, Anthony Rader, Peachy Rice, Joseph H. Sheets, John D. Heatwole, Madison Moore, F. G. May, Gideon Rosenbarger, Elijah Qualley, Daniel Biscody, James R. Crawford, Wm. Wright & Samuel Bowman, 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 oath do say, "We the Jury find the Defendant Not Guilty" and judgment accordingly

Commonwealth vs Joseph Riddle This day came ~~the~~ as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney, and motion of the Deft. the Court doth ^{rescind} set aside the order made on Tuesday last overruling his motion for a new trial, and the Verdict & judgment entered in this cause is set aside and a new trial granted

Commonth vs Rader, same vs Thunk, same vs Keller, same vs McDorman
 James Hy McDorman. Continued until the next term

Commonth vs Shiffelt Dismissed

Same vs O'Rourke. 4 cases. continued until next term

Tutwiler vs Valley Turnpike Co. & Hoarper's heirs vs Grinn & Co Turnpike
 Co vs Bryan on motion continued until next term

Peter Neff vs Deft } Upon a motion for counter security as guard
 John Andes Deft } for Adam Andes

This day came the plaintiff by his attorney and the
 summons awarded being returned executed and the defendant not appear-
 ing. it is ordered that unless the Deft appear and give a new bond
 with good & sufficient security at the March term next of this Court
 that his power and authority as guardian aforesaid be ~~revoked~~ annulled

Peter Neff vs } Upon a motion for counter security as admtr of Adam Andes
 Same } dec^d

This day came the plaintiff by his attorney and the summons awarded
 being returned executed the defendant not appearing to give such security it is
 ordered that unless the Deft appear at the March term next of this Court
 and give bond with good & sufficient security, that his power & authority as
 admtr aforesaid shall be revoked & annulled

✓ Reuben Bowers Michael Blineadist and George Bowers who have been
 duly summoned to appear here at the present term as witnesses on behalf
 of Augustine Hedder and Jacob Bowers's exrs being solemnly called and
 not appearing it is ordered that they be severally summoned to appear
 here on the 2nd day of the May term next Court to shew cause if any be can
 why they shall not be fined for their contempt aforesaid

Kepeler vs Turk. Keister vs Truly. Whitefork vs Grove. Russell's heirs vs Powells vs
 Connolly vs Thompson. Gaily vs Bear's ex. Shuler vs Andersen
 Hammett vs Smallwood. Maney vs Connolly. same vs Rockingham and Turnpike
 to Morney vs Batches. Harris vs Wernicke. Williams vs Slaughter. Fomero
 & Blakemore vs Young. Hinton vs Hinton's ad. Miller vs Sterling. Bolen
 vs Hackley. ~~Harrison for vs term~~ thank for no longer. Siggitt vs Glenn & Maney vs
 vs Racers on motion continued until the next term.

Keller vs. Ammontrust. Dinkler vs George J. Meanger vs Foster
 Huddleford vs Harrison on motion Dismissed

Correll vs Diggs. New summons awarded. to be directed to
 the shff of
 Green County & returnable to May term next of this Court

McDowell for vs Gaily. Surtyer vs Leattell & ad. Rollers vs Gaily
 Blain vs Blyth. same vs McCall. Lenoard vs Hardyshole
 Deconney. deformed vs shipman's. Philips vs Cever. Sigler vs Selley
 McGilroy vs Johnson & Flock vs Bierly & Hinton on motion continued

Bowers vs Holler on motion continued for Def.

McGahay apus Dennisch & McGhey vs same on motion continued
 until the next term

Derrick Pennybacker Pltff
 vs
 George Rader Def } In Disput

This day came the parties by their attorneys, and on motion, and ^{the Pltff}
 by consent of Parties, it is ordered, that the surveyor of this County do go upon
 the land in controversy, on the day of next if fair, if not the next
 fair day, and survey and lay out the same as either party shall require and
 return three fair plats and reports thereof to the Court, and that anyone of the justices
 of this County do then and there meet him, and examine and take the depositions
 of such witnesses as shall be produced by any of the parties, which are to be returned with
 the said plats reports, and the Sheriff of the said County is to attend the said
 survey, and remove force if any shall be offered

John Carman Plff } In Case
vs
Levi Shaver Deft }

This day came the parties by their attorneys, and thereupon came a jury to wit Joseph H. Sheets, James R. Crawford, Samuel Long, W. G. Meely, Erison Rosenbarger, Reuben Coffman, Jacob Wooller, Saml Bowman, John St. Trunkhouse, Beachy Rice, Jacob Winnick & John Billheimer 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 "We the jury find for the Plaintiff the sum of \$33.47 with interest from the first of March 1833 until paid" It is therefore, considered that the Plaintiff recover against the Defendant the sum of \$33.47 with interest thereon to be computed after the rate of six per centum per annum from the said 1st day of March 1833 till paid and the Costs by the Plaintiff in this behalf expended

Peter Hearnnes assignee Plff } In Debt
vs
John Hearnnes Deft }

This day came the parties by their attorneys, and mutually submit all matters in difference between them in this suit, to the final determination of William B. Fancey and Jacob Rush and their awards, or the award of such person as they shall choose for an umpire, thereupon is to be made the judgment of the Court, and the same is ordered accordingly

Michael Weis (for Mrs. Hoile) Plff } In Debt
vs
Shipman & Roller Defts }

This day came the parties by their attorneys and thereupon came a jury to wit James S. Harris, Daniel Bierly, Anthony Rader, John D. Leeatwoe, Archibald S. Rutherford, Elijah Dudley, Madison Moore, David Armentruth, John Harnsberger, Wm. Wright, Jacob Bare & Geo. Sherman who being elected tried and sworn the truth to speak upon the issue joined and not having time to hear all the ^{argument of counsel} evidence are adjourned until tomorrow morning at 10 o'clock.

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

S. H. Lewis.

Friday February 23^d 1855

Present

Samuel H. Lewis Jy Henry T. Martmann } Gent
Moly Brown & Jackson & Horn } Justices

Gailey vs Detrick. Office judgment ^{or we} set aside. Deft. plead non assumpsit
to which the pliff replied generally. & leave reserved to Deft to file
offsets. and issue continued

Bausieux vs Sterling. Deft. plead non assumpsit to which Pliff
replied generally. and leave is reserved to Deft to file offsets and
the writ of Enquiry & office judgment set aside & issue continued

Buckner & Co vs Sterlington. The same order

Sampson vs Kidley's admr. Deft. plead covenant & performed to
which the Pliff replied generally. and the writ of Enquiry &
office judgment set aside. and the issue continued

Pence for vs Taylor. Deft. plead payment to which the Pliff replied
generally. and the office judgment set aside and issue continued

Pice's admr for vs same. The same order

Forney for vs Hauffman. On motion this cause is dismissed

Gambell vs Pirkey. Payment plead to which the Pliff replied
generally. and leave reserved to Deft to file special pleas. and
thereupon the office judgment is set aside & the issue continued

Garnett vs Beery & Vanfelt & vs Miller. On motion severally continued
until the next term

John B. Baldwin (use of H. M. Merrill) Plff
 vs
 R. B. Mauck & Charles O. Smith Defts } Upon a notice for
 Deft

The notice in this cause having been ~~be~~ returned executed and returned to the ^{clerk of this court} office within the time prescribed by law and the Defts being solemnly called and not appearing. It is therefore considered that the Plff recover against the Defts the sum of \$104.80 the Debt in the notice mentioned with interest thereon to be computed after the rate of six per centum per annum from the 15 day of October 1854 till paid and one dollar & 95 cents charges of protest and the costs by the Plff about his notice in this behalf incurred

Ordered that the overseers of the poor for this County bind out according to law Mm Christopher Gimmners (son of Phoebe Tester) to Joseph aged 7 years in January 1855 to Joseph Manger farmer the said boy to be bound until he attains the age of 21 years at which time said Manger is to pay said boy (when 21 years of age) the sum of one hundred and twenty five dollars & freedom suit

Riley Defts }
 vs
 Montgomery } Upon an appeal from the judgment of
 Defts } a justice of the peace
 This day came the parties by their attorneys and the appellee by his attorney moved the Court to set aside the judgment rendered by the Court at a former term which motion was resisted by the appellant by attorney and on consideration of the Court that said motion was set aside and the judgment rendered by the Court

John H. Ralston Const for Plff
 vs
 Wm P. Sides Defts } In Debt

This day came the parties by their attorneys and on motion of the Plffly counsel it is ordered that this cause be dismissed since that the Defts recover against Moses Joseph for whose benefit this suit was instituted the costs by the Defendants about their defence in this behalf expensed.

Michael Ulice (for John Hill) Plff
 vs
 Shipman & Roller Deft } Indelt

This day came ^{against} parties by their attorneys and the jury sworn on yesterday appeared in court pursuant to their adjournment and after hearing the argument of counsel retired from the bar to consider of their verdict and after sometime returned into court and on their oaths do say "We the jury find a verdict in favour of the defendant". It is therefore considered that John Roller recover against the said John Hill the costs by him about his defence in this behalf expended.

William Rehers Plff
 against
 Solomon M. Carter Deft } In Case

This day came the parties by their attorneys and thereupon came a jury to wit James R. Crawford, Joseph O. Sheets, Jacob Hooser, John Billheimer, Samuel Bowman, Epieon Rosenbarger, Samuel Long, Jacob Minnick, Reuben Coffman, Ferdinand May, John Thunkhouser and Peter Whitmore 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 "We the jury find for the Plaintiff ninety five dollars damages". It is therefore considered by the Court that the Plaintiff recover against the Defendant the said sum of \$95.⁰⁰ with interest thereon to be computed after the rate of six per centum per annum from the 23^d day of February 1833 till paid and the costs by the Plff about his suit in this behalf expended.

Thomas Linton Plff
 vs
 Eli Tutwiler Deft } In Debt

On Motion continued until the next term of this Court

Lawson for Spink. On Motion continued until the next term of this Court at the costs of the Deft

Ordered that the following named persons be allowed the sum affixed to their respective names to be paid by the Commonwealth to wit

Mrs Hunkhouser	\$ 1 75	Daniel Bicerly	\$ 1 50	Gia Rosenbarger	\$ 2 00
Mrs Harnsberger	\$ 50	Wm Wright (Jr)	\$ 2 00	Wm May	\$ 1 00
Jas S Harris	\$ 1 25	Gos Sherman	\$ 1 25	Elijah Dudley	\$ 2 00
Sam Bowman	\$ 2 25	Sam Long	\$ 1 00	Jacob Hessler	\$ 1 00
Mrs D Heatswale	\$ 1 50	D Armentrout (Jr)	\$ 1 50	Jacob Bare	\$ 1 50
Madison Moore	\$ 1 00	Jacob Munnick	\$ 2 25	Geo Woffinger	\$ 1 75
Reuben Hoffman	\$ 1 00	Jas Crawford	\$ 2 00	Jesse Sheets	\$ 1 50
Mrs Billhimer	\$ 2 00	Wm A Lee	\$ 50	Anthony Rader	\$ 1 75
Mrs Huffman	\$ 1 00	Peachy Rice	\$ 2 00		
Arch S Rutherford	\$ 50				
	<u>11 00</u>		<u>14 00</u>		<u>121 25</u>

which is ordered to be certified to the auditor of public accounts

Ordered the following named persons be allowed the sum affixed their respective names for jury service to be paid by the County of Rockingham

Mrs Hunkhouser	\$ 1 50	Mrs Harnsberger	\$ 2 25	Daniel Bicerly	\$ 1 00
Gia Rosenbarger	\$ 1 00	Jas S Harris	\$ 2 25	Wm Wright (Jr)	\$ 75
Wm May	\$ 1 75	Sam Bowman	\$ 1 00	Gos Sherman	\$ 2 25
Elijah Dudley	\$ 1 00	Mrs D Heatswale	\$ 1 00	Sam Long	\$ 1 50
Jacob Hessler	\$ 1 50	Madison Moore	\$ 1 75	D Armentrout	\$ 1 50
Jacob Bare	\$ 1 50	Reuben Hoffman	\$ 1 50	Jacob Munnick	\$ 1 50
Mrs Billhimer	\$ 1 50	Jas Crawford	\$ 1 00	Wm H Sheets	\$ 1 00
Anthony Rader	\$ 1 75	Arch Rutherford	\$ 2 25	Peachy Rice	\$ 1 00
	<u>11 50</u>		<u>13 00</u>		

which sums is ordered to be paid by the Sheriff of this County 70 50

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

S. H. Lewis

Saturday February 24th 1855

Present

Samuel H. Lewis	Of Jackson Horn	} Gent
Obsterling & Johny Brown		

Justices

Bowman's do do Moffett Jennings do Conrad's do Brathwaite do Kelly
On Motion continued until the next Term

Getz vs Brill. Deft plea non assumpsit. Voffice judg W & C set aside and leave to file special pleas & offsets. to send plea the pteff replies generally. & issue continued

Throckmorth Motion continued until the next term of this Court

Giles (Dever. ~~Def~~ appellant
vs
McGinsley ~~Def~~ appellee } upon an appeal from the judgment of a Justice of the Peace
This day came the parties by their attorneys and the Cef moved the Court to set aside the judgment rendered in this cause. after and grant a new trial. after hearing the argument of counsel. the Court doth overrule said motion. and on motion the appellee has leave to withdraw the original receipt of the appellee by leaving an attested copy with the papers

Samuel H. Lewis, Jackson Horn. Indy Brown each attended as members of the Court during the present term each six days. Henry Wartman five days O'Leary & Reuben Huffman each one day

Muller vs Leuteler. On motion cont for Def

Frederick Willard ~~Def~~ }
vs
Henry Skiff & Noah Price ~~Def~~ } McChancery

This cause came on to be heard this 21st day of February in the year 1855 upon the bill and exhibits the answer of Henry Skiff and replication thereto and the depositions of witnesses and the subpoena awarded in this cause having been returned executed upon Noah Price more than two months and he still failing to appear and answer the bill as to him is taken for confessed. whereupon the argument of counsel being heard. the Court is of opinion that as the defendant was prevented by surprise or accident from having a fair trial of his case on the law side of this Court the judgment against him ought to be enjoined and a

new trial awarded upon the proper facts to be directed by this Court. It is therefore adjudged ordered and decreed that the following issues shall be made up and tried by a jury at the Bar of this Court, to wit 1st whether the writing obligatory, in the declaration mentioned purporting to be for the sum of \$55.00 and to be dated on the 25th of February 1848 and to be signed by complainant Frederick Kelley and payable to Noah Rice & assigned to Henry Riffe the plaintiff in the action at law which is engined in this suit is the deed of the said Frederick Kelley and on 2^d 2^d Writing obligatory is the deed of said Frederick Kelley and how much thereof has been paid by the said Kelley and on 3^d what effects if the said Kelley and entitled a 4th Writing obligatory and the injunction awarded in this cause is continued until the final hearing of this cause, and the verdict of the jury is to be certified to this Court

Ordered that the Court be adjourned until the Third Monday
In March Next

St. Louis.

Virginia. *fe*

A Court held for Rockingham County at
the Court-house thereof on Monday the 19th day
of March 1855

Present

Samuel H Lewis	Pf	Peter O'Kontz	} Gent
Reuben Huffman			

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

- OK A Deed of Bargain & Sale from Malley Rice to Philander Cerrung
- OK Same from David H Gilmore ex to Henry A Rhodes
- OK Same from James Brightman wife to Charles Weaver
- OK Same from George Conrad's heirs to Ambrose Huffman
- OK Same from Adam Wise, Sen. ex to Horwig & Samuel Wise
- OK Same from George Sipe wife to George Harner
- OK Same from Giles Dever Comrs to Charles S. Wender &

- ✓ A Deed of Bargain & Sale from Peter S. Roller wife to Wm B. Byrd
 ✓ of same from Archibald McHudson's heirs to Robert Grey
 ✓ of same from Wm B. Warren's heirs to David R. Goochkins
 ✓ A Deed of Trust from Wm Peterson to Wm J. Gayley. In trust for J. Stinespring
 ✓ A Deed of Bargain & Sale from Gabriel Heatswale wife to Joseph Heatswale
 ✓ of same from same to John J. Heatswale
 ✓ of same from same to Frederick Rhodes
 ✓ of same from Frances W. Dever wife to Peter & John Zimmerman
 ✓ of same from John Miller's heirs to Daniel Scott
 ✓ of same from David Roadcap to Solomon Garber
 X A Deed of Loan from Newman Reese to John Kootz
 ✓ A Deed of Bt Sale from Charles Weaver wife to Wm Hayden
 ✓ of same from Daniel S. Baker wife to Cyrus Rhodes
 ✓ of same from Rebecca J. Dove to Wm. M. & Mrs E. Dove
 ✓ of same from Samuel Garber wife to John Archart
 ✓ of same from Curtis Gates wife to Thomas Moore
 ✓ of same from Benjamin Kerlin wife to Joseph Lick
 ✓ of same from James Mauck wife to John A. Showalter
 ✓ of same from Samuel Fry to Wm J. Thompson
 ✓ of same from Palsey Wheeler wife to Philip Sanders
 ✓ of same from Daniel Roadcap to Benjamin Woanger
 ✓ of same from Thomas Moore to Benjamin Strickler
 ✓ of same from Anthony Showalter wife to John A. Showalter
 ✓ of same from James M. Dinkel to Jacob Dinkel
 ✓ of same from John Dinkel to same
 ✓ of same from Daniel Miller wife to Robert Ryger
 ✓ of same from Benj. Pounce wife to Leicester Shiflett
 ✓ A Deed between Saml Yetty wife of J. H. Byrd of 2nd & Abraham Daymon of 3rd
 ✓ A Deed of Bt Sale from Henry Shuck wife to John B. Kline
 ✓ of same from Wm H. Barley to Charles Midley
 ✓ of same from John A. Keister wife to John Todd
 ✓ of same from R. A. Bradburn wife to Wm Miller
 ✓ A Deed Trust from Jackson Riode to J. N. Siggert for Saml Coates
 ✓ of same from Noah Keller to Wm K. Hartmann for J. S. Beery
 ✓ A Deed of Bt Sale from John Kline to George Myers
 ✓ of same from Francis W. Palsey wife to Eliza Pence

- ✓ of Deed of Bargain & Sale from Frederick Heep & wife to Andrew Caracofe.
 ✓ of same from Isaac Showalter & wife to Elijah Hauffman
 ✓ of same from Samuel Chandler & wife to same
 ✓ of same from Isaac Showalter & wife to Samuel Chandler
 ✓ of same from Noah Keller & wife to David McLaughlin
 ✓ of same from E. A. Skanawia & wife to George W. Effinger
 ✓ of same from Peter Dinkle to Mary Love

Settlements of the estate of Morn Sellers dec^d, John Bille dec^d, John Minick dec^d, Joseph Miller dec^d, Frances C. Brock dec^d, Mary Dinkle dec^d, George Conrad dec^d, Henry S. Perkey dec^d & Margaret Eiler having been filed in the office for the time prescribed by law, were 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 for Rebecca Cromer, Susanna & Mary Huddle, Catharine Mayers, Elijah Hauffman, Eliza & Daniel Hauffman, Virginia Conrad, A. P. Beirne, Mary F. Beirne & Benj. Hauffman 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 thereto the same are ordered to be recorded.

A Settlement of the accounts of Peter Neff as trustee for Julia Nicewander & her children & Eliza Flick & her children 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 copy of the Last will and testament of John B. Baxter dec^d, now in possession in court and being certified by Jas. A. Bell clerk of the Court of Common Pleas for the County of Vermillion in the State of Indiana, which copy is ordered to be recorded.

John Moyers Guardian for Jacob, John & Benjamin infant children of Benjamin Moyers dec^d, appeared in court and with the consent of the Court, resigned his trust as guardian aforesaid.

The court doth appoint Jacob Bierly guardian for Jacob Moyers John Moyers & Benjamin Moyers orphans of Benjamin Moyers dec^d thereupon the said Jacob Bierly appeared in court ~~and entered~~ ~~into oath~~ and together with John Moyers his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$150. conditioned as the law requires

James Grub orphan of Grub dec^d being upwards of 4 years of age with the approbation of the court made choice of Susan Grub as his guardian thereupon the said Susan Grub together with Nathaniel Flook her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$300⁰⁰ conditioned as the law requires

Patrick O'Neal a native of Ireland this day appeared in court this court being a court of record with common law jurisdiction a clerk and seal and made 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

William Bailey a free negro, presented in court a register made by this court, which register is ordered to be renewed

cp Jackson Martz  On the motion of Jackson Martz who made oath thereto according to law and together with (Dorilas Martz his security (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 to the said Jackson Martz for obtaining letters of administration in due form upon the estate of Mary Martz dec^d It is ordered that James Mc West Philip Kolsinger Lewis Yeates & Dorilas Martz involving three of them do appraise the estate of s^d Mary Martz dec^d

The last will and testament of Christopher Burner dec^d was presented in Court and proved by the oaths of William M. Hedrick & George M. Hedrick two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of William Burner the executor therein named who made oath thereto according to law and together with Thomas K. Harnelberger 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 William Burner for obtaining a probat of said will in due form
 ✓ ordered that Wm S. Miller, Wm Hedrick, Geo Hedrick & Wm Byancey do appraise the estate of said Christopher Burner dec^d

David Emphweller & Samuel Emphweller } appellants
 vs } upon an appeal
 from the judgment of
 M^r. Girkle Overseer of the Poor & appellee } a justice of the peace

This day came the parties by their attorneys and survey witnesses being sworn and examined. the Court upon mature deliberation and of opinion that there is no error in the judgment of the justice aforesaid and that the same be affirmed and made the judgment ^{of this Court} to wit. It is considered that the said Overseer of the poor recover against the said appellants the sum of \$40. with interest thereon from the 25th day of March 1834 till paid 500 Cents costs recovered before said justice and the costs by the appellee in this behalf expended

Wm Saufly & Jos Beery }
 vs } Upon a Notice &c
 John Evers & Peter Showalter }

✓ This day came the Plaintiffs by their attorney. and their motion it ordered that John Evers & Peter Showalter be summoned to appear here on the first day of the next term of this Court to show cause if any they can why they shall not give the plaintiff ^{this security} good & sufficient security as ext^s of Jacob Showalter dec^d. or why their power and authority as such executors shall not be revoked and annulled

Peter Neff

Plff

vs

John Andes &

Deft

} Upon a Notice to give a new bond
Issued of Adam Andes dec^d -

This day came the parties by their attorneys and thereupon came said John Andes & Abraham Andes and together with Reuben W. Connison, Andrew & Clinton & Adam M. Lary, their securities (who justified as to their sufficiency) entered into and acknowledged a new bond as ~~an~~ aforesaid, which bond is conditioned as the law requires. Judgment is granted to the Plff agt the Defts for the costs in this behalf expended.

Upon the petition of Christian Swimmer & for a road in this County. The viewers hereto appointed, having made their report in this word "We" & the Court doth order that the said road be established agreeably to the report aforesaid.

Upon the petition of C. B. Spears & others for the establishment of a road in this County, the viewers heretofore appointed upon this petition made a report in these words viz " " and thereupon came George Shaffer by attorney and on his motion a writ of ad quod damnum is awarded him to be executed on the 13th day of April next and to be directed to the Sheriff of this County & made returnable to the next term of this Court.

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

S. H. Lewis.

Tuesday March 20th 1835

Present

Samuel H. Lewis Clk

Peter P. Koontz & Reuben Buffman

3 J. Justices

Lawson Lewis a free negro this day appeared and proved to the satisfaction of the Court that his register has been lately destroyed. It is ordered that the clerk of this Court furnish said Negro with another copy of said register.

Peter Whitmore grandam & ^{vs} Deft } Infancy
Elizabeth Borman & others Deft }

This cause came on to be finally heard this 20th day of March 1835 upon the papers heretofore read. the proceedings heretofore had the report of commissioners John H. Hopkins to which no exception is taken and the same is hereby confirmed and the deeds executed by said commissioners to George W. Effinger and Benjamin D. Borman having been examined and approved by the Court, the parties are authorized to withdraw them to be recorded and there not appearing any further cause for retaining this suit in Court, the same is ordered to be dismissed.

The Manassas Gap Rail Road Co Deft } Upon a Report &
John P. Brock Deft }

The Commissioners appointed at a former term of this Court to ascertain a just compensation to the owners of such lands as are proposed to be taken by the said Company for the use of their road this day made their report in these words, viz "We" & and thereupon leave the Deft by attorney to resist the confirmation of said report and motion the same is docketed and continued.

Same Deft } Upon a report &
vs Deft }
Jesse Ralston Deft }
The same order

Same Deft } Upon a report &
vs Deft }
Jonas Early Deft }
The same order

The Manassas Gap Rail Road Company Plff

vs
Christian Kratzer

Def

} Upon a Report &

The commissioners heretofore appointed by this Court to ascertain a just compensation to the several owners of lands proposed to be taken for the purposes of said Rail Road Company this day made a report in the words and figures following to wit "we" and thereupon came the Defendant by his attorney to resist the confirmation of the report aforesaid, and on motion the same is continued until the next term of this Court

Same

Plff

vs
Richard Winfield

Def

} Upon a Report &

The same order

Same

Plff

vs
John W Driver

Def

} Upon a Report &

The same order

Same

Plff

vs
Mary Reife

Def

} Upon a report &

The same order

Same

Plff

vs
Benjamin Mayers' heirs

Def

} Upon a report &

The same order

Same

Plff

vs
Daniel Driver

Def

} Upon a report &

The same order

Same

Plff

vs
Thornton Thomas

Def

} Upon a report &

The same order

The Manafalah Rail Road Company *Ptiff*

vs
Michael Hornum *Deft*

} upon a report &c.

The Commissioners appointed by this Court at a former term to ascertain a just compensation to the several owners of lands proposed to be taken for the purposes of said Company, this day made their report in the words & figures following to wit "We" &c and thereupon came the *Deft* by attorney, and contests the confirmation of said report. On motion the same is continued until the next term of this Ct

Same

Ptiff

vs

Robert Algray *Deft*

} upon a report &c.

The same order

Same

Ptiff

vs

Algernon Sprayer or David Steele &c - *Deft*

} upon a report &c.

The same order

Same

Ptiff

vs

Same *Deft*

} upon a report &c.

A Report of Commissioners selected by a written agreement between the parties to ascertain what will be a just compensation to the *Deft* for such Wood, Stone or earth proposed to be taken for the purposes of said company this day made a report in these words "We" &c and thereupon came the *Deft* by attorney to contest said report. On motion the same is continued until the next term of this Court

Same

Ptiff

vs

Richard Winfield *Deft*

} upon a report &c.

The same order

Same

Ptiff

} upon a report &c.

vs
J. J. Cavan *Deft*

} The same order

Same

Ptiff

} upon a report &c.

vs
Christian Kratzer *Deft*

} The same order

Same *Ptiff* *vs* Ro Algray *Deft* upon a report &c. The same order

The Manassas Gap Rail Road Company Plff

vs
David Cline

Deft

} upon a report &c

The Commissioners appointed by an order of this court made at a former term of this court to ascertain what will be a just compensation to the several owners or proprietors of the lands proposed to be taken for the purposes of said Rail Road Company this day made their report in these words. to wit. "All" & in which report was examined by the court and confirmed & ordered to be recorded

Same

Plff

vs

Samuel Cline

Deft

} upon a report &c

The same order

Same

Plff

vs

John C Bowman

Deft

} upon a report &c

The same order

Same

Plff

vs

David P Bowman

Deft

} upon a report &c

The same order

Same

Plff

vs

Samuel Shank

Deft

} upon a report &c

The same order

Same

Plff

vs

Abraham Shank

Deft

} upon a report &c

The same order

Same

Plff

vs

Henry Mayers's heirs

Deft

} upon a report &c

The same order

Same

Plff

vs

John R Conner

Deft

} upon a report &c

The same order

Same

Plff

vs

Henry Thompson

Deft

} upon a report &c

The same order

Same

Plff

vs

John Knapp's heirs

Deft

} upon a report &c

The same order

The Manassas Gap Rail Road Company Pliff

vs
Erasmus Coffman & Bros

Defts } upon a report &

The Commissioners appointed by an order of this Court entered at a former term of this Court to ascertain what will be a just compensation to the several owners or proprietors of the lands proposed to be taken for the purposes of said Rail Road Company, this day made their report in these words to wit "We" & which report was examined by the Court confirmed and ordered to be recorded

Same

Pliff

} upon a report &

John Jacob Lowman

Deft } The same order

Same

Pliff

} upon a report &

Anderson Moffett

Deft } The same order

Same

Pliff

} upon a report &

Emanuel Rhodes

Deft } The same order

Same

Pliff

} upon a report &

Benjamin Strickler

Deft } The same order

Same

Pliff

} upon a report &

Isaac Rinehart

Deft } The same order

Same

Pliff

} upon a report &

Henry Beery, ex of Abraham Beery ad

Deft } The same order

Same

Pliff

} upon a report &

Jacob Gochenour

Deft } The same order

Same

Pliff

} upon a report &

David Shirkey

Deft } The same order

Same

Pliff

} upon a report &

John Garner

Deft } The same order

Same

Pliff

} upon a report &

John B. Beery

Deft } The same order

The Manassas Rail Road Company *Plff*

vs

Thomas Harrison

Deft

} upon a report &

The Commissioners heretofore appointed by this Court to ascertain what will be a just compensation to the several owners & proprietors of the lands proposed to be taken for the purposes of said Company this day returned into Court their report in the words & figures following to wit, "All" &c. which report was examined and confirmed by the Court and ordered to be recorded

Same

Plff

vs

Harvey Liskey

Deft

} upon a report &

The same order

Same

Plff

vs

Allen C Bryan

Deft

} upon a report &

The same order

Same

Plff

vs

George H. Chrisman

Deft

} upon a report &

The same order

Same

Plff

vs

Navel Rogers

Deft

} upon a report &

The same order

Same

Plff

vs

Samuel Cline

Deft

} upon a report &

The Commissioners selected by consent of the parties in writing, to ascertain what will be a just compensation to the owner of wood, stone or earth proposed to be taken for the purposes of said Company this day returned their report in these words and figures viz, "All" &c. which report was examined & confirmed by the Court and ordered to be recorded

Same

Plff

vs

David Shirkey

Deft

} upon a report &

The same order

Same

Plff

vs

George H. Chrisman

Deft

} upon a report &

The same order

The Manassas Rail Road Company Plff

vs

2 Harvey Siskey

Deft

} upon a report the
Ct.

The Commissioners appointed by consent of parties in writing to ascertain the just compensation to the Deft for Wood Stone or earth the property of the Deft proposed to be taken for the purposes of said Company this day made a report in these words "We" &c. which report was examined and confirmed by the Court and ordered to be recorded

Same

vs

2 John R. Roman

Plff

Deft

} upon a report the
Ct. The same order

Same

vs

2 Thomas Harrison

Plff

Deft

} upon a report the
Ct. The same order

Jane Reedy orphan of William Reedy decd. being upwards of 14 years of age ~~by the~~ ^{with the approbation of the Court} by a motion writing made choice of Jackson & Co. as her guardian. thereupon the said Jackson & Co. together with Littleton & Gamble his security (who justified as to his sufficiency) entered into & acknowledged a bond on the penalty of \$500 conditioned as the law requires which bond was ordered to be recorded

Jones wife & Smith wife

vs

Jacob Post's heirs

Plffs

Defts

} In Chancery

This cause came on to be heard this 20th day of March 1865 on the papers formerly read in the cause and on the motion of the commissioner in the cause to have a trustee appointed to execute a deed of trust executed by David Jones to J. G. Smith and of record in the clerk's office of the County Court of Rockingham County, whereupon it is adjudged ordered and decreed that inasmuch as said J. G. Smith is beyond the Commonwealth of Virginia William D. Trout be appointed trustee to execute said deed of trust with all and every of the rights and duties pertaining to the original trustee.

Nathan Blakemore who has been duly appointed a Notary Public by Commission under the lesser seal of this Commonwealth signed by the Governor of Virginia and dated the 7th day of March 1833. He appeared in Court and together with John Leakester his security who justified as to his sufficiency entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires, whereupon the said Nathan Blakemore took the several oaths required by law.

John Dinkle adm^r of Richard Gibson dec^d Pl^{ff}

Copa & Bona

v-s

Jacob Smeeth

Def^s

In Chancery

This cause came on further to be heard this 20th day of March 1833 by consent of parties upon the bill & exhibits, the answers of the infant Def^s by their guardian ad litem and the bill taken for confessed as to the adult Defendants together with the report of Commissioner Richard P. Fletcher, showing the amount of the debts and demands against the estate of Richard Gibson dec^d and the value of the lot of land of one acre being lying near Dryer's Mill and mentioned in the bill to which report there is no exceptions, whereupon the argument of counsel being heard the Court being of opinion that a sale of said lot is necessary to pay the debts of said decedent it is adjudged ordered and decreed that John Dinkle who is hereby appointed a commissioner for that purpose do proceed to sell to the highest bidder at public auction the lot of one acre of land in the bill mentioned upon the following terms one half in 30 days from the day of sale the remainder in six months from the day of sale, taking from the purchaser bonds with good security. The commissioner is required to advertise the time, terms and place of sale for four weeks by posting up notices at three or more public places in the county and near to the land but upon before he receives any money under this decree he is to execute bond with good security before the Clerk of this Court in the penalty of \$500 conditioned according to law.

R M Mooney a constable presented in Court an act to learnth amt to \$26.15 which af^r being sworn to was examined by the Court and ordered to be certified to the auditor of public accounts

Wheeler guardian
 of
 Bryan

Plff }
 Deft } In Chancery

This cause came on again, to be heard upon the papers formerly read the report of John A. Herring, Solomon Garber & James Williams commissioners appointed under a former decree to make partition & of the lands in the tree and proceedings mentioned, with the contract therein referred to, to which said report & contract of sale no exceptions is taken and was argued by counsel, on consideration whereof the Court being of opinion that it will be most conducive to the interest of the infant defendants as well as the adult defendant that a sale thereof should be made & being satisfied that the contract made by the plaintiff with the defendant Elisha Bryan is for the full value of the lands in which the plff and his ward are interested, doth adjudge order & decree that the said sale be confirmed and that upon payment of the purchase money therefor as provided in said contract, by said Bryan to the plaintiff, that William D. Froub who is appointed a com. for that purpose do convey the interest of the plff & his said ward in said lands to the said Bryan by deed in fee simple with Special Warranty, the deed to be made at the costs of said Bryan

Albert P. Nicholas. appellant
 vs
 Eli Kernan 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 error in the judgment aforesaid and the same is hereby revoked and annulled and the Court proceeded to give such judgment as should have been given by the justice aforesaid. viz. it ordered that the appellant recover against the appellee the sum of fifteen dollars and sixty four cents with interest thereon from the 16th day of January 1857, till paid, and the costs by the appellant about his appeal in this behalf expended

Frederick Speck who has been duly appointed a notary Public

by a commission under the lesser seal of the Commonwealth, signed by the Governor of Virginia dated the 27th of January 1835, appeared in court and together with Ed H Warren his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires. Whereupon the said Frederick Speck took the several oaths required by law.

James A McMillan being upwards of 14 years of age, appeared in court and with the approbation of the court made choice of John N Heile as their guardian, and the court did appoint the said John N Heile guardian for nine to Robert Heile, children of said John N Heile & grand children of Joseph Brine dec'd. Whereupon the said John N Heile together with Abraham S Bryson his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000 conditioned as the law requires.

Wm A Hammer who has been duly summoned to appear here on this day being solemnly called and not appearing it is ordered that he be summoned to appear here on the 1st day of April next to shew cause if any he can why he shall not be fined for his failure. James Kearney a hinds for A. W. Vanhook is summoned the same manner.

Joseph Lemmer appellant

vs
James Steele

appellee

} upon the 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 the court upon mature deliberation are of opinion that there is no error in the judgment aforesaid, it is therefore considered that the appellee recover against the appellant Ed H Dalton his security in said appeal the sum of \$17.50 with interest and \$3.70 costs recovered before said justice, with damages at the rate of ten per centum per annum upon the whole amt of judgment from the 29th day of December 1834 till paid and the costs by the appellee in this behalf expended.

John Keister vs Jacob Truitt. An motion continued until the next term of this court for the Plaintiff.

Yancey vs Conrad On Motion continued at the Court of Pleas

Same as the Rockingham P P Co The same order

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

St. Lewis

Virginia

A Court held for Rockingham County at the Court-house thereof on Monday the 16th day of April 1855

Present

Samuel H. Lewis J. J. Samuel Miller Gent
J. Reuben Huffman } Justice

The Clerk of this Court returned into Court a list of deeds and other writing admitted to record in his office since during the month of March last which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- of A Deed of Gift from Reuben Huffman to Frances Showalter
- of A Deed of Bargain & Sale from Abrahm Smith wife to George W. Coffinger
- of Same from Abrahm Stutger wife to John B. Long
- of Same from John H. Cole wife to Robert Bowman
- of Same from Henry Ashenfelter to A. B. Horn In Trust for Jackson & Co.
- of A Deed of Trust from Henry Earley to David Hale In Trust for Jacob Earley
- of Same from Wm. Ramoer to Charles Lewis In Trust for B. T. Kemper & Bro
- of A Deed of Bargain & Sale from Delilah Grubb to Nathaniel Hook
- of Same from Jacob A. Mitchee wife to Benjamin Tifer
- of Same from Sarah to Adson Harper
- of Same from Michael H. Harris to M. Donough Harris
- of A Deed of Trust from W. L. Landman to W. G. Gamble for M. DeJoy
- of Same from Beaman Breedon wife to A. B. Bryan for David R. Rife
- of A Deed of B. S. from Jacob Spender wife to the heirs of Chas. Blane

- B. Deed of Bargain & Sale from Levi Lomoren wife to John C. Wartonman
 B. Same from Archibald Reed wife to John McEile
 B. Same from Mr. N. Hill wife to Augustus Wartonman
 B. Same from David M. Kyle wife to John McEile
 B. Same from same. To same
 B. Same from John E. Moyer wife to same
 B. Deed of Trust from Harrison Riddle wife to M. Moyer & Co. for Henry Parker
 B. Deed of B. Sale from John Bunkholder wife to Daniel Keller
 X Deed of Trust from Samuel Main to P. Herring for Jacob Main
 + Same from Daniel M. Adams to Daniel Fisher for J. A. Campbell
 B. Deed of B. Sale from Solomon M. Hunter to William Peters
 B. Same from G. G. Coffman wife to Andrew C. Steenebarger
 B. Same from Crawford C. Strayer wife to Isaac G. Coffman
 B. Deed of Trust from Thomas Kirkpatrick to John Burket for Benj. W. W. W.
 B. Deed of B. Sale from Joseph Mauch wife to John Kline Jr.
 B. Same from Margaret Miller & Co. to Samuel B. Lane
 B. Same from Edwin Dever wife to Robert M. W. W. Dinkler
 B. Same from John D. Freed wife to James G. Moore
 B. Same from Michael Ritter wife to William C. Blakemore
 B. Marriage Contract between John Pence & Mary Ernst
 B. Deed of B. Sale from Isaac Billhimer to Wm. Billhimer
 B. Same from Jacob Moyer wife to John Moyer
 B. Same from John Miller wife to John Moyer
 B. Same from Anthony Showalter wife to John Brunk
 B. Same from Daniel Bowman wife to James Flick
 B. Same from Benjamin Rice to Christian Thunk
 B. Same from Robert Stark wife to Thomas Moore
 B. Same from Margaret Miller & Co. to A. Johnson
 B. Same from Wm. H. Ford wife to Jas. H. Wm. M. D. Harris
 B. Same from Richard H. Austin wife to M. J. Moyer & Co.
 B. Same from Wm. B. Carpenter wife to James M. Weaver
 B. Same from James M. Dinkler wife to Henry W. W.
 B. Same from John Fry wife to Jacob Bear
 B. Same from Daniel G. Moyer wife to A. L. Lindsay & Co.
 B. Same from Daniel Showalter wife to Michael Showalter
 B. Same from Henry Parker wife to Harrison Riddle

- 61 A Deed of Bargain & Sale from John Cepvridge to Jacob Bear
 62 same from Abraham Paul to John Root
 63 same from John Shoemaker to Wm & M D Harris
 64 same from John B Long wife to Jacob Brunk
 65 same from same to Henry Good
 66 same from Richard Winfield to Samuel Compere
 67 same from John & H Hopkins com to George W Efferinger
 68 same from John J Sheets wife to Michael Ritchie
 69 same from Calvin Smith to Stephen C Mendenhall
 70 same from Geo M Shoemaker to Michael H Harris
 71 same from Alm S Williams wife to John Stinespring
 72 same from Jeph Burkholder wife to Eli Andes
 73 same from same to John Burkholder
 ✓ 74 A Deed of Trust from Jno Ritchie sen to Hysuff for Mrs Airhart
 ✓ 75 same from Wm Thompson to Abraham Belick for Jno Belick
 ✓ 76 A Deed of Bargain & Sale from Abraham Belick to Jacob Miller
 ✓ 77 same from John W Shwaeter to Andrew H Shwaeter
 ✓ 78 same from George W Efferinger wife to Frederick Hef
 ✓ 79 same from same to Samuel A Long
 ✓ 80 same from Henry Good wife to Joseph Hank & trustees + m
 ✓ 81 same from Jacob Moyers wife to Erasmus Efferinger
 ✓ 82 same from Daniel P Pagan wife to Philip Siggert +
 ✓ 83 same from George Shafer wife to Jeph Burkholder
 ✓ 84 same from Samuel Wright wife to Lewis Pence
 ✓ 85 same from Richard Winfield to Jacob Moyers +
 ✓ 86 same from John Moyers wife to John Miller
 ✓ 87 same from Jacob Moyers wife to same
 ✓ 88 same from Wm Horton to William Jones

Settlements of the estates of Abraham McKay dec^d, Adam Detrick dec^d
 Rosanna Poundexter dec^d were returned into Court and having been filed
 in the office for the time proscribed by law, were examined by the Court
 and ordered to be recorded

Settlements of the guardian accounts of Joseph McKay, John McKay, John B
 Whitmore & Mary Beery & Julia A Burgess were returned into Court

and having been filed in the Clerk's office of this Court for the time required by law ~~an~~ was examined by the Court and ordered to be recorded

A Settlement of the accounts of Richard S. Maunhin Committee of Nancy Lincoln was returned into and having been filed in the Clerk's office of this Court, was examined by the Court and ordered to be recorded

Report of the Debt & Demands and Settlements of the estates of Michael Orovick dec^d & James Foley dec^d was returned into and having been filed in the Clerk's office of this Court was examined by the Court and ordered to be recorded

William D. Bowman	Plff.	} Upon an attachment &
vs		
James Miller	Deft	

On Motion this cause is docketed and continued

Levi Shaver	Plff.	} upon an attachment
vs		
Daniel Holinger	Deft	

On Motion this cause is docketed and continued

Wm Saufley &	Plff.	} upon a motion &
vs		
John Evers &	Deft	

This day came the Plff by attorney and the Deft failing to appear an ex parte new bond as ests of Jacob Shavalter dec^d as required by a former order of this Court, it is ordered that the power and authority of the Defts Mo Evers & Peter Shavalter as & the aforesaid be revoked and annulled.

On the motion of Reuben Coffman and Branson McParrot who made oath thereto according to law, and the said Reuben Coffman together with John H. Hopkins & David R. Hopkins (who justified as to his sufficiency) entered into and acknowledged a bond in the

penalty of \$10000 conditioned as the law requires, and the said Branson M Parratt together with David G Heatwole & Henry Showalter (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of \$10000 conditioned as the law requires, certificate as granted the said Reuben Coffman & Branson M Parratt for obtaining letters of administration de bonis non with the will annexed of Jacob Showalter dec. in one form

Hearnberger

Plff

vs

Brown

Def

} Upon the report of a Comr

On Motion of Plff an attachment is awarded against the Def according to law

The Court doth appoint George Hogan guardian for George Beery & Benjamin Beery orphans of Leet B Beery dec. under fourteen years of age. Thereupon said George Hogan together with Benjamin Miller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires

An Instrument of writing purporting to be the last will and testament of Jacob Merynant dec. with a codicil thereto annexed, was presented in Court and said will proved by the oaths of R Gatter & J G Brown and said codicil proved by the oaths of A W Brown & J G Brown the subscribing witnesses thereto and said will and codicil is ordered to be recorded, and on the motion of Henry H Merynant the executor named in said will, who made oath thereto according to law and together with Hugh Brown & Allen W Brown his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of \$10000 conditioned as the law requires, certificate is granted the said Henry H Merynant for obtaining a probat of said will & codicil in one form. Ordered that Peter Wile, George S Gibbons, Clements Frame & Jesse L Miller (if M) do appraise the estate of Jacob Merynant dec.

The Last will & Testament of Susana Hoffman dec^d was presented in Court and proved by the oaths of Nicholas Heileley & Mathias Bournan the subscribing witnesses thereto and ordered to be recorded.

The Last will and Testament of James Tulton dec^d was presented in Court and proved by the oaths of David B. Croushorn, Robert Black, P^t Brightwell & R^t H. Robertson the subscribing witnesses thereto and ordered to be recorded and on the motion of Thomas Tulton and John A. Dice the executors therein named who made oath thereto according to law and together with Andrew B. Rogers, Pleasant M. Dice, Hugh Deveraux, Jacob Andrew & Reuben Dice their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$10,000 conditioned as the law requires. Certificate is granted the said Thomas Tulton & John A. Dice for obtaining a probate of said will in due form. Ordered that Jacob Andrew, Wm. Smith, David B. Croushorn & Robert Black do appraise the estate of said James Tulton dec^d and report according to law.

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

St. Lewis.

Tuesday April 17 1853

Present

Samuel H. Lewis P^t. Olesherling, Genl.
Reuben Huffman & Jacob Miller } Justices

On the motion of John Brown Jr and it appearing to the Court that notice of the motion has been published according to law. It is ordered that George W. Brown be substituted in place of Indolgy Smith as trustee in a deed of trust executed by Mrs. Brown sen for the benefit of said John Brown Jr.

Francis M. Ervine Esq. a justice of the peace for Rockingham County this day appeared in court and with the consent of the Court resigned his office as justice aforesaid.

James Steele a constable of this County having shown to the Court that he had levied an execution in favour of Pleasant Al Clarke & Daniel H. Brewer upon 1 Bureau 1 Clock 1 Cooking Stove 2 Tables 2 Chairs 1 Kettle 1 Looking Glass and 1 Bed. Bedstead & bedding as the property of Daniel H. Brewer, which property or the proceeds thereof is claimed by Austin Blackaby under a distress warrant, it is ordered that the said Pleasant Al Clarke and Austin Blackaby be summoned to appear before this Court on the 14th day of the next term of this Court to state the nature of their respective claims to said property in order that their rights may be decided.

William Andes orphan of Andes under 14 years of age the Court doth appoint (Dabney M. Peregay) guardian for the said William Andes whereupon the said (Dabney M. Peregay) together with John Andes & John Howard his securities (who qualified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires.

Ordered that a poll be opened at the several precincts in the 1st district for the election of an additional constable therein, and that a poll be opened in the 4th District for the election of a justice of the peace to fill the vacancy occasioned by the resignation of Francis M. Ervine, which election poll shall be held on the 24th day of May 1835, and the same commissioners to superintend the gubernatorial election to be held on that day shall superintend said election, and that a writ of election be issued according to law.

Ordered that at the election to be held on the Fourth Thursday of May next at the several places of voting in this County for the purpose of electing a Governor, Lt. Gov. Atty General, Comrs of the Boards of Public Works, Members of Congress, Senators, Delegates

to the house of representatives, a justice of the peace in the 4th District. & a constable in the 1st District of Rockingham County. 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 & Conrad. Joseph Meyer. Membsmith. S. B. Fenning. A. Wolf & Thomas K. Miller. at McGaheysville. Joseph Maugy. Peter Miller. Henry Kisting. Jacob Rush & Jacob Ammon. 2nd District. at Taliaferro's Store. Membs. Locke. Isaac Long. Jacob Thayer. S. Sawyer. & S. Ruebush. at Port Republic. Wm. Dundore. Charles S. Weaver. Charles Lewis. A. M. Sayton & Joseph C. Harverson. 3rd District. W. Crawford. Robert Gration. P. H. Clarke. Ed. Peter Roller. & P. S. Roller. at Dayton. Daniel Bierly. Hiram Coffman. B. F. Trushack. M. A. Myers & M. A. Loring. 4th District. at Bridgewater. M. W. Brown. Geo. R. Gibbons. Geo. B. M. Gies. S. Elain Kyle. & Membs. Williams. O. Abine. Membs. Smith. John Viger. Shem Heatwole. Daniel W. Huston & John A. Dice. 5th District. at Gordons Store. Joseph Burkholder. David R. Hopkins. David Bare. Geo. Libert & Archibald Hopkins jr. at Bowman's Mill. C. C. Spears. Jacob Miller. Geo. Burkholder. Michael Bowman. Elias & Centon. 6th District. Harrisonburg. Henry B. Harnsberger. O. Herling. J. T. Rohr. Charles D. Gray. Wm. M. Kleartmann. Keezletown. George Keezlee. A. Huffman. Elijah Dudley. Jonathan Reale & Eli Kernan. 7th District. Spartakolis. Jacob McLoonan. Jacob Rhodes. John Harrison. George Rhodes. Wm. McCarphenter. at Henton's Mill. Cyrus Rhodes. Jacob Barley. Peter & Centon. James Botton & Daniel Harrison. 8th District. Timberville. John Zeigler. John Branner. Henry Thompson. Martin Garber & Anderson Moffett. at Monro's School house. Rich. Winfield. Geo. Rader. S. W. Coffman. R. S. Maupin & Jacob A. Mitchell. 9th District. Sprinkles Store. Samuel R. Sprinkle. Sam. Miller. Wm. Weaver. Geo. W. Truck (f. d.). Jacob Pawley. at Wittig's Store. Philip Snodders. Jas. Dove. Reuben Dove. Jacob Caplinger & James May. and it is further ordered that the persons so appointed

to superintend said elections being first duly qualified to
superintend the same on the day and at the places appointed
and make due return thereof according to law

The Sheriff having reported the following named free
negroes as not having paid the taxes imposed upon them
by law. Viz James Hite. Augustus Hopkins Joshua Bryan
Isaac Sattleberry George Peters Wm Strather Bros Chandler
Wm Thompson & George Triplett. It is ordered that the Sheriff
of this County do hire out the said free negroes according to
law

On the motion of Henry Miller & Jacob Miller admrs of
Henry Miller dec? and by consent of all parties interested
it is ordered that Joseph Mauzy be appointed a special com-
missioner to examine & settle the accounts of said
admrs and report to the Court according to law

On the Motion of Joseph Smith warrantee in a Bounty Land
Warrant No 23606 dated December 4th 1857. The Court do certify
that it was proven in Court to the satisfaction of the Court that said
warrantee is now over the age of 21 years

Overseers of Poor for Rockingham County Plff }
vs } upon a recognizance
Noah Eaton } Deft

This day came the attorney prosecuting for the Commonwealth
and by consent of parties judgment is granted against the said
Noah Eaton for one hundred and forty dollars for which
the said Defendant is to execute his bond to the Overseers of
the poor for this County according to law. and judgment is granted
against the Deft for the costs in this behalf expended

Peals }
vs } Unlawful Detainer
Dunlap } Deft } On motion this cause is docketed and continued

the Manassah Rail Road Company vs Brock, Lippert, Paley, same vs Earley, Kratzer, Winfield (2 cases) same vs Mott (Driver, same vs Rife, same vs Mayers heirs, same vs D (Driver, same vs Thomas same vs Hornum, same vs Gray, same vs Steeles & (2 cases) same vs J & G Cowan, same vs Kratzer & same vs Gray, on motion the above named causes are continued until the 3^d day of the June term next of this Court

Addison Clearer

vs

John Brown

Plff

Def

} upon the report of a com'r

The defendant having been summoned to answer certain interrogatories propounded by the Plff, and having failed to appear and answer said interrogatories, it is ordered that he be summoned to appear here on the 1st day of the next Court to show cause why he shall not be fined for his failure aforesaid

William Grimsely

vs

George Mepick

appellant

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 aforesaid. it is therefore ordered that the appellee recover against the appellant & Robert Slater his security in said appeal the sum of sixteen dollars with interest thereon from the 1st day of January 1857, until the 24th day of November 1857 and \$3.80 costs recovered before a justice of the peace, and damages at the rate 10 per centum per annum from the 24th day of November 1857, until paid upon the whole amount of said judgment, and the costs by the appellee in this behalf expended

Joseph vs Sites on motion this cause is continued until the next term of this Court at the Court of Joseph

Baker vs Piper Jr

on motion continued until the next term at the Court of Baker

✓ This Court doth certify that Thomas L. Yancey gentleman who wishes to obtain a license to practice as an attorney in the Courts of this Commonwealth has resided in this County for the last preceding twelve months that he is a person of honest demeanor and upwards of twenty one years of age

Yancey vs Conrad on Motion continued for the Court

same vs the Rockingham Turnpike Co. The same order

Siggert vs Glenn on Motion continued for Court

✓ Baldern G. Harris who has been duly summoned to appear here as a partner of behalf of Wm Siggert vs H. Glenn being solemnly called and not appearing it is ordered that he be summoned to appear here on the 2^d day of the May term next of this Court to shew cause if any he can why he shall not be fined for his failure aforesaid

Goelady vs Johnson on Motion continued for Court

✓ Ordered that the Sheriff of this County summons all the acting justices of this County to appear here on the 2^d day of May Court next to grant license to Ordinary Keepers Merchants to retail ardent Spirits & for other purposes

Algonow S. Gray. Appellant

vs

Mr & C. Wartmann & Appellees

} upon appeal from the
} judgment of a justice

This day came the parties by their attorneys and sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation are of opinion that there is error in the judgment aforesaid. it is therefore ordered that the appellant recover against James A. Truller for whose benefit this suit is endorsed the his costs by him in this behalf expended

NanPelt vs Smaewood on motion continued until next term at the costs of Pelt

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

S. H. Lewis

Virginia Tour

At a Court held for Buckingham County at the Court house thereof on Monday the 21st day of May 1855

Present

Robert Lytton. P. J. Isaac Thomas. J. M. Langton
A. Wolf & J. No. Bowman

The clerk of this Court returned into Court a list of deeds and other writings admitted to Record in his office during the month of April last, which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- ✓ 1. A deed for Land from John Dougherty To Benjamin F. Monty
- ✓ 1. Same from B. F. Solomon & Wife To A. F. Solomon
- ✓ 1. Same from John T. Harris Trustee To Wm. H. Barley
- ✓ 1. Same from William H. Barley To Greber Wise
- ✓ 1. Same from Phoebe Shipp To J. Madison Irvine
- ✓ 1. Same from Saml. Lofland & Wife To George W. Hogan
- ✓ 1. Same from Elyza Huffman To John H. Dummerant
- ✓ 1. Same from John C. Walker Trustee To Elizabeth Yager
- ✓ 1. Same from Heron Coffman To George Meller
- ✓ 1. Same from George Meller & Wife To Andrew Hunt &
- ✓ 1. Same from Allen C. Bryan To Saml. James M. George M. & H. M. Lofland
- ✓ 1. Same from Benjamin Hooner To Fernando C. J. Brightwater Ind. Trust for W. H. Hopkins
- ✓ 1. Same from Henry Rogers & Wife To John Shultz
- ✓ 1. Same from Isaac Hupp & Wife To Sarah Shultz P.
- ✓ 1. Same from Stephen C. Mendenhall & Wife Lucy A. Battell
- ✓ 1. Same from John Sanders & Wife To Percy Wise
- ✓ 1. Same from ~~John Sanders~~ To Thomas J. Butler

- A Deed for Land from Franklin Taylor to L. W. Gambell In Trust for George Fausett
Same from Abraham Smith to George Conrad Hens
Same from Franklin Pennell Wife to Andrew E. Hensberger
Same from W. R. Sprinkle to L. W. Gambell In Trust for W. H. Bailey
An Article of Agreement Between William K. Garley & Wm. J. Garley
A Deed for Land from Peter Thonalt Wife to Isaac Thonalt
Same from John Carpenter to Henry Carpenter
Same from Christian Brunk Wife to Christian Brunk
Same from Christian Brunk Wife to Christian Brunk
Same from Abraham Shank Wife to Henry Davis
An Article of Agreement Between John Hinkle and James Hinkle & Others
A Deed for Land from James M. Hinkle & Others to John Smals
Same from Samuel Hinkle to James M. Hinkle
Same from James M. Hinkle to John Hinkle
Same from George Hensstargen Wife to Samuel Wise
Same from Samuel Nazard Wife to John Combs Sr
Same from Abraham Shank & Wife to Samuel Shank
Same from Samuel Shank Wife to Abraham Shank
Same from Henry Manger Wife to Joseph Hoomad
Same from Samuel Handley & Wife to Noah Sepe
Same from Martin Fogle & Wife to Samuel Handley
Same from James T. Shot & Wife to Thomas Hlane
Same from Jacob & L. Jordan Wife to Henry Bare
Same from Margaret Miller & To A. J. O. Bader
Same from Joel Garber to Elizabeth Burner
Same from George F. Frankhouser to Peter S. Rollet In Trust for H. R. Lutz
A Receipt from Joshua M. Crawford Wife to Michael Whitmore
A Deed for Land from Andrew Lewis Wife to Samuel Shaskille
Same from Samuel Shaskille Wife to Francis C. Lewis
Same from Simon Bowman Wife to Michael & Frederick Kline
Same from Isaac K. Burkholder to John H. Hopkins
Same from Charles A. Burnett Wife to Allen W. Brown
Same from Jacob Miller Wife to Abraham Miller
Same from John M. Byrd Wife to Henry Gilmore
Same from James Gray Wife to John O'Connor
Same from Samuel Marshbarger Wife to Elizabeth Marshbarger
Same from Samuel Marshbarger to Jacob Shank In Trust for Elizabeth Marshbarger

Settlements of the estates of Henry Thomas. Mary Lipe. Inot Campbell. Abalom Coffman. Catharine Perkey. Daniel Leedy. Jacob Ware. Christian Miller. George Meyers & Peter H. Bear dec^d - were presented in Court and having been filed in the Clerk's office of this Court for the time prescribed by law the same were examined and ~~advised~~ ordered to be recorded

Settlement of the guardian accounts of Sarah Wise. Enoch Leedy & M. Driver & Lucia Horat & George B. Erganbright were presented in Court and having been filed in the Clerk's office of this Court for the time prescribed by law the same was examined and ordered to be recorded

Peter Trick jailer of this Court presented in Court an account against the Commonwealth amounting to \$176.30. which was sworn to in Court and examined and allowed by the Court & ordered to be certified to the Auditor of public accounts

Rhodes & Bryner vs Burk on a D Bond notice proved & withdrawn
Baylor vs Jones on D Bond the same order
Keyle for vs Bowman & on D Bond the same order
Steele vs Smith & Marshall on D Bond the same order

Ordered that the Sheriff of this County take into his custody a base born child of Frances Trifel named Abner M. Trifel now in possession of David Cornfield and deliver the said child to said Frances Trifel

On the motion of Alexander R. Givens who made oath thereto according to law and together with John M. Milne and Fountain McCarty 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
p Alexander R. Givens for obtaining letters of administration in due form of the goods & chattels of David Beard dec^d - and it is ordered that for David Craig. Jonathan Miller. F. M. Layton & Thomas P. Crawford do appraise the estate of said David Beard dec^d -

The court doth appoint Ptolomy Brightwell guardian for his daughter Mary Elizabeth Brightwell who is under 14 years of age. thereupon the said Ptolomy Brightwell together with David R Hopkins gave his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$300. conditioned as the law requires, which bond is ordered to be recorded

Margaret Cochran, a free woman of color, born free, dark mulatto, five feet two inches high slight figure, two scars of cuts over the left eye, brow one nearly above the other scar of burn about the size of half dollar on the right wrist & thirty five years of age. ordered that the clerk of this court register according to law.

The last will and testament of George Showalter dec^d was presented in court and proved by the oath of Cornelius Lyall & William Koondayshall two of the subscribing witnesses thereto and ordered to be recorded and on the motion of David Heller the executor therein named who made oath thereto according to law and together with Giles Dever his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$200. conditioned as the law requires. certificate is granted the said David Heller for obtaining letters of probate of said will in due form. and it is ordered that John Wime, John Wime, Jacob Spitzer, John Paulsen & Philip Heller do appraise the estate of said George Showalter dec^d.

James B McGill, who has been heretofore appointed a notary Public for this county. this day appeared in court and entered into and acknowledged a bond with sufficient security in the penalty of \$500 conditioned as the law requires.

On the motion of Philip K Argenbight who made oath thereto according to law and together Samuel Sanger & Jacob Argenbight 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 Philip K Argenbight for obtaining letters of administration in due form upon the estate of John Argenbight dec^d and it is ordered.

Peter Kline, Jacob Reubush, Jacob P. Shuper & Samuel Gracie do
appraise the estate of John Argenbright dec^d

On the motion of William Saufly who made oath thereto
according to law and together with Isaac Long his security (who
justified as to his sufficiency) entered into and acknowledged a bond
in the penalty of \$1000 conditioned as the law requires. Certificate
is granted the said William Saufly for obtaining letters of
administration in due form as for the estate of William Riger
dec^d and it is ordered that Robert de Palmer, George Muel Isaac
Long & John Gouart do appraise the estate of the said William
Riger dec^d

Julia S. Houston orphan of Wm Houston dec^d - being upwards
of 4 years of age by an instrument of writing made choice of Shelton
H. Carrier as her guardian, and thereupon the said Shelton
H. Carrier together with Wm H. Barley & John W. Houston 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

Sarah Frances Rea orphan of David G. Rea dec^d - being upwards
of 14 years of age by an instrument of writing under her hand and
seal made choice of Jefe Rea as her guardian, thereupon
the said Jefe Rea together with George W. Ramsey 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

The Commissioners heretofore appointed to assign to Leatharine
Knopf widow ^{her dayer} in the lands of her late husband John Knopf dec^d
this day made their report which was examined by the
Court and ordered to be recorded

The Sheriff of this county presented in court an account against
the commonwealth amounting to the sum of \$9.50. which being sworn to

was examined ^{valued} by the Court and ordered to be certified to the auditor of public accounts.

Commonwealth

vs No 1 } upon an Indictment

Adam Seaside

This day came the parties as well the attorney prosecuting for the commonwealth as the Deft by his attorney and the Deft confessed judgment for one cent damages and the cost by the expended in prosecuting said Indictment

The same

vs No 2 } upon an Indictment

Same

The same order

Same

vs No 3 } upon an Indictment

Same

The same order

Same

vs No 4 } upon an Indictment

Same

The same order

Same

vs No 5 } upon an Indictment

Same

The same order

On the Motion of Abraham S. Byrd ^{sr} Felix T. Sheets, Jacob Shank David Coffman, Thos W. Gordon, David Lineweaver, Shelton & Carrier, Elijah Dealey, Erasmus Byrd & Jas T. McCann were also ^{John Law} ~~John Law~~ admitted to be qualified as his deputies & thereupon they took the several oaths required by law.

Commonwealth vs No 6. On Motion continued until next Term

Garniot King & Michael Ward natives of Ireland this day applied to the court to be admitted to become citizens of the United States whereupon the said Garniot King & Michael Ward exhibited a certificate of the clerk of the County Court of Rockingham that more than two years ago they had declared on oath in the said court their intention to become citizens of the United States which certificates are in these words. "Rockingham" &c. and it being proved to the satisfaction of the court by the testimony of Martin Barney & E. A. Shandas citizens of the said United States who were examined as witnesses on oath that since the arrival of the said Garniot King & Michael here as aforesaid they have resided within the United States five years at least and within this State one year at least and during that time they have behaved as men of good moral character attached to the principles of the constitution of the United States and well disposed to disposed to the good order and happiness of the same and that they will support the constitution of the United States and that they doth absolutely & entirely renounce and abjure all allegiance to any foreign prince potentate state or sovereignty whatever and particularly to Victoria Queen of the United Kingdom of Great Britain & Ireland

The Manassas Gap R.R. Co. Petff }
vs

A. Beery's admrs

Deft }

The Plff having paid into court \$85 the amount of some damages as per to the estate of said Abraham Beery decd by comrs duly appointed by this court. It is ordered that Comrs R. P. Fletcher after giving to the parties interested notice of the time and place by publication in one of the papers published in the town of Harrisonburg for four successive weeks ascertain what persons are entitled to said damages and in what proportion and make report to this Court

Urmak Gailley constable presented in court an a/c apt commeth amt to 10 Cents which was examined and allowed and ordered to be certified to the Auditor of public accounts

On the motion of Simon Whitecell, it is ordered that Dⁿ M^r Peggory of Montgomery County, be summoned to appear here on the first day of the next term to show cause why the order made at the last term of this Court appointing him guardian of William Andes shall not be rescinded

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

R. J. W. T. S.

Tuesday May 22nd - 1835

Present: S^t H^{on} Lewis P^r J^{udge} Polgratten, M^r H^{on} Harris, Isaac Hardisty,

Wm B^r Yancey, Isaac Thomas, M^r A^l Horning, J^r M^r Layton, O^l E^l Sterling, Sam^l Miller, Sam^l Rueluck, Jacob Rush, Reuben Dove, J^r W^oref, M^r Burkholder, M^r J^r Bowman, J^r G^r Martin, Peter O^r Kooty, M^r Boyer, Dan^l Harrison, W^olfarfen, Reuben G^ruffman, M^r A^l Dice, Benj^l Glover, M^r R^ossler, Andrew G^rouch, M^r M^r Hopkins, Gent^l Justices

David Gilmore

Plff

vs

M^r Chancery

Nelson Mickins &

Defts

This cause came on to be heard this 22^d day of May 1835, when the bill of the plaintiff exhibited & read was argued by counsel & it appearing to the court that the subpoena in this cause was duly served on Nelson Mickins & the nature of the same explained to him by J^r H^{on} Harrisberger Deputy for A^l Brynd Sheriff of Rockingham County on the 5th day of March 1835 and by the return of the J^r H^{on} Harrisberger of the same date that Wilson & Harrison Mickins are no inhabitants & by other satisfactory evidence that they are not inhabitants of this commonwealth, and that an order of publication was duly published in the Rockingham Register, notifying the said Harrison & Wilson of the filing of the bill & requiring them to answer the same, and it further appearing to the court, that more than two months having elapsed since the filing of the bill of the plaintiff & the said defts having failed to answer, the said bill is taken for confessed. It is therefore adjudged, ordered & decreed that Thomas R^o Harrisberger, who is hereby appointed a commissioner for the purpose, after having advertised the time & place of sale for four weeks successively in some newspaper published in Rockingham County proceed to sell at public auction before the Tavern of Zebulon D^r Gilmore in M^r G^rayville

the land sold by David Gibson to said Nelson, Wilson & Harrison
 Nickins and provided the proceeds of the said sale of the same shall
 not be sufficient to pay the judgments mentioned in the bill of the
 Deft with all costs attending the prosecuting of this suit or then the
 lands conveyed by Henry Miller & Co as attorney for Henry Mallon
 wife by deed bearing date the 1st day of June 1847 to Harrison
 Nelson Nickins the said lands to be sold upon the following terms
 so much of the purchase money to be paid in hand as will defray
 the expenses attending the sale & the costs of this suit one third of the
 remainder to be paid in ninety days and other ⁱⁿ six months and
 the third last instalment in twelve months from the day of sale
 the commissioner taking bond with approved security for the
 deferred payments and the said commissioner shall return
 the said bonds with a report of his proceedings in the premises to
 the Court for further proceeding with a view to a final decree

The Rockingham Mt Insurance Co as Harris & Co on a D Bond
 Notice proved & execution awarded

Robinson vs March &	The same order
Foster vs same —	The same order
Miller vs Harris &	The same order
Bradley vs Newark &	The same order
Johnson vs same	The same order
Huston vs Kincaid &	The same order
Powell & Co vs Eutaw &	The same order
Farcey vs Eutaw &	The same order
Hellbrook vs Harris &	The same order
Miller vs Eutaw &	The same order
Powell & Co vs same &	The same order

Wm R Sprinkel Deft

vs
 Preston (Dorsey) Deft

} upon a suggestion &

Ordered that a rule be awarded against the Deft returnable
 at the next term of this Court
 and to show cause if any be can why an attachment

shall not be issued against him for failing to attend before a commissioner of this court & answer certain interrogatories filed by Plff

John Brown Senr having been attached to answer interrogatories of his judgment creditor H B Harnsberger and having appeared and made answers before commissioner Hartmann giving a schedule of his property and the amount of debts due him. It is ordered that the Sheriff proceed immediately to collect the debts due to said Brown and out of the proceeds to pay 1st the costs sustained by H B Harnsberger in the proceeding against him before the commissioner & the court and out of the remainder to pay the amount called for by the judgment of H B Harnsberger. The judgments of Addison Harper & Samuel Coates who have also issued interrogatories & with their respective costs sustained in proceedings against the said Brown and if there is any surplus remaining to pay the same to said Brown first deducting the fees due the Sheriff for his services and if there is not a sufficiency to pay the whole then to sell the property given only said Brown in answer & on some court day and apply the proceeds to the payments of the above mentioned debts

On the petition of Shacklett Hon. George Bruffey, Wm Mayerhoeffer Lewis Mayerhoeffer, Henrik & Melhorn, Jacob Peffinger, Leander Wright, Derrick Pennybacker, Harnsberger & Hoffman, Ann Kemper Merchants of this county. The court that doth certify that they are ~~persons~~ of good character and that their stores are proper places to retail ardent spirits

On the motion of John Fuller, John Argabright, John W Lee, Allen Van Lear, Jos Rhodes, Mr Koontz, Madison West, Wm Pickering, Catharine Lincoln, Louis Hayes, Mr Zigler, Jacob Cole, Sam Miller, Geo Wm Bourman, Wm Gayley who produced the Sheriff's receipt for the tax imposed by law a license is granted them for obtaining a license for the purpose of keeping houses of Private Entertainment in this county -

On the petition of Libert & Brown an. Geo Meferomith, Wm & Maiden, Mr Stinespring, Mr Lites, Evan & Condon, Mr O'Neal & Co

who produced the Sheriff's receipt for the tax imposed by law — a license is granted them for the purpose of keeping houses Public ordinances in this County. the Court doth certify that said applicants are persons of good character not addicted to drinking or gaming.

Thomas Kennedy a native of Ireland this day appeared in court this being a court of record with common law jurisdiction a clerk and seal. and on 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 Victoria Queen of the United Kingdom of Great Britain & Ireland

Upon the application of Wm J Gailey Samuel Coates & Son
Wm J Gailey for license to keep houses and ordinances
in this County. it is ordered that the said applications be rejected.

upon the application of Wm D McCall & Co. Merchants for
the privilege of retailing ardent spirits. it is ordered that the
said applications be rejected.

upon the application of John Sites & Evan Hinton who produced
the Sheriff's receipt for the tax imposed by law a license is granted
them to keep bowling saloons in this County

Nancy Byrd orphan Lewis Byrd dec'd - being upwards of 14
years of age. appeared in court and with the approbation of the Court
made choice of Joseph Byrd as her guardian. thereupon the said
Joseph Byrd appeared in court and together with John Efferinger 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 to be recorded

Mejers Libert & Bowman this day appealed from the judgment of the court of the revenue. and the court upon ~~hearing~~ ^{reconsidering} the evidence are of opinion and do order that the judgment aforesaid be affirmed.

On the motion of Samuel Coote & Son the court reconsidered the action taken to day refusing them license to keep an Ordinary within the County and upon said reconsideration the court doth ^{reissue a prior order &} grant said license and that the said Coote & Son are men of good character and not addicted to drinking or gaming.

Commonwealth

vs
Sandy Byrd

} upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney. who pleads not guilty to which the attorney for the Commonwealth replied generally and the deft also filed a general demurrer to the Indictment in this cause.

Commonwealth

vs
Granderson Randle

} upon an Indictment
The same order

John Strayer

vs

Isaac Reed

Plff

Deft

} In Ejectment

On the motion of the plaintiff. it is ordered that the surveyors of the said County do go upon the land in controversy on the day of next. if fair. if not the next fair day and survey and lay out the same as either party shall require. and return three fair plats and reports thereof to the court. and that any one of the justices of the said County do then and there meet him. & examine and take the depositions of such witnesses as shall be produced by any of the parties which are to be returned with the said plats & reports and the Sheriff of the said County is to attend the said survey & remove force if any shall be offered.

Ordered that the overseers of the poor for this county bind out according to law Joseph Summers son of Barbara Summers to Jeremiah Patriot to learn the business of a farmer and the said Patriot is to give the said boy when he arrives at the age of 21 years of age a freedom suit

Manassas Gap Rail Road Co

Perf.

Refoma report to

Robert A Gray.

Sept-5

This day came the parties by their attorneys and on the motion of the Plff. this cause is docketed & continued

The same

Puff

2 upon a Report &c

25

Dom Diggs

Q. A.

The same order

The same

Perf.

4. Annual Report

Ref

Sainte

Oct

The same order

The same

Paff.

upon a report

25

M H Effinger

Def

The same order

Charles A Vanlean Deputy for A B Byrce SRQ returned lists of delinquents in the land tax & capitation & property tax in part of the County of Rockingham. ~~was presented in court & being~~ ^{which} sworn to. was examined and allowed and ordered to be certified to the auditor of public accounts

Commonwealth vs Robert Black Not Guilty plead & general
demurrer

Commonwealth vs James Johnson. eight cases

The same order

Commonwealth vs (Dan) Bazzle. Not guilty plea and
general demurrer to indictment

Same vs John A Murry. Seven cases
(The same order)

Archibald Hopkins Petff } Upon a motion
- 105
Samuel Bare Deft }

This day came the Petff by their attorneys and it appearing
to the court that the deft has been duly summoned and solemnly called
and not appearing. it is ordered that the power and authority of the
said Samuel Bare. as executor of Christian Leffman dec'd be revoked &
annulled. and that the Petff recover against the deft ~~then~~ his costs
by him about his motion in this behalf expended

Jf. Harnsberger & Lehu Gordon Deputies for AS Byrd SRL
returned into court lists of delinquents in the capitation & property tax
which lists being sworn to were examined allowed & ordered to
be certified to the auditor of public accounts

Ordered that the following persons be allowed the amounts ^{for jury service} offered
to their respective names. to be paid by the County of Rockingham
- Eliot Rountz 75cts also Hogan 75cts Thomas Harrison 75cts Isaac
Stone 75cts J. W. Miller (cabinet maker) 75cts Henry Neff 75cts George
Kieling 75cts Samuel Carpenter 75cts M. Showalter (Jr) 75 cents
cp Abraham Summers 75cts Martin Garber 75cts M. Albright 75cts
Eastwell 75cts Micajah Shifflet 75cts Joseph Rite 75cts -
Thomas Linton 75cts Eli Keenan 75cts Adam Showalter 75cts M.
Zeigler 75cts Henry Beery 75cts Milton H. Drummond 75 cents
Henry Harnsberger Jr 75cts M. Montire 75cts & Jacob Bowman 75^{cts}
and it is ordered that the Shiff of this county pay said
several amounts on demand

For reasons appearing to the court it is ordered that the order entered
this day granting to Leander Wright license to retake and enthrone

be and the same is hereby rescinded and revoked and that said application be rejected

S D Jennings

vs

Mo Conrad & ad

Pltff

Def

Mase

This day came the parties by their attorneys and by consent of parties, the matter in controversy is submitted to the final arbitration & determination of Nicholas K Foub and thereupon the said Foub made his award in these words viz "In the" and thereupon the said award is made the judgment of the court. It is therefore considered that the Def recover against the Pltff his costs by him about his defence in this behalf expenced

Haynes & see

vs

Haynes

Pltff

Def

M Delt

This day came the parties by their attorneys and by the consent, it is ordered that the order of reference made at the last term of this court be and the same order is hereby renewed.

absent all the justices except Isaac Thomas. ^{Residing} ~~Residing~~ Dove
John Bournan & Isaac Hardisty Ad ^{with} Gen. Justices

Joseph Brunk

vs

Levi L Meyers

Pltff

Def

M Delt. Upon an

Attachment

This day came the Pltff by his attorney and it appearing to the court the order of publication has been duly published, it is considered by the court that the Pltff recover against the deft the sum of \$155⁰⁰ the debt in the declaration mentioned with interest thereon from the 1st day of Sept 1853 till paid & the costs by the Pltff in this behalf expenced, subject to a credit of \$70 of date the 25 Oct 1853. and it appearing from

the attachment in this cause that it has been returned & certified it is ordered that the officer who levied said attachment, do proceed to sell the property levied upon as aforesaid & that he proceed thereof to the plaintiff in discharge of his judgment aforesaid
 Debt Stonespring vs. B. Brathwaite. Payment filed & general replication thereto. Set off filed & leave to file special pleas —

David Baxter

Pliff

vs

Robert Boyer

Deft

} Upon an Attachment &c

This day came the parties by their attorneys and the said Baxter having obtained an attachment against the goods & chattels of the said Robert Boyer his tenant for \$51.88 for rent due on the 13 day of March 1853 and an officer of this court by virtue thereof attached two horses &c of the goods and chattels of the Deft. This day came as well the Pliff by as the Deft by their attorneys and sundry witnesses being sworn & examined & upon mature deliberation it is considered by the court the Pliff recover against the Deft the sum of \$48.79 with interest thereon from the 22^d day of May 1853 till paid & the costs in this behalf expended and it is ordered that the officer who levied said Attachment do expose to sale at public auction the attached effects or so much thereof as may be necessary to discharge the Pliff judgment & report his proceeding to this court according to law

William Kennedy, a native of Ireland this day appeared to be admitted to become a citizen of the United States whereupon the said William Kennedy exhibited a certificate of the Clerk of the Circuit Ct of Rockingham County showing that more than two years ago he had declared on oath in the said court his intention to become a citizen of the United States, which certificate is in these words "Rockingham" &c and it being proved to the satisfaction of the court by the testimony of M. Kearney & Effinger & Thomas Kennedy citizens of the said United States who were examined as witnesses on oath that since the arrival of the said William Kennedy 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 & happiness of the same. he the said William Kennedy declared on oath in open court, that he will support the constitution of the United States, and that he will absolutely and entirely renounce & 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 William Kennedy is admitted a citizen of the United States

Ordered that the Sheriff of this County, summon the justices of this County to appear here on the 2^d day of the June term next for the purpose of assessing the Rail Road Tax, laying the County Levy and for other purposes

The Court this day made out a list of jurors to serve during the year commencing on the 1st day of June 1855 & ending on the 1st day of June 1856, which list together with the ballots were deposited in a box and placed in the care of the Clerk of this Court

On the motion of Michael He Effinger who made oath thereto according to law and together with James Kenney 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 Michael He Effinger for obtaining letters of administration upon the estate of Abraham Ferry dec^d in and in form, and it is ordered that John Mesperly, Jos Rohr Lewis Rehob & Gamble Sprinkel do appraise the estate of the said Abraham Ferry dec^d

Samuel Bowman's adm^r. Pet^r }
vs } Mcase
Isaac Moffett Def^t

On motion & by consent of the parties it is ordered all matters in difference between ^{them} in this suit is mutually submitted to the final determination of Samuel & Lewis and agree that his appraiser

thereupon shall be made the judgment of the Court, and the same is ordered accordingly

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

Isaac Hardesty P. P. J.

Wednesday May 23rd 1855

Present

Isaac Hardesty P. P. J. Al Wood John J Bourman } Genl
and Isaac Thomas ^{Rudger} ~~Wood~~ Dove } Justice

Pleasant A Clarke

vs

} Upon a Motion &

V Austin Blackaby

V

The summons awarded against the plaintiff ~~Deft~~ ^{Deft} awarded at the last term of this Court not being returned executed it is ordered that new summons be awarded against them returnable to the next Court

John H Cordell

vs

Pliff

} Upon a suggestion that the deft is indebted

David D M Diggs

Deft

} to Zachariah Congler

This day came the pliff by his attorney and it appearing ^{that} the summons has been executed against the Deft more than twenty days ago and the Deft being solemnly called and not appearing and a witness being sworn and examined it appearing that there is such liability on the Deft as set forth in the Pliffs suggestion it is therefore ordered that the said David D M Diggs pay to James Steele a constable of this county the sum of \$26.95 with legal interest thereon from the 21st day of October 1853 till paid also eighty cents for costs expended in prosecuting his ~~suggestion~~ against the said Zachariah Congler and also all the costs expended by the Pliffs about the prosecuting the said suggestion

Hugh A Glenn

vs

Plff

William Siggitt

Def

Upon a motion to and a suspending
 bond to try the right of property levied on
 as the property of Samuel P Windle
 This day day came the parties by their attorneys and sundry
 witnesses being sworn and examined touching the premises and
 the court upon mature deliberation are of opinion the property
 levied only the virtue of the Plff execution against Samuel
 P Windle is the property of ~~Sam~~ Mary P Windle now Mary
 A Glenn wife of said Hugh A Glenn. it is therefore ordered
 that the said property levied as aforesaid to wit: 1 Bureau & top
 one table 1 cupboard, 1 for bedsteads, 1 trunk do 1 wash stand
 1 stove, 1st Dish & 1st chair ^{1 roofing shaver} be restored to the possession of the said
 Glenn by the officer or other person having the same in possession
 and that the said Glenn recover against the said Siggitt his
 costs in this behalf expended

Commed vs Harris on a rule. On motion & for reasons
 appearing to the court it is ordered that 1st Rule be discharged

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

J. Hardesty C. J. G.

Virginia

At a court held for Rockingham County, at
 the court house thereof on Monday the 18th
 day of June 1855

Present

Samuel H Lewis C. J. Isaac Thomas

Isaac Hardesty & Archibald Hopkins

John R Rooglen

Gent

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 May last, which being seen and inspected

by the Court is ordered to be entered on the minutes as follows to wit

- ✓ 1 ✓ A Deed of Bargain & Sale from C. Myers & others to Daniel & Buffum an
- ✓ 2 of A Deed of Trust from Jacob P. Hooker wife to A. C. Bryan In Trust for P. S. Roller &
- ✓ 3 of A Deed of Bargain & Sale from Joseph S. Effinger to Sprinkel & Gay
- ✓ 4 of Same from Elias Heall wife to Wm. H. Marshall
- ✓ 5 of Same from John & Eluff wife to Andrew Lewis
- ✓ 6 ✓ Same from Daniel (Driver) wife to Lewis (Driver)
- 7 Same from Nelson Sprinkel wife to Wm. Peters
- ✓ 8 of Same from John & Buffum wife to Allen C. Bryan
- ✓ 9 ✓ A Deed of Trust from Wm. (D. Stangh) to J. P. Little for W. M. Gahen
- ✓ 10 ✓ Same from Joseph Michael to George Kisking In Trust for same
- ✓ 11 of A Deed of Bargain & Sale from David Gilmore wife to Sunfield Lee
- ✓ 12 ✓ Same from John Paile wife to Samuel Miller &
- ✓ 13 ✓ Same from Thomas Cummins Atty. to Benjamin Strickler
- ✓ 14 of Same from George W. Major wife to Henry Jordan
- ✓ 15 of A Marriage Contract between Philip (Deatrick) & Hannah Whisman
- ✓ 16 ✓ A Deed of Bargain & Sale from W. Gamble cont. to Wm. Harper
- ✓ 17 of Same from Wm. H. Marshall wife to John R. Miller
- ✓ 18 ✓ Same from Paie Freed wife to George May
- ✓ 19 ✓ Same from Robert P. Jennings to Jacob Miller
- ✓ 20 ✓ Same from same to Wm. Kite
- ✓ 21 ✓ Same from same to Henry Miller &
- ✓ 22 ✓ Same from John M. Mansfield & to Moses Lawson
- ✓ 23 ✓ Same from Robert L. Manck wife to J. H. Woodson In Trust for A. C. Bryan
- ✓ 24 of Same from Samuel P. Lecker wife to William H. Weise
- ✓ 25 of A Marriage Contract between Daniel Miller & Christina Myers
- ✓ 26 ✓ A Deed of B. & S. from Benjamin Miller wife to Daniel Keller
- ✓ 27 ✓ A Deed of Trust from Wm. K. Gailey wife to E. D. Dudson for Mary Mitchell
- ✓ 28 ✓ A Deed of Bargain & Sale from Abraham Smith wife to Geo. C. Deneale
- ✓ 29 ✓ Same from Joshua McCraw wife to Robt. R. R. Rhetoe
- ✓ 30 ✓ Same from Jacob (Driver) wife to John K. Mayers &
- ✓ 31 ✓ Same from David Kerlin wife to Benjamin Kerlin
- ✓ 32 ✓ Same from Shem Heavins wife to same
- ✓ 33 ✓ Same from David McLaughlin wife to Jacob H. Niceman & son
- ✓ 34 ✓ Same from Douglas Martz wife to Jacob Pence
- ✓ 35 ✓ Same from John Sprinkel wife to Reuben Sellers

- ✓ 36 of A Deed of Bargain & Sale from Elizabeth Shaden to John Shaden
 ✓ 37 ✓ Same from Daniel Miller & Co. to Henry Phelps
 ✓ 38 ✓ Same from George Messersmith & wife to same
 ✓ 39 ✓ Same from Preston (Dorow) wife to Cyrus Wise
 ✓ 40 of Same from Henry Rhoades wife to George Deeds
 ✓ 41 ✓ Same from Riley Ammentrout wife to Cyrus S. Wise
 ✓ 42 ✓ Same from Daniel Meine to E. W. Jones
 ✓ 43 ✓ Same from John E. Mapes wife to Charlotte Smith
 ✓ 44 of Same from E. W. Jones wife to Daniel Meine
 ✓ 45 ✓ Same from John Kline to Henry Heydecker
 ✓ 46 ✓ A Deed of Trust from Robert K. Wilson to James Kenney in Trust for Mrs. W. Hooke
 ✓ 47 ✓ A Deed of Trust from Wm. Silver & wife to Joseph C. Smith
 ✓ 48 of B. S. from Whitfield G. Maury to Jacob Sipes adm^r
 ✓ 49 of Same from Wm. M. Wood wife to Daniel Bowman
 ✓ 50 of Same from Daniel Flooker wife to Wm. M. Wood
 ✓ 51 ✓ Same from Henry Showalter wife to Abraham Spitzer
 ✓ 52 of Same from Moses Gongwer to Samuel Seedy
 ✓ 53 of Same from Albert Long wife to Moses Gongwer
 ✓ 54 ✓ Same from Andrew Dink to Charlotte Smith
 ✓ 55 of Same from Addison & Carter to Reuben (Dove) &

Settlements of the estate of Jacob Moyers dec^d, Daniel Miller dec^d,
 James Ephraim dec^d, Jacob Showalter dec^d, David Moyers dec^d, Henry
 Richie dec^d, John A. Hopkins dec^d, Margaret Soffland dec^d, William
 Gathier dec^d, Abraham Beery dec^d, Christian Wisenwender John B. Bear dec^d,
 Andrew Newman dec^d, Jacob Dinkler dec^d & Adam Schultz 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 to them, they are ordered to be recorded.

Settlements of the accounts of guardians of the following named wards
 to wit, Michael Knopf, Alexander Knopf, Amanda Knopf,
 Rebecca Knopf & Wm. J. Runckle, Abraham Lincoln, Minerva
 Stevens & Magdalena Rodeste & Melvina Stevens having been filed in the
 clerk's office of this court for the time prescribed by law, were presented in court and
 exceptions being offered to them, they are ordered to be recorded.

A Settlement of the accounts of A M Newman receiver for the heirs of Isaac Pennybaker dec^d 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 affirmed and ordered to be recorded

William B Smith &c

vs

Defts

In Chancery

The heirs & admors of Nimrod Dove dec^d &c (Defts)

This cause came on to be heard at its 18th day of June 1855 and upon agreement of Counsel it is adjudged, ordered and decreed that Giles Dever be appointed a commissioner, who upon giving bond and with security in the sum of \$1000, and after due publication of the day & place of sale in one of the papers of the town of Marlborough for four weeks and posting notice of the day & place at some public point near the premises shall enter thereon and sell to the highest bidder for cash the property in the bill mentioned subject to the dower interest of the widow of Nimrod Dove dec^d out of the proceeds of which he shall pay all the expenses of the sale the costs incurred in this suit, and ~~shall~~ report his action to this Court for further order thereof. the Court appoint said Dever a commissioner to make deed to the purchaser

On the motion of Gabriel Sutters, Margaret Sutters, Emanuel Sutters & Magdalene Sutters, wards of Thos Heavitt, it is ordered that he of record on oath an account of his Guardianship before David G Heavitt who is hereby directed to examine & settle the said Guardian account and report thereon to the Court according to law

Henry Beery Abraham M Beery & Sarah Beery orphans of Abraham Beery being over 14 years of age, with the approbation of the Court made choice of Henry Beery as their Guardian, and the Court doth appoint said Henry Beery guardian for Frances Beery orphan of said Abraham Beery dec^d who being under 14 years of age thereupon the said Henry Beery appeared in Court and together with Isaac Unger his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of \$1500 conditioned as the law requires which bond is ordered to be recorded

An Instrument of writing purporting to be the last will and testament of Benjamin Denton dec^d was presented in court and proved by the oaths of John Blain & John Meest two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of John McTrunkhausen one of the executors therein named who made oath thereto according to law, and together with Simon S. Harmon, James R. Crawford & Allen L. Bryan his securities (who justified as to their sufficiency) entered into an acknowledgment a bond in the penalty of \$15000 conditioned as the law requires. certificate is granted him for obtaining a probat of said will in due form. Meitley G. Denton the other executor named in said will appeared in court and refused to take upon himself the burden of the execution thereof and it is ordered that John Blain, John Meest William Liley & George H. Anderson do appraise the estate of the said Benjamin Denton dec^d.

An Instrument of writing purporting to be the last will and testament of Abraham Grove dec^d was presented in court and proved by the oaths of Gabriel Heatiwole and Joseph Coffman two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of Daniel Heatiwole the executor therein named who made oath thereto and together with John S. Heatiwole, Peter Whitman & Peter Broome Jr his securities (who justified as to their sufficiency) entered into an acknowledgment a bond in the penalty of \$2000 conditioned as the law requires. certificate is granted him for obtaining a probat of said will in due form. It is ordered that Michael Henry Henry Misewardin William Byers and Joseph Coffman do appraise the estate of said Abraham Grove dec^d and report according to law.

William B. Blose, Mary Ann Blose & Phelby Blose orphans of Christian Blose dec^d, being upwards of 14 years of age, by an instrument of writing under their hand made choice of Lewis Ponce as their guardian thereupon the said Ponce appeared in court and together with Reuben Herffman his security (who justified as to his sufficiency) entered into an acknowledgment a bond in the penalty of \$500 conditioned as the law requires which bond is ordered to be recorded.

Albet to Lindmorphan of Preston Lincoln dec^d being upwards of 14 years of age appeared in court and made choice of Andrew B. Dick as his guardian. and the court doth appoint the said Andrew B. Dick guardian for Isabella Lincoln orphan of the said Preston Lincoln dec^d. thereupon the said Dick appeared in court and together with Benjamin F. Lincoln & David H. Gamble his securities (who justified as to their sufficiency), entered into and acknowledged a bond in the penalty of \$3000. conditioned as the law requires which bond is ordered to be recorded.

Commonth (Simon White) vs J. M. Porgay. On Motion docketed and continued

Commonwealth vs Jno. Verry on motion continued until the next term

William Craig & Eli T. Albiston ^{Wm. & King} who have been duly summoned as witnesses on behalf of Jno. Verry & Commonwealth, being solemnly called and not appearing, it is ordered that they be summoned to appear here on the first day of the next term of this court to shew cause if any they can why they shall not be fined for their failure to appear.

Upon the petition of Thomas Richard & Moore & others who filed their petition, and upon the motion of the said petitioners by their attorneys it is ordered that Robert Spinnale, Thomas K. Miller, & George Cook be and they are hereby appointed Viewers to examine and report upon the said petition according to law.

An Instrument of writing purporting to be the last will and testament of Christina Pirkey dec^d was presented in court and proved by the oath of Joseph Beery one of the subscribing witnesses thereto, and the other subscribing witnesses thereto being dead, the signature of Benjamin Showalter dec^d a subscribing witness being proved by the testimony of Joseph Beery, and said ^{will} is ordered to be recorded, and thereupon Abram Mohler the executor therein named appeared in court and refused to take upon himself the burden of the execution of the said will, and on the motion of Alexander Kiser ^{who} made

oath thereto according to law and together with Joseph Beery & George Muel
his securities (who justified as to their sufficiency) entered into and acknowledged
a bond in the penalty of \$10,000 conditioned as the law requires. Certificate
is granted the said Nicholas Riger for obtaining letters of administration
in due form with the will annexed of Christina Perkey dec^d and it
is ordered that John Gount Isaac Long William Saufly & George Muel do
✓ appraise the estate of said Christina Perkey dec^d

On the Motion of Peter S Roller who made oath thereto according to law and
together with John Lawton & William Hunter his securities (who justified as to their
sufficiency) entered into and acknowledged a bond in the penalty of \$5,000
conditioned as the law requires. Certificate is granted the said Peter
S Roller for obtaining letters of administration in due form from the
estate of George H Shank dec^d and it is ordered that Abraham
Frankhouse, John Huffman, Jacob Whitwell & Leonard Tutwiler do appraise
✓ the estate of said George H Shank dec^d and report thereon according to law

William De Lovington who has been duly elected a constable for this County
to serve until the 24th day of May 1856 and thereafter until a successor
be qualified this day appeared in Court and together with Leonard & Rite
H Charles Blumney his securities entered into and acknowledged a bond in
the penalty of five thousand dollars conditioned as the law requires
and thereupon the said William De Lovington took the several oaths
required by law

James Deane moved the Court to appoint three or more viewers to view
and report upon opening a public road which leads from a point in Smith's
road (which from Elk run church in an easterly direction) to the top of
✓ the Blue Ridge mountain to intersect with a public road at its terminus
in the County of Greene ~~County~~. It is ordered that Jacob Bear R H
Spruile Isaac Huffman & Jacob Miller be and they are hereby appointed
to view and report upon said road according to law

James Kenney

10

Mr Hearse, Clerk of Court advised Adam Harris Deft

Deft

} upon a Motion &c

This day came the plaintiff by his attorney and the notice in this cause being returned under the seal so vice thereof being duly acknowledged and by consent of parties it is ordered that the power and authority of the said McHarvey Effinger as administrator of said Abram Tenny decd. be revoked and annulled.

Daniel Hoffmann Deft }
vs } McHarvey
Jane Meekerly &c Deft }

This cause came on further to be heard this 18th day of June in the year 1855, upon the parties heretofore read the proceedings heretofore had and the report of commissioner B. A. Walker, appointed by a decree of this court made at its (December Term 1854) to sell a portion of the land in the line mentioned in which report there is no exception, and the sale of the portion of the said land to Peter Dunkel as reported by said commissioner at the price of \$108.63, is confirmed by the court and the said commissioner B. A. Walker is authorized to withdraw from the papers in this cause the bonds of the purchaser Peter Dunkel and the security John Sledrick and collect the same, and after paying the costs of this suit and the sale including a commission to himself of 5 per cent on the first \$300. Two percent on the residue, distribute the remainder among the creditors of Solomon B. Meekerly deceased, as directed by the decree in this cause rendered in December last.

On the motion of Maria Gost who presented in court an instrument of writing purporting to be the last will and testament of Elizabeth Gann decd. the same is docketed and continued until the next term, and a subpoena is awarded against the subscribing witnesses thereto and to be made returnable at the next term.

William Golladay Deft Appellant }
vs } Upon an appeal from the judgment
Livingston Johnson Appellee } 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 after mature deliberation, are of opinion that there is no error in the

judgment aforesaid it is ordered that the judgment aforesaid be affirmed
 to wit that the said Johnson recover against the said Goliday the sum
 of ten dollars with interest thereon to be computed after the rate of
 six per centum per annum from the 7th day of December 1833 until
 the 19th day of August 1834 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 19th day of August 1834 till paid and that
 the appellee recover against the appellant his costs by him
 about his defence in this behalf expended

William Boyers

Plff

vs

Robert Boyers

Def

} upon an attachment

This day came the parties by their attorneys and
 on motion this cause is docketed and continued

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

St. Lewis.

Tuesday June 19th 1835

Present:

Samuel St. Lewis P.J. Jacob Rush. John Boyer
 John Burkholder. Isaac Thomas. Wm Blyancey & McDayton
 Prof Bowman. Samuel Miller. Robert Gratten. Benjamin Hoover
 Reuben Cluffman. Samuel Rucksh. Andrew Couch
 John A Dice. John Brown. John A. Scarning. Naason
 Bare. (Samuel Harrison. Wm McCarphenter. Isaac
 Hardisty. Michael McCarrie. Saml R. Sprinkel
 Jackson Horn. Wm D. Hopkins. Arch Hopkins & Bro
 R Kogler.

} Court

} Justices

Upon the petition of Jennings & Co the merchants who have paid the
 tax imposed by law to enable them to retail ardent spirits in this
 county it ^{ordered} to be certified that they are men of good character not
 addicted to drinking or gaming and that their store is a proper and fit
 place to retail ardent spirits

On the motion of M^r R. Warren Deputy Sheriff for the County of Rockingham it is ordered that to be certified that upon the application of M^r McCall H^o V. Seander brought for a certificate to retail or sell spirits. their said applications were rejected. and it appearing from satisfactory evidence that said Warren has refunded the Tax paid to said applicants.

Upon the application of J. D. Williamson to exempt his slaves from taxation viz. Abe. Tom. Phillis and Suky. it is ordered that said application be rejected.

Upon the application of William H. Gailey who produces the shuff receipt for the tax imposed by law. a license is granted him to keep a Public Ordinary in the town of W. Cranford in this County until the next May term next of this Court. it is ordered to be certified that he is man of good character and not addicted to drinking and gaming.

Upon the application of Hall & Reamer for a certificate to retail or sell spirits. it is ordered that said application be rejected.

It is ordered that Be it ordered by the justices of Rockingham County a majority of said justices being present, that all persons are forbid from hitching their horses to the Court yard fence and they hereby authorize and request the Mayor Council & citizens of the town of Glauwinstonburg to pass all such ordinances that may be necessary to carry out this order under such fine pains & penalties as the Corporate authorities may deem proper.

Ordered that a License be granted Peter Fitch to keep a house of private entertainment in this County until the May term next of this Court the Court being of opinion that he is a man of good character and not addicted to drinking or gaming.

William G. Thompson Joseph Burkholder & Peter Beerly who were appointed commissioners at the June term 1854 to lay off the public road in this County into fit and convenient precincts. Number each

precinct beginning at No 1. and to give each road a proper name and to assign to each precinct some proper person to act as surveyor thereof and to allot the tithables to work on each precinct make their report which was examined and approved by the Court. and ordered to be recorded in a book to be kept for that purpose and it is further ordered that the several persons named as surveyors, be appointed as such surveyors of said precincts who with the tithables allotted thereto are hereby directed to open the said roads work thereon and keep the same in good repair as the law directs. The recommendations of said commissioners as set forth in their report recommending that certain roads be closed the Court at present takes no action thereon

Charles A Vandear, Simeon J Harnsberger & John Gordon Deputies for As Byrd & Rl returned lists of delinquents in the County Series & Rail Road Tax which lists were sworn to, were examined and allowed by the Court and ordered to be certified

By the motion of As Byrd & Rl. Giles Turley is permitted to qualify as his Deputy thereupon the said Giles Turley took the several oaths prescribed by law

The Sheriff of this County having reported the following named free negroes as having failed to pay the tax assessed upon them for the year 1854. viz. Moolley, G. Colley, J. Sanderberry, A. Sanderberry, G. Strother, W. L. Briggs & L. Scott. It is ordered that the Sheriff hire said free negroes out according to law

Henry Amos. is exempted from County, Copulation & State tax for the County of Rockingham

Ordered that Solomon Rich of George Mauck be exempted from the payment of County & Parish Series & State Tax

The Court proceeded to lay the County & Parish Levies, the justices having been duly summoned for that purpose, and a majority being present, as follows to wit

Amount of claims allowed & appropriations made by the overseers of the poor	\$2158.75
Do pay Stuart of Poor house for quarter ending 30 June 1855 say	310.00
" claims allowed & appropriations made by the County Court this day	
allowance to County officers Jurors & to pay Justices say	3159.75
" amt due agent of county on his a/c. & Interest	559.28 1/2
" estimate number of delinquents 700 @ \$ 1.45	1015.00
" Sheriff's commission for collecting levy	417.86
" amt due Sheriff on his a/c (supposed)	208.21
" Balance supposed to be sufficient to meet expenses of poor at Poor House & to meet contingent expenses of County & Parish	1816.32 1/2
	<u>\$9675.18 1/4</u>

To meet which there are the following means

or

By amount due from agent of Overseers of Poor on his a/c	\$ 495.85 1/4
supposed number of Levies @ 3500 at 1.45	7979.35
payment on old jail due April 1853 1854 & 1855	600.00
advancement on Sheriff's fee \$600	600.00
	<u>\$9657.18 1/4</u>

Ordered that the Sheriff of this County collect from each titheable in the County not exempted by law \$1.45, sixty five cents 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

On the motion of Bryan Woodson and John T Harris the Court doth agree that the said Bryan Woodson and the said John T Harris may erect two new offices on the Court House square in the Town of Harrisonburg the said Bryan Woodson to erect one and the said John T Harris

the other of said offices to front on the McAdams road East of the Court house. and on a line with the Court house, the northern wall of one of the offices to be on a line with the northern wall of the Court house and the southern wall of the other office to be on a line with the southern wall of the Court house. The offices to be of brick, and neatly finished and one story high. The Court doth further agree that the said Bryan & Woodson & the said John T Harris shall respectively occupy the offices ~~here~~ built by them without rent for the period of fifteen years from their completion to reimburse them for the costs of their erection at the expiration of which time, the said offices are to become the property of the County of Rockingham, to be rented out for the benefit of the County, the said Bryan & Woodson and John T Harris to have the refusal of the offices respectively built by them (if they desire it) at the rent fixed by the Court after the expiration of the said 15 years and it is further ordered that at the expiration of said term said Bryan & Woodson & John T Harris shall return said offices to the Court in good order & repair, said buildings are to be built according to the plan filed, and to be commenced and completed by them in 18 months from this day.

On the motion of Stander & Martz, Esq & McWarren, Sec. of W. Liggett & James Kenney, privilege is granted them to build four additional law offices upon the Court house square upon the same terms and upon the conditions set forth in the order made upon the application of Bryan & Woodson & John T Harris ~~this day entered~~ this order shall be hereafter set forth more fully.

Ordered that the sum of six hundred dollars be assessed on the Sheriffalty of this County to be paid by AS Byrd & Co, for the year ending in June 1856, and that the agent of the County collect the same and credit it to the County of Rockingham.

John O. Ralston Constable presented in Court an account and to \$16.30 against the commonwealth, which being sworn to was examined and allowed by the Court, and ordered to be certified to the Auditor of public accounts.

It is ordered that a levy of six 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 proposed to be issued by the County under the order of the Court, this day adopted at a former term of this Court which shall be collected and accounted for by the Sheriff of this County, who shall receive a compensation of three per cent for the collection thereof, and pay the same into the Bank of Rockingham subject to the order of Robert Grattan agent of this Court.

Isaac Hardisty agent for this County presented in Court his account which was examined by the Court and ordered to be filed

Henry V & C Stuart presented to the Court copy of Owens Geological Survey which were received and ordered to be deposited in the Clerk's office of this Court, and it further ordered that the thanks of this Court be returned by behalf of this Court by the President to Mr Stuart

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

Isaac Hardisty appeared in Court and resigned his office as agent for this County, and thereupon the Court appointed O. Esterling agent for this County in the place of Isaac Hardisty

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

S. H. Lewis

Wednesday June 20th 1855

Present

Samuel H. Lewis P. Fountain M. Layton } Gent
John Burkholder & Saml Miller } Justices

In order to complete the order entered on yesterday It is ordered that

the office of E. H. Meaven be located upon the northern side of the square. the western wall of the said office to be upon a line with the western wall of the Court-house and the office of Shand & Martz to be situated upon the same side of the square. The western wall of their office to be upon a line with the eastern wall of the Court-house. the office of Jacob M. Siggitt and James Kenney to be on the North Western side of the Court-yard and the southern front of the southern office to be on a line of the southern front of the Court-house and the northern front of the northern office to be on a line with northern front of the Court-house and to occupy the same position on the western part of the square that the offices of Bryan Woodson & Harris occupy on the eastern front of the public square. It is further ordered that since offices be built upon the same plan as of the offices to be built by Bryan Woodson & Harris

Anna Myers & Ralph Myers orphans of Benjamin Myers decd by an instrument of writing make choice of Samuel H. Myers as their guardian. and the court doth appoint the said Samuel H. Myers as guardian for Benjamin & Andrew J. Myers who are under 14 years of age. Thereupon the said Samuel H. Myers together with Thornton Thomas, John W. Driver & Jacob Good his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$3000. conditioned as the law requires which bond is ordered to be recorded

On the motion of Wm. R. Meaven Deputy for Atty. Gen. & R. C. it is ordered to be certified that satisfactory proof was exhibited to the court that R. M. Shera's agent was arrested with \$6.88 tax as a merchant in this county and that said Shera removed from the county before said Sheriff received the arrestment. & hence therefore had no opportunity to collect the same

Suey J. Houston by an instrument of writing made choice of Benjamin A. Walker as her guardian. and the court doth appoint said Walker guardian for Ann & Houston both orphans of Archibald W. Houston decd. the last named ward being under 14 years of age. and thereupon the said Walker together with Adairson Houston and

Allen & Bryan his 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

Margaret M Houston being upwards of 14 years of age by an instrument put in under her hand, under the care of Addison Houston as her guardian therefor the said Addison Houston together with Allen & Bryan & Benjamin A Walker his 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

James Kenny who has heretofore been duly appointed a Notary Public for this County appeared in Court and together with S W Gambrell his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of \$500 conditioned as the law requires. which bond is ordered to be recorded and certified according to law

The Manassas Gap Rail Road Company vs Jesse Placaton on motion it is ordered that this cause be continued until the next term of this Court at the costs of the Plaintiff

same vs Jonas Earley

The same order

same vs J W Driver

The same order

same vs M Rife

The same order

same vs B Meyer's heirs

The same order

same vs J Driver

The same order

same vs Thornton Thomas

The same order

same vs Steele & ex

The same order

same vs same

The same order

same vs J P Brock. it is ordered that this cause be continued until the next term.

The same order

same vs Krotzer (2 cases)

The same order

same vs Winfield (2 cases)

The same order

same vs Stroman

The same order

same vs Gray (2 cases)

The same order

same vs J J Cowan

The same order

Nanfett vs Smallwood on motion continued until the next term at the costs of the Defendant

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

St. Lewis.

Virginia

At a Court held for Buckingham County at the Court house thereof on Monday the 16th day of July 1855

Present

Samuel H. Lewis J^{ff} Isaac Hardesty Gent
Isaac Thomas V Archibald Hopkins Jr } 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 last. which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

A Deed of Bargain & Sale from George W. Effinger wife to Harrison Brady

Same from Same to John G. Mason

Same from Same to Anthony Showalter

Same from Same to David K. Caryer

Same from Same to Henry A. & John W. Rhodes

of Same from Joshua McLean for wife to Daniel Murray

A Deed of Trust from Daniel M. Adams to Fisher Trust for J. Campbell

A Deed of Bargain & Sale from James May wife to Ambrose Lenkel

of Same from John Heaton wife to Shepherd McCoy

Same from William Hinton to Solomon Brubaker

of Same from Samuel Wise wife to Peter Wise

of Same from Philip Deatrick to John Deatrick (agreement)

of Same from Philip Bolton att. to James Bolton

Same from Henry Good wife to Henry Parflinger

of Same from Samuel G. Baughen wife to Isaac D. Daniel

Same from Henry Gilmer to Jacob Shank

- A Deed of Trust from Robert Skept to J. H. Hopewell Ind Trust for D. W. Coffman
 of A Deed of Bargain & Sale from Augustus Rice contr to John Smith
 A Deed of Trust from Mem. Richent Larsen to G. P. Kieling Ind Trust for Hopkins & Kisting
 of Same from Thomas Turner to Samuel Coffman Ind Trust for D. Penningbacker
 Same from Samuel Sprunk to J. M. Sprinkel Ind Trust for same
 of A Deed of ~~Bargain~~ Bargain & Sale from Annias Darrson to Alexander M. Gilman
 of Same from James Nash wife to Jacob A. Mitchell
 of Same from Jacob Drinkelshens to Peter Shickel
 of Same from Mem. Lounsey wife to David R. P.
 A Deed of Trust from C. W. Pollard to Mem. Anderson Ind Trust for C. R. Harris
 Same from Joseph Stinespring to C. W. Pollard Ind Trust for Bro. Stinespring &
 A Deed of Bargain & Sale from Henry Sheets to Samuel Sheets & trustees
 of Same from Louisa Whisler to Benjamin Trifer.
 An Agreement between John Zigler & The Manassas Gap Rail Road Company
 A Deed of Trust from Abraham Snyder to John M. Smith for Jas. H. Bowman
 of A Deed of Bargain & Sale from Allen C. Bryan wife to George O. Conrad

Settlements of the estates of Christina Hains dec^d Samuel See dec^d
 & James Morris dec^d having been filed in the Clerk's office this Court for
 the time prescribed by law were returned into Court and exceptions
 being offered to them they are ordered to be recorded.

Settlement of the Guardians of the following named wards. Henry S. &
 Sarah O. Matheny, Frances Harrison David Leffman & Richard L. Wood
 were returned into the Court and having been filed in the Clerk's office
 for the time prescribed by law, and no exceptions being offered thereto
 the same are affirmed and ordered to be recorded.

A Settlement of the account of John Evans & Peter Stowalter testamentary
 trustees with Elizabeth Bright, Polly Parrot & Nancy Coffman was
 presented in Court and having been filed in the office for the time
 prescribed by law, and no exceptions being offered thereto the same
 ordered to be recorded.

Mem. R. Warren Deputy for As. Byrd S. R. presented in Court a list
 of delinquents in the License Tax, ^{amounting to \$6.88} which being sworn to was examined and

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

Peter Paul who has been duly elected a justice of the peace for this county presented in court his commission and thereupon the said Peter Paul took the several oaths required by law

J. J. Nicholas presented in court two accounts against the Commonwealth one for \$590 and the other for \$4.40 which accounts being sworn to as examiners and allowed by the court and ordered to be certified to the auditor of public accounts

N. B. Hannah

vs

Jacob Estinger

} Upon a report of the court

The deft having failed to attend before a court to answer certain interrogatories filed by Plff. it is ordered to be summoned to appear there on the first day of the next court to show cause if any he can why ^{he shall} ~~he shall~~ ^{be fined} ~~not be fined~~ ^{against him} for his failure of previous

On the motion of Michael Gepler who made oath thereto according to law and together with Enos Keezle, George P. Burtner & Solomon Burtner his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$10,000 conditioned as the law requires. Certificate is granted the said Michael Gepler for obtaining letters of administration in due form upon the estate of Christian Hoover dec'd. and it is ordered that Allen W. Brown, Jacob Royer, St. Clair Kyle & David Link do appraise the estate of said Christian Hoover dec'd. The widow of said Christian Hoover having in writing relinquished her right to administer.

O. Sterling who was at the last term of this court appeared in court appointed agent for the county appeared in court and together with Henry Steven, John H. Hartmann & W. Gambel &

Allen L. Bryan his securities who entered into and acknowledged a bond in the penalty of \$3000. conditioned as the law requires

James Grubb &

against

William Grubb &

Plff

Def

In Chancery

This cause came on to be ~~for~~ heard on this 16th day of July 1855 upon the papers formerly read in the cause and the report of S. M. Summers the receiver in the cause to which there is no exception on consideration whereof this Court is of opinion that the said report ought to be received. accordingly this Court doth as judge order and decree that said report be received and that the sum of \$52.82^c the amount due the heirs of Peter Grubb dec^d and now in the hands of the said receiver be distributed among the said heirs of Peter Grubb dec^d according to law so that each shall receive his respective interest

James L. Beard

vs

Robert S. Beard

Plff

Def Security

Upon a Notice for money lent as

This day came the Plff by his attorney and the notice in this cause being returned duly executed and the Deft so coming called and not appearing and a witness being sworn and examined it is ordered that the Plff recover against the Deft the sum of eighty six dollars & fifty eight cents with legal interest thereon from the 2^d day of April 1855 till paid and the costs by the Plff in this behalf expended

The last will and testament of John Dinkel dec^d was presented in Court and proved by the oaths of John Williams and W. Brown two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Harvey Dinkel the executor therein named who made oath thereto according to law and together with John Brown his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of \$500. conditioned as the law requires. certificate is

granted the said Henry Dinkel for obtaining a probat
of said will in due form. and it is ordered that Adam
v Rader, Elclair Kyle & John Williamson as appraisers the
estate of said John Dinkel decd.

Thomas A. Yancey Gentleman, who has been duly licensed
to practise as an attorney in the Court of this Commonwealth
appeared in Court and took the several oaths prescribed by law
and thereupon he is admitted to practise in this Court.

On the motion of Levi Cromer who made oath there to
according to law and together with John Meperly his security,
who justified as to his sufficiency entered into and acknowl-
edged a bond in the penalty of \$500. conditioned as the law
requires which bond is ordered to be recorded. certificate is
granted him for obtaining a ~~probate~~ letters of administration
in due form upon the estate of David Green decd. ordered
that Jacob S. Rohrer, John Altstetter, Martin A. Hall & John Williamson
as appraisers the estate of said David Green decd. The widow
of said decedent having in writing relinquished her right to administer

Joseph Schwartz a native of Württemberg this day applied to the
Court to be admitted to become a citizen of the United States, whereupon the
said Joseph Schwartz exhibited a certificate of the Clerk of the
District Court of the United States for the District of Maryland
showing that more than two years ago he had declared on oath in the
said Court his intention to become a citizen of the United States, which
certificate is in these words, "United States of America. District of
Maryland. District Court Office. Baltimore. September 20th 1838. Be it
remembered &c. and it being proved to the satisfaction of the Court by the
testimony of Robert Barron, John Schwartz & Henry Lutz citizens of the
said United States who were examined as witnesses on oath that
since the arrival of the said Joseph Schwartz as a foreigner, 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

see page 2

and well disposed to the good order and happiness of the same. he the said Joseph Schwartz declared on oath, that he will support the constitution of the United States and doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince Potentate State or sovereignty whatever and particularly to the King of Mecklenburg. and thereupon the said Lewis Schwartz is admitted a citizen of the said United States

On Motion it is ordered that Osterling agent for the County pay to John P Brock the sum of \$5.80 part of the amount of money paid as County & Parish Levy of by said Brock on four slaves, the same slaves having been charged to Mrs Mary Swenson his mother in law and paid by her

It is ordered by the Court that the auditor of Public accounts pay to John P Brock the sum of \$597 part of the amount of money paid as Taxes by said Brock on the following articles & property, the same having been charged to Mrs Mary Swenson and paid by her. 4 Slaves ch @ 60. but earned out \$200. 7 horses & mules valued \$360. 110 Cattle & Hogs & Sheep Value 875. 1 Pleasure carriage 100. 4 Bonds @ 500 \$ Making 1835. & Tax \$397 which is ordered to be certified to the auditor of public accounts.

On the Motion of Abraham Byrd Sheriff of this County. John G Rhodes is admitted as his deputy. and thereupon the said John G Rhodes took the several oaths prescribed by law

On the Motion of Thomas Mancey & McDonough Harris who made oath thereunto according to law and together with George O'Connor & James Harris their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$15000. (conditioned as the law requires. certificate is granted the said Thomas Mancey & McDonough Harris for obtaining letters of administration ^{de bonis mortis} in due form upon the estate of Diana Smith dec'd

Henry A Rhodes is appointed by the Court as Guardian for Cornelius Gilmer & Mary Gilmer orphans of David Gilmer dec'd who being under the age of 14 years. thereupon the said Henry A Rhodes appears in Court and together with Frederick Rhodes his security (who justified as to his

sufficiency) entered into and acknowledged a bond in the sum of \$1000. conditioned as the law requires

On the motion of Joseph Bryd Guardian for Nancy Bryd, the Court doth certify, that it was this day proved in open Court by the oath of Elijah (Dundore and Samuel Kooty citizens of this County & creditable witnesses, that Catharine Bryd the widow of Lewis Bryd deceased died in this County on or about the month of March 1852. and that Nancy Bryd was on the 3 day of March 1853, and is now the only minor child of said Lewis Bryd & Catharine Bryd deceased that said Nancy Bryd was born the thirteenth day of June in the year 1835.

Upon the application of John J. Martz who produced in Court the Sheriff's receipt for the tax imposed by law a license is granted him to keep a house of private Entertainment in this County until the May term next of this Court.

The Court doth appoint John H. Austin guardian for David Grubb orphan of Samuel Grubb dec^d who being under the age of 14 years and thereupon the said John H. Austin together with George W. Enteler his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of \$300. conditioned as the law requires, which bond is ordered to be recorded.

An Instrument of writing purporting to be the last will and testament of Elizabeth Young dec^d was presented in Court and proved by the oaths of George Snyder and John Huff the subscribing witnesses thereto and ordered to be recorded and Stephen Harnsberger the executor therein named who appeared in Court and refused to take upon himself the further of the execution thereof, and on the motion of Maria Yost who made oath thereto according to law and together with Stephen Harnsberger her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500 or

conditioned as the law requires which bond is ordered to be recorded
 ordered that Benjamin F. Kemper, Samuel H. Lewis, Lewis
 George W. Kemper Jr & Robert M. Palmer or any three of them do
 appraise the estate of said Elizabeth Young decd

Charles Byancey Plff }
 vs } Upon a Motion to try the right
 Joseph H. Conrad Deft } of property

This day came the parties by their attorneys
 and sundry witnesses being sworn and examined touching the
 premises and the Court upon mature deliberation are of opinion
 that the watch levied upon as the property of William H. Hammer
 is not the property of said Hammer but is the property of the Plff
 in this cause. It is therefore ordered that the Plff recover against
 E. A. Shand & George W. Miller his security in the suspending bond —
 the Deft, his costs by him in this behalf expended

Charles Byancey Plff }
 vs } Upon a Motion to try the right of
 The Rockingham Turnpike Co Deft } property

This day came the parties by their attorneys and sundry witnesses
 being sworn and examined, and the Court upon mature deliberation
 is of opinion that the watch levied on by virtue of an execution in
 the name of Defts. as the property of Wm H. Hammer is the
 property of the Plff in this cause. It is therefore considered
 that the Plff recover against the Defts & E. A. Shand & George W.
 Miller security in the suspending bond his costs by him in this
 behalf expended

Daniel P. Ragan Plff }
 vs } Upon a Notice when a single bill
 John M. Jones & M. J. Jones Defts } for money

This day came the Plff by his attorney and the notice in
 this cause being returned executed it is ordered that and the
 Defts being solemnly called and not appearing it is ordered
 that the Plff recover against the Defts the sum of \$108.50 with interest
 thereon from the 1st day of April 1852 till paid, and the costs

by the Plaintiff in this behalf expended

On the motion of George Ireland who made oath thereto according to law and together with Nelson Sprinkles his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$3000. conditioned as the law requires. Certificate is granted the said George Ireland for obtaining letters of Administration in due form upon the estate of El Coffman Bare deceased. ordered that John Smith, P. Allard & Henry B Jones do and procure the estate of said El Coffman Bare dec.

Commonwealth vs John Verry. On the motion of the deft this cause is continued until the next term

Memoranda. Mem Worthing & Eli T. Albertson who have been duly summoned to appear here on this day and answer a rule awarded against them for failing to attend the last term of this Court as witnesses on behalf of John Verry vs Commonwealth. being solemnly called and not appearing it is ordered that an attachment be awarded against them returnable to the next term of this Court. which attachment be awarded against them to be directed to the Shff of Huala.

Boyers vs Boyers. On Motion this cause is continued

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

S. H. Lewis

Tuesday July 17th 1855

Present

Samuel H. Lewis	P. Isaac Thomas	} Gent Justice
Wm. H. Hardesty	Archibald Hopkins Jr	

Ordered that the attachment awarded on yesterday against Memminger
be and the same is hereby discharged

Solomon Butner having obtained an attachment against the estate of
George D Gaither, 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 Debt for \$77.98 due by single bill ^{two copies} and the Sheriff of this County
having made return that he had executed the said attachment "on one
gray horse" ^{one copy} 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 Petff recovers against the Defendant the said
sum of \$77.98 with legal interest thereon from the 11th day of August
1855. his debt aforesaid proved to be just, and his costs by him in this
behalf expended. And it is ordered that the Sheriff officer who
levied said Attachment make sale of said horse ^{& other property} by him attached
as the law directs on a credit until the 11th day of August 1855. at which
time said debt becomes due, and when collected out of the money
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 the next
Court

John Long
vs

Petff

Anthony Miller

Deft

} upon the report of a Comr

This day came the Petff by his attorney, and it appearing
that the Deft has failed to appear before a Comr of this Court and
answer certain interrogatories filed by Petff in obedience to a sum-
mons issued for that purpose, it is ordered that he be summoned to appear here
at the next Court to shew cause if any he can, why an attachment shall
not issue against him for his failure aforesaid

Daniel Crowley

Petff

Same

Deft

} upon the report of a Comr &
The same order

Same

Petff

Same

Deft

} upon the report of a Comr &
The same order

Intuiters admit as Valley Turnpike Co. Hearpers heirs as Lyman &
 Rockingham Turnpike Co as Bryan. Neff as Ardes. Kyler as Dusk
 Keesters as Truety, White ferns Grove. Powell's heirs as Powell & Co
 Leamaday vs Thompson. Gaileys as Bears & Co. Shueless as Anderson & Co.
 Van Pelt as Smallwood. Mooney as Balchis. Williams as Haightler
 Harris as Windale. Thomas & Blakemore vs Young. Heenton as Heenton & Co
 Shank vs Ziegler. Maunzy vs Rader. Steanch as Smith. Sager vs
 Smith. McGahey as Lee vs Dennis, re. Same as Same. Leffman
 as Hulvey. Shafer vs Shears & The Manassas Gap Rail Road Company.
 On motion the aforesaid several causes are continued until next term

Slw Bolen vs Hackley. On motion this cause is Dismissed

RW Harrison vs Same. The Same order

Samuel Miller

vs

John Rader &

Plff

Defts

} Upon a Notice &

On motion and for reasons appearing to the court it is ordered that
 this cause be continued until next term at the cost of the Deft

Upon the petition of Thomas Richard & Moore for the establishment
 of a road in this County. It is ordered that that Jacob Miller
 be and is hereby appointed a viewer in the Place of Henry
 Cook who is not a resident of this County. whose duty it shall be
 together with Robert Spindle & Thomas A Miller heretofore appointed
 to examine and report upon said petition according to law

Present Peter P Rounty & Mo Burkholder Gent Justices

Absent Isaac Hardisty & Archd Hopkins Jr. Gent Justices

Wm Liskey

vs

Wm Stinespring

Plff

Deft

} Upon the report of the court

This day came the Plff by his attorney. and the Deft having

failed to attend before a commissioner of this Court and answer certain interrogatories filed by the Plff. it is ordered that Lebe summoned to appear here on the 1st day of the next Court to answer & show cause if any he can why he should not an attachment shall not issue against him for his failure aforesaid

On the motion of John T. Harris leave is given him to withdraw the plan of the Law Offices filed in the Clerk's office at the June Term last. which plan is to be returned to the next term of Court.

The Manassas Rail Road Company . Plff }
 against } upon a report of
 Lebe Ralston . Deft } Comrs.

This day came the parties by their attorneys and sundry witnesses being sworn and examined and all the circumstances being weighed the Court is of opinion that there is error in the report of the commissioners returned in this cause in this Court. that the amount of damages offered by the Comrs & set forth in their report are inadequate. it is therefore ordered that the said report be set aside and that the said Ralston recover against the said Rail Road Company his costs by him in this behalf expended

Absent. Isaac Thomas

Genl Justice

Present. O. C. Sterling

Genl Justice

Wickins vs Wheeler. On motion until the next term of said Court for Plff

Ordered that the Court be adjourned until tomorrow morning at 9 o'clock

S. M. Lewis

Wednesday July 18th 1853

Present.

* Samuel M. Lewis PJ & O. C. Sterling

Genl

+ John Bunkholder & Peter P. Koonitz

Justices

Richard Baker & Aljills &
Hearing Leavies

3

appellants

vs

E. H. County adms of John Conrad

appellee

} upon an appeal
from the judgment of justice

This day came the parties by their attorneys and by consent it is considered by the court that there is no error in judgment of the justice. therefore it is ordered that the appellee recover against the appellants & John Conrad their security the sum of thirty four dollars & seventeen cents with interest from the 17 day of May 1854 until the 30 day of Sept 1854 and \$4.50 costs recovered before said justice with damage upon the whole amount of said judgment at the rate of 10 per centum per annum from the said 30 day of Sept 1854 till paid and the costs by the appellee in this behalf expended

Ordered that Samuel H. Lewis be appointed a additional proxy to act with Robert Gratten & Michael H. Leavies who were at a former term of this court ^{appointed} proxy to represent this court in the meeting of the stockholders of Brown's Gap Turnpike Company any one or more of the said proxy may act

The Manassas Gap Rail Road Company Pltff

vs

Jonas Earley

Def

} upon the report of comrs

This day came the parties by their attorneys and sundry witnesses being sworn and examined and all the circumstances being weighed the court is of opinion that there is error in the report of commissioners filed in this cause to wit that the amount of damages specified by said commissioners is inadequate. it is therefore considered that the said report be set aside and that the Def recover against the Pltff his costs by him in this behalf expended. & It is hereby further ordered that Stephen Heersburger Henry Kelling. Leisob Strayer George Keezel & Michael H. Harris be and they are hereby appointed commissioners any three of whom may act for the purpose of such portion of Def's land as is proposed to be taken by the Manassas Gap Rail Road Company for its purposes and to ascertain what money is just compensation for the same and for the damages to the residue of the said

land beyond the peculiar benefits to be derived in respect to such residue from the construction of said road which comts are to meet on the 31st day of the present month (July)

The Manape Gap Rail Road Co. Petff }
vs } Upon a report of comts &
Leffe Ralston Deff }

This day came the parties by their attorneys and thereupon the court doth appoint Stephen Hearnberger, Henry Kisting, Jacob Mayes, George Keezle & Michael Mc Harris be and they are hereby appointed commissioners any three of whom may act for the purpose viewing such portion of the Defts land as is proposed to be taken by the said Company for its purposes and ascertain what will be a just compensation for the same and for the damages to the residue of the said land beyond the peculiar benefits to be derived in respect to such residue from the construction of said road which comts are to meet and perform said duty on the 31st day of this month (July)

The Manape Gap Rail Road Company Petff }
vs } Upon a report of comts &
John W. Driver Deff }

This day came the parties by their attorneys and sundry witnesses being sworn and examined and all the circumstances being weighed the court is of opinion that there is error in the report of the commissioners filed in this cause to wit that the amount of damages ascertained by said commissioners is inadequate it is therefore considered that the said report be set aside and the Defendant recover against the said Rail Road Company the costs by him in this behalf expended and it is hereby further ordered that Stephen Hearnberger, Henry Kisting, Jacob Mayes & Michael Mc Harris be and they are hereby appointed commissioners any three of whom may act for the purpose of viewing such portion of the Defts land as is proposed to be taken by the Manape Gap Rail Road Company for its purposes and ascertain what will be a just compensation for the same and for the damages to the residue of the said land beyond the peculiar benefits to be derived in respect to such residue from the construction of said road which commissioners are to meet & perform the duty aforesaid on the 31st day of July 1853-

The Manapa Gap Rail Road Company Plff
 against No. 1 } upon a report of com
 Christian Kratzer Deft } ss

This day came the parties by their attorneys and
 by consent of Parties, it is ordered that the report filed by the
 commissioners in this cause be set aside and that the Deft
 recover against the Plff his costs in this behalf expended
 and it is further ordered that Stephen Flemminger, Henry Kesting
 Jacob Thayer, George Keagle & Michael McCarrie be and they are
 hereby appointed commissioners any three of whom may act for
 the purpose of viewing such portions of the lands of the Deft. as is proposed
 to be taken by the Manapa Gap Rail Road Company for its purposes
 and ascertain what will be a just compensation for the same and
 for the damages to the residue of the tract beyond any peculiar benefit
 to be derived in respect to such residue from the work or road to
 be constructed, which commissioners are to meet & perform said
 duty commencing on the 31st day of the present month (July)

The same Plff }
 vs } upon a report of comts &
 Mary Rife Deft } The same order

The same Plff }
 vs } upon the report of comts &
 Benjamin Mayers' heirs Deft } The same order

The same Plff }
 vs } upon the report of comts &
 Daniel Drivor Deft } The same order

The same Plff }
 vs } upon the report of comts &
 Thornton Thomas Deft } The same order

The same Plff }
 vs } upon the report of comts &
 David Steele & Co Deft } The same order

The same Plff }
 vs } upon the report of comts &
 same Deft } The same order

The Manassas Gap Rail Road Company Petff.
 vs No 2 } upon the report of
 Christian Kratzen Deft } commissioners
 The same order as in case No 1. vs Kratzen

On Motion of John Howard security off Dalney McPerego of Montgomery County, as Guardian of William Andes, it is ordered that the said Dalney McPerego be summoned to appear here at the next term of this Court on the 1st day of the next cause why he should not give a new bond as such guardian

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

St. Lewis.

At a Court summoned and held for the County of
 Rockingham on Tuesday July 24th 1855 for the examination
 of Samuel Cowgill charged with a felony by him committed in
 this to wit that he did on the 13th day of July 1853 in said County in and
 upon Mary Armentrout a female white person then and there being
 violently & feloniously did make an assault and her the said Mary
 Armentrout then and there violently against her will feloniously did
 ravish and carnally know her the said Sam Cowgill being a free negro
 Present

* Samuel H Lewis M. John G Brown Michael Gent
 * H Harris John A Herring & Cy Martmann } Justices

The prisoner was led to the bar in custody of the
 jailer and sundry witnesses being sworn and examined touching the
 premises the Court upon mature deliberation of opinion that
 there is probable cause to charge the prisoner with the offence
 whereunto he stands charged it is therefore considered that
 the said Sam Cowgill be remanded to jail to be tried before the
 Circuit Court for Rockingham on the first day of the next term
 of said Circuit Court and thereupon the prisoner was remanded
 to jail

Be it remembered that Army Armentrout, David Mepick, Peter Armentrout, Strother Sheets, Wm D Bowman, Jacob R Brathwaite, Charles Mayers, Jacob Flock & George W Sites personally appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the just and full 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 the condition that the said Army Armentrout, David Mepick, Peter Armentrout, Strother Sheets, Wm D Bowman, Jacob R Brathwaite, Charles Mayers, Jacob Flock & George W Sites shall make the personal appearance before the Judge of the Circuit Court of Rockingham County on the first day of the next term thereof and not depart thence without the leave of said Court then this recognizance to be void else to remain in full force.

Ordered that the Court be adjourned.

S. H. Lewis

Virginia

At a Court held for Rockingham County at the Court house thereof on Monday the 20th day of August 1855.

Present

+ Samuel H Lewis of Jacob Laplinger } Just
+ M H Hoarrie, Naason Ware & John Bowyer } 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 July last, which being seen and inspected by the Court it is ordered to be ~~recorded~~ entered on the minutes as follows, to wit:

of A Deed between Job P Shoemaker of the 1st part, A B Byrd of the 2^d part & Alm Saman of the 3^d part
A Deed of Trust from Phileander Bush to S H Bottom, Indent for David Stines
A Deed of Bargain & Sale from George Bruffy com to to B A Walker
A Deed of Trust from John L Watts to Mrs C Woodson Indent for Lo. P Logan

A Deed of Bargain & Sale from George Lohr to George Lowry

of Same from D B Dowdall wife to Ferdinand and G Wray

A Deed of Trust from H G Wray to Henry T Westmann Trust for Rebecca & Henry

A Deed of Bargain & Sale from Ferdinand and G Wray to John & Mary

Same from Same to Anthony Lockman

Same from James Clarke to Navel Rogers

of A Discharge to M Phair & Son by G W Morris & Co

A Deed of Bargain & Sale from Robert Gray to Navel Rogers

of Same from John Pence & others to John Evers

of Same from Sarah W Gilson to Richard W Thurman

of Same from Robert S Garmberger wife to Stephen Garmberger

of Same from Henry Sheets wife to Mem Meiersmith

Same from J R Kogler wife to Madison Tyler

A Deed of Trust from Mem D Bowman to Jonathan Peale Trust for S Bowman

A Deed of Bargain & Sale from Isaac M High wife to Jacob Boehm

Same from ~~Isaac M High~~ Taylor wife to John Devel

Same from Jacob Mave's admr to George Branner

Same from Jacob Mave's admr to John Branner

of Same from John Cook to J C Briel & trustees

Same from Samuel Driver to John W Driver

Same from George W Effinger wife to Mem H Hamrick

Same from Mem Carpenter's heirs to George Safley &

Same from Augustus Waterman to Mem Miller

Same from Mem D Bowman wife to Charles Nicholas

Same from John Viger wife to M Marshall

Same from Peter Sheets wife to Philip Holler

Same from Philip Holler wife to Jacob Spitzer

of Same from Philip Siggitt to Henry & Berry

of Same from Joseph Beard to James L Looker

of Same from James L Looker wife to Aaron D Benadum

of Same from Martha A Beard to Same

of Same from Aaron D Benadum to Thomas A Gilmore

Same from Thomas A Gilmore to John R Kogler

of Same from Adolph Lavenbough to Henry Linhouse

of Same from Augustus Rice Corr to Felix H Sheets

Same from Alexander Gray to Morris J. Smith & J. L. Lavenbough

X H P. Needles wife to A D Benadum

41 & A Deed of Trust from John Landerwife to Myamlie M Trust for D Bourn an

Settlements of the estates of Jonathan Clary dec^d. Henry Ponce dec^d. Anna Wright dec^d. Jacob Bowman dec^d. Adam Detrick dec^d. Peter H Bear dec^d together with list of Debts & Demands against his estate. Settlement of the estate of Wm Houston dec^d. John Flecker dec^d & Lewis Keller 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 ordered to be recorded.

Settlements of the guardian accounts of Jackson Hornbush for Catharine Mave. Jm Earhart guardian for Rebecca Wise. same guardian for Christian. Wise. Christian Foltz guardian for Barbara Ann Christ. Cyrus Rhodes guardian for Mary M Alder. Benjamin Coffman guardian for Caroline Shaffer. M H Harris guardian for Joseph Heuffer and Samuel Shank guardian for Sarah Beery have been filed in the Clerk's office of this court for the time prescribed by law. were returned into court and no exceptions being offered the same are ordered to be recorded.

Settlement of the estate of Frederick Kemst dec^d together with an account of Debts & Demands against the 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 affirmed and ordered to be recorded.

This day A H Brewer constable &c presented in court an account against the commonwealth amounting to six dollars & eighty cents which 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 John Whitel^{with a codicil annexed} dec^d was again presented in court and said will further proved by the oath of Charles Grattan a subscribing witness thereto and thereupon said will and codicil are ordered to be recorded.

On the motion of Christian C. Shoemaker, administrator with
 thereto according to law and together with Nathaniel Frost & Naam Fought
 his securities (who justified as to his sufficiency) entered into and
 acknowledged a bond in the penalty of \$1,000. conditioned as the law
 requires. certificate is granted to the said Christian C. Shoemaker for
 obtaining letters of administration in due form upon the estate of
 Benjamin Whitmer dec'd and it is ordered that Jacob Foster
 & Adam Wise, Naam Fought & Madison Soffland do appraise the
 estate of said Benjamin Whitmer dec'd and report according to law

Manassah Rail Road Company

vs

Eliz. Beery widow Joseph Rhodes wife Abraham W
 Beery (David Burkholder wife Abraham Schman
 guardian of Mary Laman & Martha Laman Henry C
 Beery, Mary Beery, Catharine Beery & Abraham W
 Beery guardian of Lydia Beery heirs & distributees
 of J. W. Beery dec'd

Plff
 vs
 Def

Plff

The plff having paid into court the amount of Damages as per
 to the estate of said J. W. Beery dec'd. it is ordered that Commissioner
 R. P. Fletcher after first giving notice by publication once a week for four
 successive weeks in one of the papers published in the town of Harrisonburg
 shall ascertain what persons are entitled to said damages, and in
 what proportions and make report to this Court

The Court doth appoint David Stinespring Guardian for George
 de Huff orphan of William Huff dec'd. thereupon the said
 David Stinespring together with Philander Leary 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 to be recorded

Leannah May by an instrument of writing under her hand acknow-
 ledged before a justice of the peace for this County. made choice of Thomas
 Weatherholtz as her guardian thereupon the said Thomas Weatherholtz
 & others entered into and acknowledged a bond in the penalty of \$500. together with Wm Cook and

and John Shuttles his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$700 conditioned as the law requires, which bond is ordered to be recorded.

The Court doth appoint Abraham Saman as guardian for his children Mary & Martin Layman who are under the age of 14 years thereupon the said Abraham Saman together with Christley Newander his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$50 conditioned as the law requires, which bond is ordered to be recorded.

The last will and testament of Elizabeth Rutherford dec'd was presented in Court and proved by the oath Stephen Hearnberger, George W Kemper Jr & Joseph Miles Hearnberger the subscribing witnesses thereto and ordered to be recorded, and on the motion of Maria Bygast the executrix therein named, who made oath thereto according to law, and together with Stephen Hearnberger & George W Kemper Jr. her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$10000 conditioned as the law requires. Certificate is granted her for obtaining a probat of said will in due form, and it is ordered that George W Kemper Jr, B. H. Kemper, Robert W Palmer & John A Lewis as appraisers the estate of Elizabeth Rutherford dec'd.

Abraham Christman & Conrad De Kite presented in Court their accounts against the Commonwealth ~~as assessors~~ for their services of commissioners of the revenue for this County, which being sworn to were examined and the Court being satisfied that the number of days charged by them were requisite to perform the duty of such commissioners, and it is ordered that the same be certified to the auditor of public accounts.

Upon the petition of Peter Paul others for a road &c. It is ordered that said petition be referred to Jacob Senevever, McDougald, Cairn, James Harris & George Gibbons or any one or more of them to examine and report upon said petition according to law.

Peter ap 2

It was this day proved to the satisfaction of the Court that ~~John~~ ^{John} Moyers a free negro has lost his register. it is ordered that the Clerk of his Court do furnish said free negro with a copy from the register filed in his office

Ordered that Emancip Rolter be appointed surveyor of Precinct 8th on the road from Grattons Mills To Greens Church in the room of Robert Grattan deceased

Manaka Gap Rail Road Company Petff } On a Motion
vs }
Michael Hornan Deft

This day came the parties by their attorneys and the commissioners heretofore appointed to appraise the damages to the deft occasioned by reason of the Petff road passing through the Capps land made their report in the words & figures following to wit We &c and it is ordered that said report be filed and the cause continued until the next term.

Benjamin Hoopes a free negro presented in Court his register issued from the Court of Green County Va. It is ordered that he be registered in the Clerks office of this Court according to law

On the motion of Jackson Horn guardian of Jane Reedy it is ordered to be certified that satisfactory evidence was offered in open Court to prove that William Reedy father of said Jane Reedy died on the day of August 1847 leaving a widow Nancy Reedy who died the 7th day of March 1850 and that said Jane Reedy was born May 27 1835 and was the only minor child of her father on the 3rd of March 1855 all of which is certified according to law

Naason Base & George Branner having obtained an attachment against the estate of Robert Downing who hath privately removed out of this County & conceals himself or that the ordinary process of law cannot be served on him for \$82.35 due by account and a constable of this County having made return that he had executed the said attachment & Bedd &c

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 Debt \$82.35 the amount of his account with legal interest thereon from the 10 day of August 1855 till paid or proved to be just, and their costs by them in this behalf expended. and it is ordered that the officer who levied said attachment make sale of the property aforesaid as the law directs. 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 such sale to the next court.

Meers Bare & Co. having obtained an attachment against the estate of Robert Downing 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 \$6.02 due by account. and a constable of this County having returned said Attachment levied upon four leads. This day came the plaintiff by their 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 Debt \$6.02 with legal interest thereon from the 20 day of August 1855 and their costs by them in this behalf expended. and it is ordered that the officer who levied said attachment make sale of the property aforesaid as the law directs 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 such sale to the next court.

John Abhart having obtained an attachment against the estate of Robert Downing 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 \$102.30 for debt. and a constable of this County having returned said attachment levied upon the same property as levied on in case of Bare & Drannert vs said Downing. 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 Debt \$102.30 with legal interest thereon from the 13 day of August 1855 till paid and their costs by them in this behalf expended. and it is ordered that the officer who levied said attachment

make sale of the property attached as aforesaid as the law directs - and out of the money arising from such sale pay & satisfy this judgment and restore the overplus (if any) to the Def and ~~make~~ return an account of such sale to the next court

Banserman Wells & Co having obtained an attachment against the estate of Robert Downing 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 \$50.85 $\frac{7}{8}$ due by account. and a constable of this County having returned said attachment levied upon "one two horse waggon" &c. This day came the plff by his attorney. and the deft ~~and~~ being solemnly called and not appearing to replevy the same it is considered by the Court the plff recover against the Deft \$50.85 $\frac{7}{8}$ with legal interest thereon from the 10th day of August 1853 - till paid and their costs by them in this behalf expended. and it is ordered that ~~that~~ the officer who levied said attachment make sale of the property aforesaid as the law directs. and out of the money arising from such sale pay and satisfy this judgment and restore the overplus (if any) to the defendant & return an account of such sale to the next court

Mary J Mc Dorman orphan of James Mc Dorman dec^d being upwards of 14 years of age made choice of Joseph H Minick as her guardian and thereupon the said Joseph H Minick together with John A Dice his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$250.00 conditioned as the law requires which bond is ordered to be recorded.

On the motion of Henry Swartz Betsey Ann Vance & John Dingle die and Ellen his wife heirs at law of John Swartz dec^d of this County Jackson John Derrick Pennybaker Joseph A Mitchell and Nathaniel Huston ~~or any three of them~~ lay off to Hannah Swartz widow of the said John Swartz her dower in the real estate of her said husband and divide the remainder among the heirs of said John Swartz or their assigns according to their respective rights and interests and make report of this Court of their proceedings.

Barthleoph

vs

John Mann & Samuel VanPelt

Plffs

Defts

} upon a suggestion

This day came the plffs by their attorneys. and the
 deft Sam VanPelt being duly summoned and not being solemnly
 called and not appearing. and a witness being sworn and examined
 it is ordered and it appearing that there is a liability on the deft
 for the amount of Plffs judgment against Abraham Shaw action
 it is therefore ordered that the Plffs recover against the said
 Samuel VanPelt the sum of \$28.70 with legal interest thereon
 from this day. and the costs by the Plffs by them in this behalf
 expended. ~~and it is ordered that~~

Manassas Gap Rail Road Company

vs

Benjamin Strickler

Plff

Deft

} upon a report on

This day came the parties by their attorneys and the
 committee heretofore appointed. ~~this~~ made their report in the
 words following to wit: "We" & in which report is ordered to be filed
 and the cause continued until the next court

The Same

vs

Jesse Bealston

Plff

Deft

} upon a report &

The Same order

Ordered that John Hall, James M & Co Beale, & Peter
 Steenleogan do appraise the estate of Gran Smith dec'd
 in the County of Mason. and report to this Court according to law

John Verry a free negro. charged with a felony by him committed in this
 that he did on the 16th day of April 1855. feloniously take steal and carry
 away one Pocket book containing about sixty dollars in bank notes
 and about one thousand fifty six dollars in bonds & notes of the goods &
 chatties of George Bealston. and sundry witnesses being sworn and
 examined touching the premises, and the Court not having time

to hear the argument of counsel the cause is continued until tomorrow morning at 10 O'Clock and the prisoner is remanded to jail

George O'Connor foreman, John Myers, George F. Hunkhouser, John Hoarper, Emmanuel Armentrout, C. R. Rush, Wm. E. McD Harris, Jno. Williamson, Daniel Frank, William Robinson, Jas. A. Williams, Eli H. Kottz, Peter Getty, Michael Sellers, D. B. Reed, Jacob A. Mitchell were sworn a Grand Jury of inquest of the body of this County and having received their charge with drew from the bar and after sometime returned into court and not having time to go through with the business before them are adjourned until tomorrow morning at 10 O'Clock

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

Andrew H. Showalter who has been duly summoned to appear here on this day to give evidence before the Grand Jury being solemnly called and not appearing it is ordered that an attachment be issued against him returnable ^{here} tomorrow morning at 10 O'Clock

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

L. H. Lewis

Tuesday August 21st 1855

Present

x Samuel H. Lewis	P. J.	Lea A. Caspinger	} Gent Justices
x W. H. Harris	Naason Baile	John Boyer	

It having been announced to the Court that since its last term that Major Robert Gratton one of its members has departed this life It is ordered to be ~~entirely~~ entered of record that the members of the Court, in common with the whole community, feel most deeply that Rockingham County has lost a citizen who in all the qualities of head & heart which constitute a valuable magistrate, a good citizen, an estimable gentleman & honest man has left few equals & no superior. Ordered that a

copy of the foregoing entry be certified by the Clerk & communicated by the presiding justice to the family of Major Grattan

Jackson & Coon

vs

Benjamin Trifer

Plff

Def

Unlawful Detainer

This day came the parties by their attorneys and it is ordered that this cause be dismissed and that the Plff recover ~~his~~ against the Deft his costs about his suit in this behaeforward

Manapa Gap Rail Road Company

vs

Christian Kratzer

Plff

Def

An a Motion to

This day came the parties by their attorneys and the commissioners heretofore appointed to ascertain what damage the Deft sustained by reason of the Plff road passing through his land made their report in these words to wit. It is therefore considered that the Plff be seized in fee simple of the land embraced in the report aforesaid and that the Deft recover of the Plff the Damage ascertained in the report aforesaid

The same

vs

Mary Rife

Plff

Def

On a report to

The same order

The same

vs

Daniel Driscoll

Plff

Def

On a report to

The same order

The same

vs

Jonas Earley

Plff

Def

On a report to

The same order

same

vs

Thornton Thomas

Plff

Def

On a report to

The same order

same

vs

John Ziegler

Plff

Def

On a report to

The same order

The Same
vs
Benjamin Moyers's heirs

Petff } On a report &
Deft } The same order

The Same
vs
John Driver

Petff } On a report &
Deft } The same order

The Same
vs
David Steel's heirs

Petff } On a report &
Deft } The same order

The Same
vs
Same

Petff } On a report &
Deft } The same order

The Same
vs
Christian Kratzer

Petff } On a report &
Deft } The same order

On the motion of Andrew Houch & Henry Ott the estate of Abraham Ferry is committed to the Sheriff of this County for administration according to law. It is ordered that Joseph P. R. Sh. McFarrell & O. Sterling Menck & K. Hartmann & John Mejerly do appraise the estate of said Abraham Ferry and report to the court according to law

David Blackley a free negro presented an. Court a copy of his register - it is ordered that he be furnished by the clerk of this court with a copy of his register corrected as the law requires

Ordered that Benjamin D. Bowman be appointed surveyor of precinct No. in the place of Samuel Good.

Openheimer vs Minich	on Delivery bond Notice proved & execution awarded
Smith vs Same	The same order
Coorlin vs Same	The same order
Parsons vs Same	The same order
Bank of the Valley vs Harris	The same order
Wearle vs Wearle	The same order
Basham for vs Hanshaw	The same order

Bjorley vs Peale. On motion this cause Dismissed

The Court at its June term 1854, having appointed Robert Grattan Erasmus Coffman & E. L. Marshall agents for this County to execute guaranty bonds of this County for the payment of the subscription to the Manassas Gap Rail Road Company as subscribed by this Court. and whereas the said Robert Grattan has departed this life, it is therefore ordered that Samuel Shacklett be appointed in place of said Robert Grattan and invested with the same power and authority as vested in said Grattan by the order of June Court 1854.

Ordered that Samuel Shacklett be appointed Commissioner or agent for this County in the place of Robert Grattan deceased - and the Sheriff of this County is directed to pay all money now due or hereafter to become ^{collectable} due to this County on account of the subscription by this County to the Manassas Gap Rail Road Company shall pay the same in the Bank of Rockingham subject to the order of said ~~Samuel Shacklett~~ as agent as aforesaid.

Peter McCullough this day produced credentials of his ordination and also of his being in regular communion with the Christian Church took the oath of allegiance to this Commonwealth and with John Baskholder 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 according to law.

John B. Ralston Constable of this County presented in Court three accounts against the Commonwealth for services as such

constable which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public account

George Smiley who has been duly summoned as a witness and he has not appeared, it is ordered that he be summoned to appear here forthwith to show cause if any he can why he shall not be fined for his failure aforesaid

John Verry a free negro who stands charged with a felony by him committed in this that he did on the 16 day of June 1855 feloniously take steal and carry away one pocket book containing about sixty dollars in bank notes and about one thousand & fifty six dollars in bank notes of the goods & chattels of George R. Lutz was again led to the bar in custody of the Sheriff of this County and the Court having fully heard the evidence and argument of counsel and the Court upon the mature deliberation are of opinion that the prisoner is guilty of the offence whereunto he stands charged. It is therefore considered and ordered that the said John Verry be confined in the public jail & penitentiary house of this Commonwealth for the term of one year from this day and it is ordered that the Sheriff of this County do convey said John Verry to the said Penitentiary as soon after the adjournment of this term of the Court as practicable and thereupon the prisoner is remanded to jail. ordered that money found in the possession of the prisoner and other persons proved to be the property of George R. Lutz be restored to the possession of George R. Lutz

Jacob Obenchain

Plff

vs

Geo W. Enstler

Def

Upon a notice &c

This day came the Plff by his attorney and the Deft being solemnly called and not appearing. It is considered by the Court that the Plff recover against the Deft the sum of eleven hundred dollars with interest thereon from the 13 day of February 1855 - the Plff also \$2.15 charges of protest and the costs by the Plff in this behalf expended

Ordered that the clerk of this court renew the register of ~~Shadrach~~ Hoolly a free negro registered as No 350. & furnish him with a copy of the same

Ordered that the clerk of this court register in his office according to law John Richardson a free negro according to the register this day presented in court issued from the Court of Page County

The Court doth appoint Reuben Sellers as guardian for John Cowan Mary Catharine Cowan Severna Cowan & Lydia Cowan orphans of Henry Cowan decd. thereupon the said Reuben Sellers together with Eli & Monty 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 Grand Jury sworn on yesterday appeared in Court in pursuance to their adjournment were sent out of Court and after some time returned in Court and presented an Indictment against Frances Miswander for retailing ardent spirits without license a true bill, 2 an Indictment against Frances Miswander for retailing ardent spirits without license a true bill (3) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill (4) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill. 5. an Indictment against Frances Miswander for selling ardent spirits without license a true bill. (6) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill. (7) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill. (8) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill (9) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill (10) an Indictment against Frances Miswander for retailing ardent spirits without license a true bill (11) an Indictment against Frances Miswander for retailing ardent spirits without license (12) an Indictment against Frances Miswander for

retailing ardent spirits without license a true bill. (13) an Indictment
against Frances Niswander for retailing ardent spirits without license
a true bill (14) an Indictment against Frances Niswander for retailing
ardent spirits without license a true bill (15) an Indictment against
Frances Niswander for retailing ardent spirits without license a true bill
(16) an Indictment against Frances Niswander for retailing ardent spirits
without license "a true bill" (17) an Indictment against Frances
Niswander for retailing ardent spirits without a license. a true bill
(18) an Indictment against Frances Niswander for retailing ardent
spirits without license "a true bill" (19) an Indictment against Frances
Niswander for retailing ardent spirits without license a true bill
(20) an Indictment against Frances Niswander for retailing ardent
spirits without license a true bill (21) an Indictment against
Frances Niswander for retailing ardent spirits without license a
true bill. (22) an Indictment against Frances Niswander for
retailing ardent spirits without license. a true bill (23) an Indictment
against Frances Niswander for retailing ardent spirits without license
a true bill (24) an Indictment against Frances Niswander ~~without~~
~~license~~ for retailing ardent spirits without license a true bill (25)
an Indictment against Frances Niswander for retailing ardent
spirits without license a true bill (26) an Indictment against Frances
Niswander for retailing ardent spirits without license a true bill
(27) an Indictment against Frances Niswander for retailing ardent
spirits without license a true bill (28) an Indictment against
Frances Niswander for retailing ardent spirits without license a true bill
(29) an Indictment against Frances Niswander for retailing ardent
spirits without license "a true bill" (30) an Indictment against
Frances Niswander for retailing ardent spirits without license or
true bill (31) an Indictment against Frances Niswander for retailing
ardent spirits without license a true bill (32) an Indictment against
Frances Niswander for retailing ardent spirits without license
"a true bill" (33) an Indictment against Frances Niswander for
retailing ardent spirits without license a true bill (34) an Indictment
against Frances Niswander for retailing ardent spirits without
license a true bill (35) an Indictment against Frances Niswander
for retailing ardent spirits without license "a true bill"

(36) an Indictment against Frances Niewander for retailing ardent spirits without license ^{a true lie} (37) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (38) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (39) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (40) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (41) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (42) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (43) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (44) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (45) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (46) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (47) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (48) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie (49) an Indictment against Frances Niewander for retailing ardent spirits without license a true lie and the Grand Jury not having time to go through with all the business before them are adjourned until tomorrow morning at 10 o'clock

Simon Whitzel

vs

Dabney M. Boregay

Ptff

Def

On a motion &c

This day came the parties by their attorneys and on motion it is considered that the Def recover against the Ptff his costs ~~expended~~ about his defence in this behalf expended

John Howard

vs

Dabney M Poregoy

Plff

Def

} On a Motion for counter
Security

This day came the parties by their attorneys and sundry witnesses being sworn and examined. it is ordered that said Poregoy give new bond as guarantiam for William Annes. and that the Plff recover against the Def his costs by him in this behalf expended. and thereupon the said Dabney M Poregoy together with John Poregoy & John Annes his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000⁰⁰ conditioned as the law requires. which bond is ordered to be recorded.

George W Smiley who has been duly summoned to appear before the Grand Jury and give evidence ~~before the~~ and failing to testify it is ordered that an attachment be issued against him for his failure aforesaid. and returnable here on tomorrow

Wilkins

Plff

vs

P H Wheeler

Def

} On a Motion &

This day came the parties by their attorneys and the Court not having time to hear all the evidence it is ordered that this case be continued until tomorrow morning

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

S. H. Lewis.

Wednesday August 22nd 1855

Present - Samuel H Lewis D. J. Michael H Harris

John Boyer Jacob Caplinger H Henry T. Warriman } G. Justice

Howper's admrs vs Hooke continued at the call of Def

Wilkins Pltff }
 vs }
 P. H. Wheeler Deft } On a Motion &

This day came the overseers of the poor by their atty and the deft by his attorney. and upon mature deliberation it is ordered that the order directing Jo. a free negro to be bound to the Deft. be and the same is hereby rescinded & annulled.

Commonwealth

vs
 Isaac Keller

Upon an Indictment for unlawful gaming

This day came as before the attorney for the Commonwealth as the Deft by his attorney and thereupon came a jury to wit. Joseph Miller. Christopher Whetzel. George Saufley. Saml Barley. Peter Dunkel. James McGahay. Silom Sellers. Wm Richards. David McCreston. Thomas Moore. Jacob Miller & David B. Rhodes who being elected tried and sworn the if possible the truth to speak upon the issue joined. and after hearing the evidence and the argument of counsel. 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. Moved upon the trial of this cause the Deft by counsel excepted to an opinion of the court in the word & figures following to wit 'Commonwealth' & which was signed & sealed by the court and ordered to be made a part of the record. and the Deft moved to instruct the jury in these words 'It is the atty for the Commonwealth also to instruct the jury in these words But in both of which exceptions instructions were given to the jury & also to the Deft

The Grand Jury sworn on Monday last appeared in Court in pursuance to their adjournment. and retired from the bar to consider of their presentments and after sometime returned into court and presented an Indictment against Grandison Randall for retailing ardent spirits without a license a true bill (2) an Indictment against Grandison Randall for retailing ardent spirits without a license a true bill (3) an Indictment against Grandison Randall for retailing ardent spirits without a license a true bill (4) an Indictment against

Grandson Randall for retailing ardent spirits without license a true bill. (5) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (6) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (7) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (8) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (9) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill. (10) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill. (11) an Indictment against Grandson Randall for retailing ardent spirits without a license a true bill (12) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill. (13) an Indictment against Grandson Randall for retailing ardent spirits without a license a true bill (14) an Indictment against Grandson Randall for retailing ardent spirits without a license a true bill (15) an Indictment against Grandson Randall for retailing ardent spirits without a license a true bill (16) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (17) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (18) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (19) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (20) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (21) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (22) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (23) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (24) an Indictment against Grandson Randall for retailing ardent spirits without a license a true bill (25) an Indictment against Grandson Randall for retailing ardent spirits without a license a true bill (26) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (27) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (28) an Indictment against Grandson Randall for retailing ardent spirits without license a true bill (29) an Indictment against Grandson Randall

for carrying concealed weapons a true lie. an Indictment against Sally Showalter for retailing ardent spirits without license a true lie (1) an Indictment against Abram Showalter for retailing ardent spirits without license a true lie (2) an Indictment against Abram Showalter for retailing ardent spirits without license a true lie (3) an Indictment against Abram Showalter for retailing ardent spirits without license a true lie (4) an Indictment against Abram Showalter for retailing ardent spirits without license a true lie (5) an Indictment against Abram Showalter for retailing ardent spirits without license a true lie. an Indictment against Frederick Stineback for AB. a true lie an Indictment against George Mitchell for AB a true lie an Indictment against Archibald Miller & Ann Maria Miller for TAB. a true lie an Indictment against George Smiley for gaming a true lie an Indictment against Patterson Burges for gaming a true lie an Indictment against Noah Sipe & Sally Adicker for lascivious cohabitation a true lie. an Indictment against James West for carrying concealed weapons; ^{a true lie} an Indictment against James West for carrying concealed weapons ^{a true lie} an Indictment against Charlotte Harris (a free negro) for remaining in the Commonwealth without lawful permission ^{a true lie} an Indictment against Spanville Gordon (a free negro) for remaining in the State without lawful permission ^{a true lie} an Indictment against Benjamin Miller for gaming a true lie. an Indictment against John Miller for gaming a true lie an Indictment against Lorish S. Rolan for betting on Election a true lie an Indictment against Jacob Libert & Jacob Downan for permitting unlawful gaming at their ordinary a true lie (1) an Indictment against Elias Hall for retailing ardent spirits without license a true lie 2 an Indictment against Elias Hall for retailing ardent spirits without license a true lie (3) an Indictment against Elias Hall for retailing ardent spirits without license a true lie (4) an Indictment against Elias Hall for retailing ardent spirits without license a true lie (5) an Indictment against Elias Hall for retailing ardent spirits without license a true lie (6) an Indictment against Elias Hall for retailing ardent spirits without a license a true lie (7) an Indictment against Elias Hall for retailing ardent spirits without a license a true lie (8) an Indictment against Elias Hall for retailing ardent spirits without license a true lie (9) an Indictment against Elias Hall for

retailing ardent spirits without license & true lie. (10) an Indictment against Elias Hall for selling ardent spirits to a slave & true lie an Indictment against Peter Neff for betting on an election & true lie an Indictment against James Scott for gaming & true lie. and an Indictment against John P. Brock for betting on an election & true lie and also the following presentments to wit. "We the Grand Jury" & and the Grand Jury not having any further business before them are discharged

Ordered that a bench warrant be issued against James Wallace West upon a presentment this day made against him for an attempt to murder Abram Rosenbarger

Ordered that summons ^{be} issued against the several persons indicted by the Grand Jury during the present term which summons to be directed to the Sheriff of this County returnable to the next Quarterly term of this Court

Commonwealth vs George W. Smiley upon an attachment The attachment last awarded in this cause being returned not found it is ordered that a new attachment be awarded against him returnable to the next term of this Court

Ordered that the Court be adjourned until tomorrow morning at 9 o'clock

L. H. Lewis.

Thursday August 23^d 1855

Present

x Samuel H. Lewis x Jacob Caplinger } Gent.
 x Henry P. Hartmann x John Bowyer x M. H. Harris } Justices

Henry Burtman vs. Leasady upon a report of Court. The Court this day returnable to Court report in this cause which is ordered to be filed

R. H. Harrison vs. Cherryhomes

The same order

Anderson v Holland vs McGahey upon a notice & order that
this cause be dismissed

Ordered that the Clerk of this Court renew & deliver copies of the
register to James Peters & Mom Brundy according to law

Michael McHarris Guardian for Joseph Heuffman *Plff*
against
Joseph Heuffman & others *Deft* } In Chancery

It appearing to the satisfaction of this Court that
since the ~~decree~~ rendered in this cause on the 20th day of May 1851
by which decree Robert Grattan was appointed a commissioner to
execute a deed with special warranty for the house and lot in the
plaintiff here mentioned and which had been sold under a
previous decree in this cause upon the payment of the purchase money
according to the terms of this decree and it further appearing that the purchase
money has been paid up to Michael McHarris the guardian of Joseph
Heuffman and that Robert Grattan the commissioner under the former
decree has departed this life without having executed said deed
thereupon upon the motion of Michael McHarris the guardian it is ordered
that Michael McHarris be and the same is hereby appointed a commis-
sioner whose duty it shall be to execute a deed with special warranty
to the purchaser for the house and lot in the plaintiff here mentioned

Gilmer *Plff*
vs
Mickins *Deft* } In Chancery

This cause came on again to be heard this 23rd day of
August 1855 on the papers formerly read & on the report of commis-
sioner Thos. Harnsberger & was argued by counsel whereupon it is
further ordered & decreed that the report of sales made by said commis-
sioner do execute to the Plaintiff David Gilmer the purchaser of the
lands sold in pursuance of the provisions of a former decree in this cause
deeds with special warranty for the said lands and it is further adjudged
ordered & decreed that the *plff* recover of the *Deft* & costs this costs in
this wholly expensed

George (Dove & Aaron Dove who has been duly summoned to appear here as a witness on behalf of the Commonwealth against which Bettick being solemnly called & 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 failure aforesaid

Commonwealth vs Robert Block on motion & for reasons appearing to the Court it is ordered that this cause be dismissed

Commonwealth

vs
Henry Barrocks alias Barks
license
Deft } Upon an Indictment for
retailing ardent spirits without
license
This day came the attorney for the Commonwealth
and the defendant being solemnly called & not appearing. It is therefore
considered that the deft be fined thirty dollars according to law and
the Commonwealth recover against the Deft the same sum of \$30
and the costs by them in this behalf expended

Same

vs

Same

Deft } Upon an Indictment for retailing ardent
spirits without license
The Same order

Same

vs

Same

Deft } Upon an Indictment retailing ardent
spirits without license
The Same order

The Same

vs

Lewis Miltetanger

} The copies last awarded in this cause
being solemnly returned not executed. It is ordered
that a new copies be awarded against him

Commonwealth vs Ribble

The Same order

Commonwealth

125
Washington O'Rourke} upon an Indictment for retailing ardent
Spirits without license

This day came as well the parties attorney prosecuting for the Commonwealth as the deft by attorney and thereupon came a jury to wit: Jacob Miller, James McGehey, Peter Truivler, Solomon Reaner, David B. Rhodes, Joseph Byrd, Franklin Siskey, Philip Sayman, Wm Rehner, Thomas Moore, Joseph Miller & Henry Harnsberger Jr. who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence & argument of counsel 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 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

125
Washington O'Rourke} upon an Indictment for retailing
ardent Spirit without license

This day came as well the attorney prosecuting for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit: David H. Gordon, Reuben Sellers, Christopher Whetzel, Abraham Earley, Samuel Barley, Abner J. Nicholas, Silom Sellers, Peter Onkel, Emanuel Amentroit, J. Wm. Byerly, John Sanders & Jacob Harnsberger 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 Defendant the sum of Thirty dollars the fine imposed by law and the costs expended in prosecuting this cause

Commonwealth

125
Washington O'Rourke} upon an Indictment for retailing ardent spirits
without license

This day came as well the Plaintiff's attorney prosecuting

for the Commonwealth as the Defendant by his attorney and thereupon the Court confessed judgment for the fine imposed by law and it is therefore considered that the Commonwealth against the Def^t the sum of \$30⁰⁰ the fine imposed by law and the costs by the Commonwealth in this behalf expended.

Commonwealth

vs

Washington O'Rorick

} upon an Indictment for retailing
ardent spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Def^t by his attorney and thereupon the Def^t confessed judgment for the fine imposed by law. It is therefore considered that the Commonwealth ^{recover} against the Def^t the said sum of \$30. and the costs expended in prosecuting this indictment.

Commonwealth

vs

Daniel Dazze

} upon an Indictment for retailing ardent
spirits without license.

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 Henry O'Carroll, Peter Dunkel, Abraham Earley, Jacob Miller, Abner Michels, Samuel Barley, James McGahey, Philip Sayman, Peter Nuttall, David McFurton, George Saufley & David B. Rhodes who being selected tried and sworn due oath 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 to say "We the jury find the Defendant not guilty" and judgment accordingly.

Commonwealth

vs

James Johnson

} upon an Indictment for retailing ardent spirits
without license.

This day came as well the attorney prosecuting for the Commonwealth as the Def^t by his attorney and thereupon came the jury to wit Franklin Siskey, Solomon Reamer, Joseph Byrd, Silas Sellers, Reuben Sellers, John Byrd, Joseph Miller, Christopher Whetzel, Emanuel Armstrong, John Sanders, Thomas Moore & John Richard who being selected tried and sworn

the truth to speak upon the issue joined. and having heard the evidence and after some time returned into court upon their oath as a jury retired from the bar to consider of their verdict. We the jury find the Defendant ~~not~~ guilty. It is therefore considered by the Court that the Commonwealth recover against the Deft the sum of \$30⁰⁰ the fine imposed by law and the costs expended in prosecuting this indictment

Commonwealth

vs 2 } Upon an Indictment for retailing ardent
James Johnson } Spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney. and the Deft confessed judgment for the fine imposed by law. 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 this Indictment

Same

vs No 3 } Upon an Indictment for retailing ardent spirits
Same } without license
The same order

Same

vs 4 } Upon an Indictment for retailing ardent spirits
Same } without license The same order

Same

vs 5 } Upon an Indictment for retailing ardent spirits
Same } without license The same order

Same

vs 6 } Upon an Indictment for retailing ardent spirits
Same } without license The same order

Same

vs 8 } Upon an Indictment for retailing ardent spirits without
Same } license The same order

Same

vs 7 } Upon an Indictment for retailing ardent spirits without license

This day came as well the Plaint attorney prosecuting for the Common-
wealth as the Deft by his attorney and thereupon came a jury
to wit Henry Earnestson Jr. Reuben Sellers. Solomon Reamer.
Joseph Miller. John Byerly. Peter Cinkiel. Almer J. Nicholas. Peter
Cinkiel. Philip Layman. Christopher Wheeler. Samuel Barley. Joseph
Byrd & John Lances. 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 onto
court ~~considered~~ and upon their oath do say: "We the jury find the
defendant ~~not~~ guilty" It is therefore considered that the Common-
wealth recover against the Deft the sum of \$30. the fine imposed by
law and the cost expended in prosecuting this Indictment

Newman Pease

vs

John W. Dunlap

Plff

Def

} upon a writ of unlawful detainer

On motion & for reasons appearing to the court it is
ordered that this cause be dismissed and the Deft recover against
the Plff his costs expended about his defence in this behalf

Commonwealth vs John Humeth. same vs Gilmer & same vs Haas &
same vs B. Humeth On motion continued until the next term of this
court at the Oct of Deft.

Commonwealth vs Rader. same vs Trunk. same vs Galice. same vs Trunk
same vs Trunk. same vs Owens. same vs McDormand. same vs H. McDormand
same vs Long. same vs Fried. same vs Delger. same vs Same. same vs Wittick (1)
same vs Same (2) same vs Same (3) same vs Same (4) same vs Same (5) same vs
Blain. same vs Rader same vs Alger. same vs Byrd. same vs Harris
same vs Glover. same vs Same. same vs Laine. same vs Morris (4 cases) same vs
Herring. same vs Same. same Mummy (7 cases) same vs Randal. same
vs Aldwell & same vs Bowers & on motion & for reasons appearing to the
court it is ordered that the aforesaid several causes be continued

Commonwealth vs Elias Hall (6 cases) Not guilty freed and issue contin-
ued

Abraham Carley. Charles A. Rush. Jacob Hamelinger Jr. Peter
 Dunke. Joseph Byrd. Samuel Barley. John Byrd. Reuben
 Sellers & George Saufley. who being elected ~~to~~ 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 not being able to agree upon their verdict. the Jury
 is adjourned until to morrow morning at 10 o'clock

William Campbell a free negro. produced in Court a register
 ✓ issued from the Hastings Court of Sturton. It is ordered that he be
 registered in this Court according to law

Upon the petition of Samuel Shackleton to close a road in this County
 ✓ ordered that said petition be referred to Thomas Harrison. William
 Hornad & Henry B. Hamelinger. to be acted & reported on
 according to law

Upon the petition of John A. Price & others for the establishment
 ✓ of a road & ordered that the said Petition be referred to John
 H. Hopkins. John A. Herring & Jonathan Speck to be acted
 and reported upon according to law

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

S. H. Lewis

Friday August 24th 1855

Present. * Samuel H. Lewis P. Michael H. Herring Gent
 * O. Herling & Henry H. Hartmann } Justices

On Motion of Abraham S. Byrd Sheriff of this County. Samuel

considered that the Plff recover against the Defendant the said sum of One thousand dollars with interest thereon to be computed after the rate of six per centum per annum from the said 29 day of December 1852 till paid also three & fifteen cents costs of protest and the costs by the Plff in this behalf expended. Moved upon the trial of this cause the defendant excepted to an opinion of the Court delivered in this cause which exceptions are in these words. "Garrett vs Beery" also the Plff excepted to an other opinion delivered in this cause in these words & figures. Garrett vs Beery & both of which exceptions were signed sealed and enrolled by the Court and ordered to be made a part of the record.

Joseph Cromer Plff
105 } In Debt
George Rader Def

This day came again the parties by their attorneys and thereupon came the jury sworn on yesterday and retired from the bar to consider of their verdict and after some time returned into court and upon their oath say. "We the jury find that the writing obligatory in the declaration mentioned is the deed of the defendant George Rader we find for the plff \$500 the debt in the declaration mentioned with interest thereon from the 25 day of January 1837 till paid. It is therefore considered that the plff recover against the defendant the said sum of five hundred dollars with interest thereon to be computed after the rate of six per centum per annum from the said 25 day of January 1837 till paid and the costs by the Plaintiff about his suit in this behalf expended."

Michael Blaine Plff
105 } In Case
Thomas Moore Def

This day came the parties by their attorneys and thereupon came a jury to wit Philip Layman Peter Tulliver Solomon Ranner Joseph Miller James McGahay David B Rhoads Silron Sellers Henry Harnelorge Jr Franklin Askey Mem Reherd A J Nicholas & Jacob Miller who being elected tried and sworn the truth to speak upon the afore said cause and having heard the evidence retired from the

to consider of their Verdict and after sometime returned into Court and upon their oath do say we the Jury find for the Defendant. It is therefore considered that the Defendant recover against the Plaintiff and John Harris the security for costs, the costs by him about his defence in this behalf expended

Asberry Faucett for Pltff
 William R. Sprinkel Def } In Debt

This day came the parties by their attorneys and thereupon came a jury to wit Peter Dinkels, John Landes, Jacob Heameberger, George Sanfley, Joseph Byrd, Abraham Early, Reuben Sellers, Emmanue Armentrout, Thomas Moore, David N. Huston, Charles R. Rust and Samuel Barley 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 oath do say we the Jury find for the Plaintiff \$75. the debt in the Declaration mentioned with interest thereon from the 1st January 1850 till paid. It is therefore considered that the Pltff recover against the Deft the sum of \$75. with interest thereon from the 1st day of January 1850 till paid and the costs by the Pltff in this behalf expended

Thomas Lindon for Rice Pltff
 Eli Fultwiler Def } In Debt

This day came the parties by their attorneys and the Deft with answer his plea and by consent judgment is granted agt the Deft for the debt in the declaration mentioned. It is therefore considered that the Pltff recover against the Deft the sum of One hundred dollars with legal interest thereon from the 1st day of September 1853 till paid and the costs by the Pltff in this behalf expended

Henry G. Galt Pltff
 George J. Brill Def } In Case

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

William K Gailey Plff } In Case
vs }
Jacob H Deatrack Deft }

This day came the parties by their attorneys and thereupon came a jury to wit Franklin Dickey Henry Harnsberger Philip Layman James W McGehey Solomon Reamer John Byerly Joseph Miller Peter Furwiler Solon Sellers David B Rhodes Abner J Nicholas and Jacob Miller 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 not being able to agree upon their verdict and adjourned until tomorrow morning at 10 O'clock

Gabriel Jordan Plff } In Case
vs }
Archibald S Rutherford Deft }

This day came the plaintiff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of Enquiry and after hearing the evidence It is considered that the plaintiff recover against the Defendant the sum of \$93.75 with interest thereon to be computed after the rate of six per centum per annum from the 1st day of June 1855 till paid and the costs by the Plff in this behalf expended

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

R. H. Lewis

Saturday August 25 1855

Present

+ Samuel H Lewis R. O. Sterling } Gent
+ M. H. Harris H. J. Meadman and J. B. Boyer } Justice
Baumgardner & Bucknord for Heiligt for Contumacia & A Term

Pence for vs Taylor & Price's admrs for vs Taylor On motion & for reasons appearing to the Court the above named causes are continued

Joseph L. Lomen vs George Rader
Plff } In Del
Def }

This day came again the parties by their attorney and the Defendant by his attorney moved the Court to set aside the Verdict and judgment rendered in this Cause on yesterday on the ground that the Verdict is contrary to the evidence, and after hearing the argument of counsel the Court doth overrule said motion & refuse to grant a new trial

Skinspring for }
 or } In Debt
 H Brathwaite }
 Debt }

This day came the parties by their attorneys and the Deft filed a list of set off which he desired to prove upon the trial of this cause and the issue is continued until the next term of this Court at the last of the Deft.

Gairbent & Co }
105 } In Debt
Rorkey }
Do }
Do }

This day came the parties by their attorneys and the Defendant withdrew his plea in this cause and confessed judgment (savage equity) for the Debt in the Declaration mentioned

Rosaef. williams On Motion this case is continued

Abraham Leedy & }
or } In Trust for
James O'Rourke }
Def }
Def }

The day came the parties by their attorneys, and the
Defly attorney and plead Not guilty. to which the Pltffly attorney -
replied generally & the issue continued until the next term. and

on motion of the Plff. it is ordered that the surveyor of County do go upon the land in controversy on the day of next if fair. if not the next fair day and survey and lay out the same as either party shall require and return three fair plats and reports thereof to the Court and that any one of the justices of the said County do then and there meet him and examine and take the depositions of such witnesses as shall be produced by any of the parties which are to be returned with the said plats and reports and the Sheriff of the said County is to attend the said survey and remove force if any shall be offered

William K Gailey Plff }
vs } In Case
Jacob H Deatrick Deft }

This day came again the parties by their attorneys and the jury sworn in 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 upon their oath do say give the jury find for the Defendant upon the issue joined the sum of three dollars and nine cents. It is therefore considered that the Deft recover against the Plff the said sum of \$3.09 and his costs by him in this behalf expended

John Fox Plff }
vs } In Covenant
R L Mauck Jr. Deft }

This day came the parties by their attorneys and by consent of parties judgment is granted the Plff against the Deft for the sum of \$30.00 with interest thereon to be computed after the rate of six per centum per annum from the 1st day of January 1853 till paid and the costs by the Plff about his suit in this behalf expended

Jared Powell's curator vs George W. Webster. This day came the parties by their attorneys and the Deft pleads payment & filed list of \$1000.00 to which the Plff replied generally and the issue continued until the next term

Smith (Darnall for) Plff } In Debt
 vs
 Anthony Miller & Deft }

This day came the parties by their attorneys and the Deft by his attorney please payment & money to which pleases the the Plff against replied generally and the issue is continued until the next term

Bryerly vs Deale. On motion this cause is dismissed

Brathwaite vs Leedy On motion this cause is continued until the next

Campbell vs Roa & Co. ex Non assumpsit pleads and issue continued

Benjamin T Thomas Plff } In Debt
 vs
 Reuben Rains & Co Deft }

This day came the parties by their attorneys and the Deft filed a demurrer to the Plff declaration and pleads a failure of warranty to which the Plff replied generally & the issue continued until the next term

E & H Stabler & Co vs McGhee. On motion and for reasons appearing to the court it is ordered that this cause is Dismissed

Same vs Same The same order

~~Dalt~~

Lehaze & Garner vs Same The same order

La. & Co. Trust vs Same The same order

Summers & Ponder vs Same The same order

Blakelee Jr vs Same The same order

Wancy vs McGuffin & The same order

Heim Nicholas & Co vs Maule. Continued until the next term
 vs Miller & Bowman The same order

Kephart & Darby vs Bournan. On Motion continued until the next term
 May vs Same. The same order

Bluford Sampson Plff }
 vs } In Covenant
 St Clair D Kirtley admr Deft }

This day came the parties by their attorneys and thereupon came a jury to wit Charles R Rust (Daniel McLean Thomas Moore Jacob Hainsinger Abraham Carley Samuel Barley Emmanuel Armentrout Joseph Byrd Reuben Sellers Peter Dinkel Jno Lances Wm Reherd who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the Court 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 and assess his damages at \$250.00 with interest thereon from the 25th July 1846 till paid subject to a credit September 2^d 1849 of fifteen dollars. It is therefore considered that the Plff recover against the Deft the said sum of \$250.00 damages with interest thereon to be computed after the rate of six per centum per annum from the said 25th July 1846 till paid (subject to a credit of \$15. of date 2^d Sept 1849.) and the costs by the Plff in this behalf expended

Samuel Switzer Plff }
 vs } In Debt
 Maria S Jones Deft }

This day came the parties by their attorneys and the defendant filed a plea of payment as to part of the Debt. It is therefore considered that the Deft Plff recover against the Deft the sum of \$21.37 1/2 part of the Debt in the Declaration mentioned with interest thereon from the 12th day of August 1852 till paid and the costs by the Plff expended up to this time and the cause is continued until the next term

Garber for vs Deft. By consent this cause is dismissed and judgment against the Deft for the costs of Plff expended in this behalf.

John Strayer

Plff

vs

Isaac Rees

Def

In Exemption

This day came the parties by their attorneys and the Deft by his atty. pleads not guilty & issue continued

Frederick Heileyard

Plff

vs

Henry Kipp

Defts

Chancery Issue

This day came the parties by their attorneys and thereupon came a jury to wit. Franklin Liskey. H. J. Hainstenger & Philip Dayman. James N. Wilghey. Solomon Reamer. John Byerly. James Miller. Peter Dutwiler. Simon Sellers. David B. Rhodes. Abner J. Nicholas and Jacob Miller who being elected tried & sworn the truth to speak upon the issues joined and having ~~been~~ heard the evidence upon their oaths do say "We the jury find upon the 1st issue that the bond of \$55.66. therein mentioned purporting to have been executed on the 25th of February 1848 by Frederick Heileyard to Noah Price and assigned by Noah Price to Henry Kipp, is not the deed of the said Frederick Heileyard and we further find that no evidence has been given before us, upon the subject of the second issue.

Charles Nicholas

Plff

vs

H. G. May

Def

Upon a Scifa

This day came the parties by their attorneys and the Defendant by his attorney. craves oyer of the record of the said supposed recovery in the said writ mentioned, which being read and heard the Deft says that the matters contained in said writ of Scire facias in manner and form as the same are therein stated & set forth are not sufficient in law for the plff to have or maintain his said writ and that he the said deft is not bound by the law of the land to answer the same and in this demurrer of the defendant the plaintiff joins

Ordered that a Venia facias be issued against according to law

for an election to be held on the third Saturday in Septer next
for the election of a constable in the McCreawford Dist. Mo. in the
place of Saml Kjailes -

Myrleigh & Chamberlain. Deft } In Case
vs }
Robert Le March Deft }

This day came the Plaintiff by their attorneys. and
neither party requiring a jury the Court proceeded to execute the writ of
enquiry & render judgment in this cause. It is therefore considered that
the Pltff recover against the Deft the sum of \$144.20 the amount of the
account filed in this behalf expended with interest thereon from the
10 day of February 1854 till paid and the costs by the Pltff in this
behalf expended

Ordered that it be certified that the following named persons
are entitled to the sums affixed ~~to~~ to their respective names to be
paid by the Commonwealth & Silom Sellers \$1.50 & B B Rhodes \$1.50
+ Joseph Miller M.R. \$1.75 + Peter Dunkel 1.75 + Hy Harnsberger 1.25
+ Sammel Barley 1.75 + Jacob Miller 1.50 + Geo Sanfley 1.00
+ Thomas Moore 1.50 + E Armentrout 1.00 + Mrs Lances 1.25
+ Joseph Byrd 1.25 + D N Huston 1.50 + Frank Liskey 1.00
+ Jas McGahey 1.50 + Alm Barley 1.00 + Alm Rehner 1.00
+ Philip Layman 1.25 + Christo Whetzel 1.75 + Reuben Sellers 1.25
+ Solomon Reamer 1.25 + Mrs Byerly 1.25 + Alno J Nicholas 1.25
+ Peter Puttler (\$1.00) 1.00
Ordered that the Sheriff of this County, pay the same

certified
to a jury

Ordered that the following named persons receive the sums affixed
to their respective names for services as jurors to be paid by the County
+ B B Rush \$1.50 + Joseph Miller M.R. \$3.25 + Silom Sellers \$3.25
+ B B Rhodes 3.25 + Peter Dunkel 3.25 + Hy Harnsberger 3.75
+ Sammel Barley 3.25 + Jacob Miller 3.25 + Mrs A Lewis 75
+ Geo Sanfley 3.25 + Tho Moore 3.25 + E Armentrout 3.75
+ Mrs Lances 3.75 + J B Byrd 3.75 + D N Huston 3.25
+ Frank Liskey 3.75 + Jas McGahey 3.25 + P Meine 75
+ Alm Barley 3.75 + Alm Rehner 3.50 + Phil Layman 3.75

This day came the parties by their attorneys and the Deft by their attorneys ^{plead} payment as to part of the debt to which the pliff replied generally. It is therefore it is considered that the Pliff recover as against the Deft the sum of one hundred & sixty two dollars and eight cents with legal interest thereon from the 14 day of April 1853 till paid and the costs expended in this behalf by the Pliff up to this day and the cause is continued as to \$60.00 with the plea applied

William K Gailey Plaintiff
vs }
Jacob H. Deatrick Defendant } In Case

This day came again the parties by their attorneys and

The plff by his attorney moved the Court to set aside the Verdict and judgment rendered in this cause on yesterday on the ground that the verdict was contrary to the law & in view of which motion the Court doth overrule the first & set aside the Verdict & judgment

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

S. H. Lewis.

Virginia

At a Court Summoned and held for said the County of Rockingham on Saturday the 8th day of September 1855 for the examination of James W. West charged with a felony by him committed in this Court that the said James W. West on the day of 1855 in the County of Rockingham feloniously and of his malice in and against Abraham Rosenbarger then and there being feloniously and unlawfully wilfully did make an assault with a certain pistol which he the said James W. West in his hand then and there held and cocked maliciously & feloniously did attempt to shoot said Abraham Rosenbarger with said pistol with intent & did attempt in so doing wilfully and of his malice aforethought to kill and murder the said Abraham Rosenbarger.

Present

+ Samuel H. Lewis, Of Faintown Maryland } Genl.
+ Samuel Ruelish, Johny Brown & Andrew Couch } Justices

The Prisoner was this day led to the bar in custody of the jailer of this Court and on motion of the attorney for the Commonwealth and for reasons of hearing to the Court it is ordered that the examination be continued until the first day of the next Monthly Term of this Court and on The Prisoner by his counsel moved the Court to admit him to bail which motion was argued by counsel. the Court upon mature deliberation are of opinion that he ought to be admitted to bail. It is therefore ordered that the Prisoner be admitted to bail for his appearance before this Court upon the first day

of the next then and there to be examined for the felony aforesaid
 and that the prisoner ~~be~~ further entering into recognizance
 for his good behaviour for the space of one year from this day.
 Thereupon the said Prisoner together Isaac Thomas Madison West
 Reuben Moore, Littleton W. Gamble & George Rhodes his securities
 (who justified as to their sufficiency) entered into a recognizance for
 his appearance as follows to wit: Be it remembered that on this
 day James W. West, Isaac Thomas, Madison West, Reuben Moore
 Littleton W. Gamble & George Rhodes personally appeared in
 Court and acknowledged themselves to owe and be indebted to the
 Commonwealth of Virginia the said James W. West in the sum
 of five thousand dollars and the said Isaac Thomas, Madison West
 Reuben Moore, Littleton W. Gamble & George Rhodes jointly in
 the like sum of five thousand dollars to be relieved of their respective
 goods and chattels, lands and tenements and for the use of the
 Commonwealth of Virginia. Yet upon this condition that
 the said James W. West shall make his personal appearance
 before the next term of this Court upon the first day thereof, then
 and there to undergo an examination upon a charge of felony
 and not to depart thence without the leave of said Court, then
 this recognizance to be null and void, otherwise to remain in
 full force. and thereupon the said James W. West & Isaac
 Thomas, Madison West, Reuben Moore, Littleton W. Gamble and
 George Rhodes entered into this further recognizance viz Be it
 remembered that on this day personally appeared in Court
 James W. West, Madison West, Reuben Moore, Littleton W. Gamble
 & George Rhodes acknowledged themselves to owe and be indebted
 to the Commonwealth of Virginia the said James W. West
 in the sum of \$1000⁰⁰ and the said Madison West, Reuben Moore
 Littleton W. Gamble & George Rhodes ^{jointly} in the like sum of \$1000⁰⁰
 to be relieved of their respective goods and chattels, lands & tenements
 and for the use of the Commonwealth of Virginia. Yet upon
 this condition that the said James W. West shall keep the peace
 and be of good behaviour for the space of one year from this date, to all
 the citizens of this Commonwealth & particularly to Abram Rorer,
 Carver, then this recognizance to be void, otherwise to remain in full force and

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thereupon the prisoner is discharged from custody

Be it remembered that on this day Emmanuel Lipe John McKee Michael Lore & Eli H. Kowitz personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars each to be levied of their respective good and chattels and lands and tenements and for the use of the Commonwealth Yet upon this condition if the said Emmanuel Lipe John McKee Michael Lore & Eli H. Kowitz shall make their personal appearance before the Court of Rockingham County on the first day of the next term thereof then & there to give evidence on behalf of the Commonwealth against James Up West charged with felony then this recognizance to be void otherwise to remain in full force

Be it remembered that on this day Peter B. Kowitz Isaac Thomas Reuben Moore Reuben Sellers Adam G. Brewer Dorilas Martz George Rhodes John G. Rhodes Marion Sylbert James Pickering John Phillips Preston Leachour & Franklin Lincoln personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars each to be levied of their respective good & chattels Land & tenements and for the use of the Commonwealth Yet upon this condition that the said Peter B. Kowitz Isaac Thomas Reuben Moore Reuben Sellers Adam G. Brewer Dorilas Martz George Rhodes John G. Rhodes Marion Sylbert James Pickering John Phillips Preston Leachour & Franklin Lincoln shall make their personal appearance before the County Court of Rockingham on the first day of the next term thereof then and there to give evidence on behalf of James Up West charged with a felony and in default thereof without the leave of said Court then this recognizance to be void otherwise to remain in full force

And thereupon the Court arose

S. H. Lewis

Virginia

At Court held for Rockingham County on Monday
the 17 day of September 1855

Present

+ Samuel & Lewis J. Olesherling } Gent.
+ John A. Dicey, John Burkholder, Jacob Rush } 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 August last, which being read and inspected by the Court is ordered to be entered on the minutes as follows to wit

A Deed of Bargain & Sale from Betty wife of A. P. Rutherford
same from John I. Harris wife to Andrew Brick

A Deed of Trust from F. G. Wray to Helwardon Trust for J. Reed & Co.

A Deed of Gift from B. T. Freshlock & John Davis —

Same from G. W. Clapp wife to David Lammie

Same from Alex. C. Bryan to J. B. Burkholder (recess)

Same from Jacob Ricever to Leatharine Rice & others

Same from Daniel Proctor wife to Abraham Lewis

Same from M. M. Morris wife to John Smith

Same from George E. Spencer to D. B. & A. B. B. B.

Same from Lem. Men. to same

Same from A. Shank wife to Samuel Frederick

Same from Frederick Neglesse wife to George Lantz

Same from R. W. Thummond wife to B. T. Martz

Same from B. T. Martz wife to R. W. Thummond

A Deed of Trust from R. L. Mauck to Helwardon Trust for A. C. Bryan

A Deed of Gift from J. P. M. Blacker wife to Benjamin P. P. P.

Same from John Driver wife to Land Mays. & same from Jacob Hoffman

wife to James M. M. same from A. H. P. P. wife to Jacob A. Mitchell

Same from Joseph Maury wife to W. H. Maury

Same from M. M. White to Samuel C. Maylor

Same from John B. Dorman to John G. G. G.

Same from Mary D. D. wife to William Meadows

Same from Richard Pickering wife to Jacob Lantz

Same from A. H. P. P. wife to Jacob Lantz

Trust Deed from J. P. P. to Mitchell

of = last name of Knapp assignment of dower

- of A Deed of Bargain & Sale from George Deets wife To William Meadows
 same from Joseph Gouger wife John Gouger
 same from (Sunny Woods) corns To Peter Fitch
 of same from Isaac Honorey To W Rogers & As Baker
 line from W E P & Harris wife To Wm W Hedrick &
 of same from Jacob Liff wife To M W Liff
 line from Wm R Spick & ex To Philander & Leving
 same from Peter Roller wife To Grafton Weeks Trust
 of same from James W Gilmore & To Felix T Sheets
 same from Phil Bence wife To John Van Trump
 same from E & B Bare To the Bank of Rockingham
 same from C B Strayer coms To Daniel Wm
 same from same To Daniel Sanger
 of A Deed of Trust from Wasington wife To M Moore In Trust for said Wm

Settlement of the estate of Christian Blop. In Testimony
 Mary Pence. Geo Sanfley. Dr. Cook & E Maggott. Dan Whisler
 Jas Newman. Daniel Paulcel & B Whitley having been filed in the office
 for the time prescribed by law. was presented in Court and no excep-
 tions being offered there to the same is affirmed & ordered to be recorded

Settlement of the accounts of John Paulcel Guardian for Sarah
 M Moyers. Having been filed in the office for the time prescribed by
 law. was presented in Court and no exceptions being offered there to
 the same is affirmed and ordered to be recorded

Reuben Sellers

against

Sarah Loowen &

Plff

Deft

} In Chancery

This day came the Plff by attorney and it appearing
 to the satisfaction of the Court that the Defts are not inhabitants
 of this Commonwealth. It is ordered that an order of publication
 be awarded against them according to law

An Instrument of writing purporting to be the last will & Testament of
 Robert Grafton dec^d was produced in Court by Martha L Grafton

and there being no subscribing witnesses thereto. Littleton W. Gamblee
David H. Gamblee & Elmer B. Warren were sworn and severally depose
that they are well acquainted with the Testator's hand writing and verily
believe the said writing and the name thereto subscribed to be wholly
written by the Testator's own hand whereupon the said writing is
ordered to be recorded as the true last will and testament of the said
Robert Lyttan dec'd. ^{and Franklin Minor the 2d to the same name of officers in company with the said Lyttan himself the}
And on the motion of Martha S. Grattan who
made oath thereto according to law and together with Franklin
Minor John A. Horing Littleton W. Gamblee Samuel H. Lewis
David H. Gamblee & George H. Chrisman her securities (who justify
as to their sufficiency) entered into and acknowledged a bond in
the penalty of one hundred thousand dollars conditioned as the law
requires. certificate is granted her for obtaining letters of adminis-
tration with in due form with the will annexed of said Robert
Lyttan dec'd and it is ordered that Robert M. Kyle Peter S.
Roller John A. Horing George Keiser & Daniel Bryerly or any
three of them do appraise the estate of said Robert Lyttan dec'd
and report to the Court according to Law.

It is ordered to be certified that Daniel Baughen late of
this County and a assignee of Nathaniel Claibey who was entitled to
Virginia Military land warrant No. 6131 for 100 acres of land as
per original warrant of date December 30. 1813 departed this life
about the year 1865 having first made his last will & testament (a
copy of which will be herewith authenticated & sent) by dying in
testate as to the warrant aforesaid. & that Barbara Shreckhise wife
of Paul Shreckhise John Baughen Christian Lutzger Garrett Morns
Samuel Baughen Daniel Baughen Alva Baughen Amanda Menden
Mary Roundbush Myron de Mayers Julia A. Baughen John McGowan
his wife Elizabeth all of whom are adults and the only heirs of said
Daniel Baughen deceased and entitled by the law of descent to the
warrant aforesaid

The last will & testament of John Whitzel dec'd. was again
presented in Court the same having been fully proved & admitted
to record in the Clerk's office at the Aug. term last and on the

Motion of John Whitze & Peter Whitze the executors therein named who made oath thereto according to law entered into and acknowledged a bond in the sum of \$1500⁰⁰ conditioned as the law requires. The testator by his last and testament requested that no security should be required of his said executors and the court seeing no cause to require security either from its own knowledge or the suggestions of others the court according require no security. Certificate is granted the said John Whitze & Peter Whitze for obtaining a probate of said will in due form

Upon the motion of Stephen Harnelberger executor of the estate of William Barthrae dec^d and it appearing proper to this Court it is ordered that the powers of said Stephen Harnelberger executor as aforesaid be and the same are hereby revoked & annulled

On the motion of Samuel Parent & Hugh Connell who made oath thereto according to law and together with David Link & Adam Bear their securities (who justify as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000. conditioned as the law requires. Certificate of administration in due form upon the goods and chattels of George W. Clapp deceased and it is ordered that Joseph Miller, Daniel Bowman, Abram Coffman & Anthony P. Hoffman do appraise the estate of said George W. Clapp dec^d and report to the Court according to law

On the motion of John Ritchie who made oath thereto according to law and together with John Sigler Jr his security (who justify as to his sufficiency) entered into and acknowledged a bond in the penalty of \$200 conditioned as the law requires. Certificate is granted him for ^{obtaining} letters of administration in due form upon the estate of Magdalene Ritchie dec^d. It is ordered that Conrad Luster, Michael Ritchie & John K. Nelson do appraise the estate of Magdalene Ritchie dec^d & report to the Court according to law

Christian Hall & Isaac Reamer having applied to this Court for license to retain ancient spirits which application was rejected and they having

paid the tax imposed by law. it is ordered that the Sheriff ~~pay~~ refund the tax aforesaid to them

This day Mr Brathwaite presented in Court an account of the Commonwealth amounting to \$22 92 1/2 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public account

Eliza C. Cough & Amanda C. Cough over 14 years of age orphans of George W. Cough dec. appeared in Court and made choice of Hugh Connel as their guardian. and the Court doth appoint said Hugh Connel guardian for Cornelia C. Cough also an orphan said George W. Cough dec. who is under the age of 14 years thereupon said Hugh Connel appeared in Court and together with Samuel Parent his security (who justified as to 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

This day satisfactory evidence was produced before the Court that Henry Morris a free negro. has lost his register It is ordered that he be registered as follows. Henry Morris dark mulatto hair gray. 5 feet 1 inch high about 65 years of age. the little finger of the left hand cracked & was born free

Upon the petition of Peter Bane vickers for the establishment of a road the commissioners heretofore appointed made their report in these words. Durenant &c. and the Court doth establish ⁸ a road ^{as shown} to the report aforesaid. when said road is made & put in good order by the Petitioners aforesaid

The last will and testament of Henry Rhodes dec. was presented in Court and proved by the oaths of Abraham Young & Hugh Swopes two of the subscribing witnesses thereto and ordered to be recorded

The last will and testament of Thomas Shiflett dec. was presented in Court and proved by the oaths of Geo. Price

Wm B Caspenter two of the subscribing witnesses thereto and
 there being no executor appointed by said will. on the motion of Robert
 M Mowrey who made oath thereunto according to law and together with
 George Bruce his security (who justified as to his sufficiency) entered
 into and acknowledged a bond with the penalty of \$300 condition-
 ed as the law requires. certificate is granted him for obtaining
 letters of administration in due form with the will annexed
 of said Thomas Shifflet dec^d and it is ordered that George Bruce
 Wm Cleadrick Peter Sellers Joseph B. Miller & B B Cleadrick do
 appraise the estate of said Thomas Shifflet dec^d & report according
 to law

Ordered that the Clerk of this Court register according to law
 Daniel Lewis a free negro emancipated by the will of Catharine
 Perkey dec^d. said negro is of the following description viz 5 feet 9 inches
 high very Dark complexion about 17 years of age a small scar on the
 right cheek ~~and~~

George M Farland

Petff

vs

Robert Downing

Def

} upon an attachment

Ordered that this case be docketed and continued

Present Wm D Hopkins . absent O C Sterling Genl L

George W Cassidy alias Back who stands charged with a felony
 in this Court that he did on the 11th day of September 1855 feloniously
 take steal and carry away one bay horse of the value of one hundred
 dollars the property of William Steering of this County. was led
 to the bar in custody of the jailor of this Court and ~~thereupon~~ the
 said George W Cassidy thereupon waived an examination
 before this Court and requested that it should be entered of
 record. thereupon the said prisoner is remanded to jail
 to be tried for the felony aforesaid before the Judges of Circuit
 Court of this County on the first of the next term. There of

Be it remembered that Charles Murley this day appeared in court and acknowledged himself to owe and be indebted to the Commonwealth ⁱⁿ the sum of \$1000 to be levied of his goods & chattels, land & tenements, and for the use of the Commonwealth. yet upon this condition that the said Charles Murley shall make his personal appearance before the Judge of the Circuit Court of Rockingham on the first day of the next term thereof, then and there to give evidence on behalf of the Commonwealth against George W. Coafraid as Back charged with felony, and not to depart thence without the leave of said Court. then this recognizance to be void otherwise to remain in full force

Manson Jones a free negro this day produced in court a register issued from the Court of Shenandoah County. It is ordered that he be registered in the Clerk's office of this Court according to Law.

Joseph Moore a free negro this day produced in court a register issued from the Court of Shenandoah County. It is ordered that he be registered in the Clerk's office of this Court according to Law, and it is further ordered to be certified that Joseph Moore & Caroline Moore wife of said Joseph Moore, free negroes, who were born free desiring to remove to the State of Indiana, and to take their children that it was this day proven in open Court that the said Joseph & Caroline Moore have the following children to wit: Mary B. Moore 9 years & 11 months old, Lucinda Moore aged 8 years & 3 mo & 20 days, Georgina Moore aged 6 years 4 mo & 14 days, Calvin Moore aged 3 years 2 mo & 2 days & Earnest O. Moore aged 17 months & 2 days all of them born free.

Ordered that the Clerk of this Court issue a writ for the election of an additional constable in the Port Republic District No. 1 in the County, which election is to be held on the third saturday in October next at the several places of voting in said District & that the Constables & officers who conducted the election in May last conduct the election. Also the Carnrick Comr. of the revenue for this County present in court on a special warrant amount to the sum of \$181.42 which

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

St. Louis.

Tuesday September 18th 1855

Present

+ Samuel H. Lewis P^y & C. Merling } Gent.
+ Jacob Rush John Burkholder & John A. Rice } Justices

Wm B. Smith & others

vs

Dover heirs & others

Plffs

Defts

} Infancery

This cause came on to be heard on this the 18th day of Sept 1855 upon the report of Commissioner Dover and it appearing to the Court that the property mentioned in the Bill sold for a greatly inadequate price and that there were only three persons present at the sale thereof it is adjudged ordered and decreed that the Commissioner's sale made by the Commissioner be rejected and that the Commissioner be ordered to make resale of the land after 4 weeks notice thereof at 4 public places near the place of sale to the highest bidder for cash and that he shall conform in other respects relative to expenses and costs to the requirements of the decree heretofore made in this case ordering a sale

Hamilton Cabbage & Amanda his wife
formerly Amanda Seekfort

vs

Robert Seekfort by his guardian ad litem

} Plffs

Deft

} Infancery

Ordered that Littleton W. Gambrell be appointed guardian ad litem for Robert Seekfort and thereupon said guardian files his answer to plffs bill and thereupon this cause came on to be heard this 18th day of September 1855 on the bill answers exhibits to which there is no exceptions on consideration whereof the Court is of opinion that the prayer of the complainants bill ought to be granted whereupon the Court doth adjudge order and decree and it is accordingly adjudged ordered and decreed that Thomas H. Carnsberger who is appointed a commissioner

for the purpose shall proceed to give notice of the time and place and terms of sale by advertisement inserted in some newspaper published in the town of Harrisonburg and posted at the Court House door of Rockingham County for the space of four weeks and having given such notice shall sell the tract of land in the Bill & exhibits described at public auction in front of the house William Segler which is near the premises on the following terms namely. One hundred dollar of the purchase money to be due and payable on the day of sale, and the remainder of the purchase money to be due and made payable in two equal annual instalments of one and two years from the day of sale the same instalments bearing interest from the said day of sale the purchaser being required to execute bonds with good personal security for the deferred payments, and a lien on the land to be reserved in the deed of conveyance as additional security. But before said commissioner shall execute a bond with good security in the Clerk's office of this County in the penalty of one thousand dollars with condition according to law and said commissioner shall make report of his proceeding at the next November term of this Court

Upon the petition of Louette Mepick for a road in this County on the Motion of the Petitioner by attorney. It is ordered that Christian Bowers John Miller & George Gowl be appointed commissioners to view and act upon the said petition according to law

Hannah vs. Ettinger. On Motion of the Plaintiff it is ordered that a new attachment be awarded & get him returnable to the next term of this Court

Morgan Tams a free negro presented in Court his register issued from the Court of Shenandoah County. It is ordered that he be registered according to law

Upon the application of Mounce B. Miller who produces a license for the tax imposed by law it is ordered that a license be granted

to keep an Ordinary in this County until the May term next of this Court. it is ordered to be certified that said Miller is a man of good character and not addicted to drinking or gaming

Upon the petition of Samuel Shacklett to be a Justice of the Peace in this County. Ordered that John Long Jr be appointed a Justice in the place of Wm A. Howard. that he together with the other Justices heretofore appointed do act upon said petition according to law

Ordered that Riley Armentrout be appointed overseer of Precinct No. 1 in the place of James Bolton

Sorenzo Scott a free negro who stands committed to the jail of this Court for a felony by him committed in this that he did on the 24th day of August 1855 run after and pursue one Catharine Minick until arrested by Elijah Minick when arrested had his knife drawn and forbade him touching him stating that if he did he would drive it into him. was led to the bar in the custody of the jailer and on motion & for reasons appearing to the Court it is ordered that the examination be continued until the next term. thereupon the prisoner is remanded to jail and it is further ordered that any three of the Justices of this County do examine said Lorenzo Scott and if upon said examination they are of opinion that the prisoner is insane they shall dispose of him according to law

Frederick Heitzgard

Pltff

Moses Kipp vs. of Henry Kipp and Noah Price

Defts

McChancery

This cause came on to be finally heard this 18th day of September 1855 upon the papers heretofore read the proceedings heretofore had the proceedings heretofore had and the verdict of the jury empanelled to try the issue at the bar of this Court ordered by a decree in this cause at the last term of this Court which verdict as certified to this Court is in the words & figures following to wit: "We the jury find upon the 1st issue that the bond of \$55.66 therein mentioned or purporting to have been executed on the 25th of February 1848 by Frederick Heitzgard

to Noah Price and assigned by Noah Price to Henry Kipp is made
 deed of the said Frederick Heilyard, and we further find that no
 evidence has been given before us upon the subject of the second
 issue whereupon the argument of counsel being heard, it is
 adjudged ordered and decreed that the judgment obtained at the
 November term of this Court in the year 1833 in the name of Henry
 Kipp assignee of Noah Price against Frederick Heilyard upon the said
 bond of \$55.66 be annulled and vacated and all further proceedings
 to enforce said judgment are hereby perpetually enjoined & prohibi-
 ted. And it is further ordered & decreed that the Defendant Noah
 Price pay to his co defendant Moses Kipp & Co of Henry Kipp
 the assignee of said Bond the sum of \$55.66 with interest thereon
 at the rate of 6 per cent per annum from the 26th of February 1848
 till paid and five dollars & 53 cents the costs expended by said
 Henry Kipp in prosecuting his suit at law against Frederick
 Heilyard upon the said assigned bond and the said Moses Kipp
 & Co of Henry Kipp has leave to sue out execution for the recovery
 of the same & for costs as well those expended in his defence here
 as there decreed to the plaintiff here and it is further ordered that
 the Plaintiff Frederick Heilyard recover of the Defendant Noah
 Price his costs expended on this suit and that he have leave to
 sue out execution for the same.

On motion of Wm B Bryd it is ordered that David Rapp adm^r
 of Samuel Lee shall pay to said Wm B Bryd \$51.65 with interest
 thereon from January 1st 1833 out of the assets in his hands to be
 administered or a rateable proportion thereof as if the same had been
 included by Richard P Fletcher commissioner in his report
 which was confirmed by the Court at the last July Term.

On motion of George Ireland it is ordered that David Rapp adm^r
 of Samuel Lee shall pay to said George Ireland \$6.00 with interest thereon
 from January 1st 1835 out of the assets in his hands to be administered
 or a rateable proportion thereof as if the same had been included by
 Richard P Fletcher commissioner in his report as which was
 confirmed by the Court at last July Term.

Elhaban W Pollard who has & was on the 15th day of Sept 1855 elected Constable for District No in this County appeared in Court and together with George E Deneale David Stinespring & John Stinespring his securities (George E Deneale one of said securities having justified as to their sufficiency) entered into & acknowledged a bond in the penalty of \$2000 conditioner as the law requires which bond is ordered to be recorded and thereupon the said Elhaban W Pollard took the several oaths prescribed by law

Present William B Gancey Absent Oesterling Gent Jus.

Abraham S Byrd Sheriff of this County this day returned a list of lands & lots sold for taxes in the County of Rockingham sold on the 17th day of the present month and it is ordered to be certified that the Court see no cause to doubt the correctness of the list

Abraham S Byrd Sheriff of this County this day returned into Court a list of land & lots sold for taxes in the County of Rockingham and purchased by the Commonwealth on the 17th day of the present month and the Court seeing no cause to doubt the correctness of the list and the same is ordered to be certified accordingly

James W West who stands charged with a felony by him committed in this that on the day of 1855 in the County of Rockingham feloniously and of his malice in and upon Abraham Rosenbarger then and there being feloniously, unlawfully, wilfully did make an assault with a certain pistol which he the said James W West in his hand then and there held and cocked maliciously & feloniously did attempt to shoot said Abraham Rosenbarger with said pistol with intent said attempt in so doing wilfully and of his malice aforethought to kill and murder the said Abraham Rosenbarger The said James W West appeared in Court in person & discharge of his recognizance and sundry witnesses being sworn and examined touching the premises and the Court not having time to hear the

argument of counsel the cause is continued until tomorrow morning at 9 O'Clock. and it is ordered that the said James West enter into a recognizance in the sum of \$5000. with security in the like sum of \$5000. conditioned for his personal appearance before this court on tomorrow morning at 9 O'Clock to answer the felony aforesaid. Therefore Be it remembered that on this the 18th day of Sept 1855 personally appeared in open Court the said James West & Isaac Thomas Reuben Moore. Littleton W. Gamble & George Rhodes. acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said James West in the sum of \$5000. and the said Isaac Thomas Reuben Moore. Littleton W. Gamble & George Rhodes in the like jointly in the like sum of \$5000. to be levies of their respective good chattels and & emements for the use of the Commonwealth upon this condition that the said James West shall make his personal appearance before the justices of the County Court of Rockingham on tomorrow morning at 9 O'Clock to answer the felony aforesaid and not depart thence without the leave of said Court then this recognizance to be void otherwise to remain in full force & virtue

Ordered that the Court be adjourned until tomorrow morning at 9 O'Clock

S. Lewis.

Wednesday September 19th 1855

Present

+ Samuel S. Lewis	Of Wm B. Gambley	} Gent.
+ Jacob Rush	+ John Burkholder	
	+ John A. Dice	} Justices

Jackson Rhodes

Plff

vs

Abner Perkins

Def

} Upon a report of Court for failing to attend before S^d Court and answer certain interrogatories filed by Plff. An Motion a rule is awarded against Def^t accordingly to law

Hugh Dever appellant }
 vs }
 Adam Rader appellee } judgment of justice of the peace

This day came the parties by Attornies, and on motion and for reasons appearing from the Court. It is ordered that this Cause be dismissed, and a judgment is granted the Appellant against the Appellee for his costs in this behalf expended.

James W. West who stands charged with a felony by him committed in this state on the — day of — 1855 in the County of Rockingham feloniously and of his malice in and upon Abraham Rosenbarger then and there being feloniously unlawfully & wilfully did make and a fault with a certain pistol which he the said James West in his hand then & there held and cocked maliciously & feloniously did attempt to shoot the said Abraham Rosenbarger with said pistol with intent & did attempt in so doing wilfully and of his malice aforethought to kill & murder the said Abraham Rosenbarger. The said James West this day again appeared in Court in discharge of his recognizance entered into on yesterday and after hearing the argument of Counsel the Court upon mature deliberation are of opinion that there is probable cause to charge the prisoner with the felony aforesaid and that he ought to be tried for the offence aforesaid before the Circuit Court of Rockingham County on the first day of the next term thereof and the same is ordered accordingly. On Motion of the Deft. it is ordered that he be admitted and enter into a recognizance to bail in the sum of \$5000 with good security in the like sum of \$5000 for his personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof to answer and indictments then and there to be preferred against him for the felony and thereupon Be it remembered that on this 19th day of Sept 1855 personally appeared in Court James West together with Madison West Isaac Thomas Thomas Moore & Littleton W. Gamble and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said James West in the sum of \$5000 & the said Madison West Isaac Thomas Thomas Moore & Littleton W. Gamble jointly in the like sum of \$5000 to be levied of their respective good & Chattles Land &

tenements and for the use of the Commonwealth. Yet upon this condition that the said James West shall make his personal appearance before the judge of the Circuit of Rockingham County on the first day of the next term thereof to answer an attachment then and there to be procured against him for upon a charge of felony 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 on this 19 day of Sept 1855 Abraham Rosenberg, John McKay & Emmanuel Sipe personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia each in the sum of \$100.00 levied of their respective goods & chattels, lands & tenements and for the use of the Commonwealth yet upon this condition that the said Abraham Rosenberg, John McKay & Emmanuel Sipe 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 West charged a felony and not to depart without the leave of said Court then this recognizance to be void otherwise to remain in full force

George W. Farland having obtained an attachment against the estate of Robert Downing who hath privately removed out of this County or abscond or conceal himself so that the ordinary process of law cannot be served on him for \$97.56 and that \$56.00 of \$100 is due by note or bond and \$41.50 is due by account and a constable of this County having returned said attachment "Executed by levying". This day came the plaintiff's 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 Debt \$97.56 the amount aforesaid principal & just with interest on \$56 part thereof from the 25 day of November 1832 and on \$41.50 the residue thereof from the 18 day of January 1833 till paid and his costs by him in this behalf expended and it is ordered that the officer who levied said attachment make sale of the property by him attached as the law directs and out of the money arising from

such sale pay and satisfy this judgment and restore the over-
plus (if any) to the Defendant and return an account of purchase
to the next Court.

McGahery vs Gilmore. On Motion this cause is accepted
and continued until next Court at the cost of Plaintiff

~~Doddall vs Butler~~. On Motion of Deft. this cause is dismissed

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

St. Lewis.

A Court held for Rockingham County on Monday
the 15th day of October 1855.

Present

Samuel St. Lewis. J. John Burkholder. Ind. J. Brown. Gent.
(Daniel ^{St. Louis} ~~Burby~~ & J. J. Martmann. } 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
September last which being seen and inspected is ordered to be entered
in the minutes as follows to wit

- of a Deed of Bargain & Sale from Robert Gray wife to William St. Ruffner
same from William St. Ruffner wife to Philip Higgett
same from Jonathan Adams wife to Menard McCall
A Deed of Trust from Marshall & Pangle to Jacob Armentrout Trust for John Dillard
a Deed of Bargain & Sale from John St. Clair to Joseph Miller
of same from Smith Loftis wife to Abraham Beery
same from Samuel Carman wife to Sherr Bowman
same from Nicholas Conrad wife to James Kite
same from Martin Woodcock wife to George Carfenter
same from Margaret G. Effinger to Henry Ott
same from same to John G. Effinger
A Deed of Trust from Benjamin Sullivan wife to R. T. Wingree Trust for Dr. Weelfry
A Deed of Bargain & Sale from James Bolton wife to Daniel Glick &
same from same to Augustine Armentrout.

A Dec of Bargain & Sale from Augustine Armentrout wife To James Bolton
 same from James Bolton wife To William de Ruffin
 same from John Ritchie To Robert Vance
 same from Philip Parrot To Henry Miller
 same from James Bolton wife To Cyrus S. Weir
 same from same To Riley Armentrout

Recd of Trust from Wm D C Covington to George L. Mason Trust for 1000000

Agreed of Bargaining Sale from John Smith wife to John Leaven
same from Joseph Miller to William Welch

Agreed of Trust from Bernice Keel to Hiram C. Homan Trust for J. B. Miller

Deed of Bargain & Sale from Joseph Piccart to Samuel Huxing

Recd of Trust from David Knicey To Hiram Coffman In Trust for Jos Miller

Deed of Bargain & Sale from John Todd to H. Ernoch-Eagle

Same from Michael Holzinger wife to Adam Ance

Same from Jacob Sellers wife To Joseph Annen tract

Letter from James Bollen to wife Dr Riley Armentrout

Same from Aaron Samuel G. William Miller

Samt dem Peter Weise und dem Hermann Weise

same from Lake to Bear Lake to Vermilion Cliffs

Recd of Trust from David Jones to W. G. Smith Trust for M. & C. Fringer.

Same from George Campbell & John Peters Smith Intend for W. H. Campbell

Deed of Bargain & Sale from Joseph H. Effinger to R. H. Gray, trustee for B. W. W. W.

same from George Bruffy, cont. to Whitistice

Recd of Bust from L. P. Smith wife To Melagett Trust for Mrs. H. C. C.

Seed of Bargain Sale from M^c Harrison to John L. Lucas

A Decd of ~~Dr~~ from Mary K. LeFland to H. Mc Bryan to (Said) Administration

A Deed of Trust from Miles & Jones to Giles & Co. as Trustees for Geo. Miller & Co.

Settlements of the estates of John Sipe dec^d. Reuben Co Maggart dec^d.
Dorman Soffland dec^d. Jacob Stiller dec^d. Jacob Moogler dec^d. Catherine Stiller
Abraham Lincoln dec^d. David Sipe dec^d. Adam Wise dec^d. John Hooper
having been filed in the Clerk's office of this Court for the same reasons
by law were presented in court by the clerk and ~~no~~ exceptions
being offered they are confirmed and ordered to be recorded.

Settlements of the accounts of Abraham Parik Guardian for Joseph Bowman Wesley Bear Guardian for Sarah & David Flork Guardian for Ophelia Massat were presented in Court and having been filed in the office for the time prescribed by law. and no exceptions being offered thereto they are confirmed & ordered to be recorded.

Jackson Rhoades vs A Perkins upon the report of a com^r
 ✓ the sums last awarded with this cause not being returned & it is ordered that a new summons be awarded returnable to the next term of this Court.

Bernard Case appellant
 vs
 B. F. Bjerly appellee } upon an appeal from the
 judgment of a justice
 On Motion this cause is ordered to be docketed.

upon the motion of Wm A Conrad & Jm Conrad administrators of the estate of George Conrad dec^d and it appearing to the Court that there are several mistakes made in the settlement of said estate by Master Commissioner W. H. Tams reported to this Court in this that George Conrad is charged with the sum of \$25.21 cts. and Jm Bear with the sum of \$26.25 cts as distributees when they had only borrowed that amount from the adm^s and have since settled those amounts with the adm^s and it appearing that the adm^s should be charged with these amounts it is therefore ordered that the said report of Com^r Tams be committed to Commissioner A. P. Fletcher for the purpose of correcting said errors.

Littleton H. Gamble clerk of this Court presented in Court an account against the commonwealth amounting to \$79.50. which was sworn to in Court. was examined and allowed by the Court & ordered to be certified to the auditor of Public accounts.

Ordered that the Districts of the School Commissioners for Rockingham County be and remain as heretofore laid off and bounded. and that the same Commissioners appointed last

be reappointed and serve as such commissioners for the present year.

Wm M'Call, appellant
vs
G W Rumsey, appellee } upon an appeal from the judgment
of a justice of the peace
On motion this cause is ordered to be docketed

John Dinkel administrator of Richard Gibson Plffs } In Chancery
vs
Jacob Smell, others } Cfts

This cause came on to be further heard this 15th day of October 1855 upon the papers heretofore filed and the proceedings heretofore heard and the report of commissioners John Dinkel to which there was no exceptions and the same and the sale made by him on the 28th of April 1855 is hereby affirmed and the argument of counsel being heard the Court doth thereupon adjudge ordered and decreed that said John Dinkel commissioner with and as the bonds filed with his report and collect the same and out of the money he shall pay the expenses of the sale including a commission of 5 per cent on the first \$300 and two per cent above \$300 also he shall pay the costs of this suit. It is further adjudge ordered and decreed that commissioner Richard Metcher proceed to ascertain the cash value of the dower interest of Mary Smell wife of Jacob Smell and late widow of Richard Gibson and in the process of the sale of said lot and report his proceedings to this Court.

Upon the Petition of John A Dice voters for the establishment of a 18 turn road in this County this day the Viewers heretofore appointed in this cause 18 18 60 made their report in this cause to wit "To the V." and it is ordered that the persons through whose lands said road is proposed to be constructed and the petitioners be summoned to appear here on the first day of the next term of this Court to shew cause if any they can why the said road shall not be established agreeable to the report aforesaid.

An Instrument of writing purporting to be the last will & testament of Elizabeth Thomas &c

was presented in court and sworn by the oaths of H. Meacher & Jacob Bear the subscribing witnesses thereto and ordered to be recorded. and thereupon ^{on the motion of} Andrew Gleoffman the executor therein named who made oath thereto according to law and together with H. Meacher & Jacob Bear his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires. certificate is granted the said Andrew Gleoffman for obtaining a probat of said will in due form. and it is ordered that Newman to leave J. Philips & Adair Bear do appraise the estate of said Elizabeth Thomas

Upon the petition of J. S. Weaver for the establishment of a road in this county it is ordered that the said petition be referred to Jacob Strayer & Wm. Kempfer & Wm. Palmer be appointed viewers to act upon the Petition according to law. and it is further ordered that Harrison Bateman and James Smith & Amos Scott guardian for ^{the} heirs be summoned to appear here at the next term of said court to shew cause if any they can why the road aforesaid shall not be established through their land.

On the motion of John Beam & Abraham Beam who made oath thereto according to law and together with Samuel Kline & Martin Beam their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$3000. conditioned as the law requires. certificate is granted the said John Beam & Abraham Beam for obtaining letters of administration in due form upon the estate of Tobias Beam dec'd. and it is ordered that John Oliver Martin Beam & John Beam & Michael Rohr do appraise the estate of said Tobias Beam dec'd & report thereon according to law.

It is On the motion of Cyrus Rhodes executor of Jacob Rhodes dec'd who was warrantee in land warrant No _____ issued under the act of Congress the 3^d day of March 1855 for _____ aored. that the said Jacob Rhodes died on the 21st day of July 1855.

On the motion of Harvey Kyle guardian for Catharine E. Kyle orphan of Joseph Kyle dec'd he is permitted to resign his trust as guardian.

The Court doth appoint John H. Boccock guardian for Catharine E. Kyle orphan of Joseph Kyle who is under the age of 14 years thereupon the said John H. Boccock ~~entered~~ together with Harvey Kyle his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law requires -

Coronzo Scott a free negro who stands charged with a felony, and it appearing that the said prisoner is a Lunatic, it is ordered that the jailer discharge him from his custody & deliver him to John Storer for

Upon the petition of Samuel Shacklett to close a road in this County this day the Viewers made their report as follows to wit: "To the Court and on motion and for reasons appearing to the Court it is ordered that this cause be dismissed"

On motion of Adam Pifer for who made oath thereto according to law and together with Jonathan Sheets his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000. conditioned as the law requires. Certificate is granted the said Adam Pifer for obtaining letters of administration in due form upon the estate of John Sheets dec^d and it is ordered that Pleasant A. Clarke, Silas Sheeton, Wm P. Byrd & James Harris do appraise the estate of the said John Sheets dec^d & report thereon according to law

Ordered that leave be given to the overseers of the poor or other proper person to transfer the indenture binding Lucia Ann Roadaph to to (Daniel Miller of Martin) to (Daniel Miller of Joseph)

Peter Nick Jailer presented in Court an account against the Commonwealth for Dieting prisoners amounting to \$47.15 which being sworn to in Court was examined and allowed and ordered to be certified to the auditor of public accounts

Peter Nick Jailer of Rockingham County presented in Court an account against the Commonwealth verified by his oath in open Court & the Court being satisfied that the said account is just & reasonable

doth order that the same amounting to \$28.63 be certified to the auditor of Public accounts. The Court doth further certify as to the item of said account for maintaining Lorenzo Scott that it appeared to the Court that said Scott was committed to jail as a criminal & not as a Lunatic but that he was at the time of his commitment & during his imprisonment a lunatic & that for his maintenance the jailor is in justice entitled to the compensation provided by law for keeping lunatics which the Court in this case fixes at 50 cents per diem.

Gilmore vs Blaind On a Bond notice proved & awarded
 Gomer vs Gracie The same order
 Gilmore vs Huston The same order

✓ Hannah vs Lettinger the attachment last awarded in this cause being returned not executed it is ordered that a new attachment be awarded against him returnable to the next court

The Last will and Testament of Valentine Bare dec^d which was presented at the last Court and upon the motion of Jacob Bare docketed and continued was this day again presented in Court and proved by the oaths of Philip Keeler & Isaac Keuffus of the subscribing witnesses thereof and ordered to be recorded as the true last will and Testament of Valentine Bare dec^d.

✓ Samuel H. Lewis is appointed proxy in place of Al. Bryan resigned to represent the County in the meeting of the Stockholders in the Manassas Gap Rail Road Co

The Overseers of the Poor for Rockingham Pet^r
 against
 Nelson Rhodes Deft

Wm. Carpenter a Justice of the Peace of this County this day returned an examination of Eliza Keeler of this County single woman to him before him in writing upon oath upon which examination the said Eliza Keeler charged Nelson Rhodes with being the father of her female bastard child and the said Justice also returned a warrant issued by him upon the application of the said Eliza Keeler for the

apprehension of the said Wilson Rhodes together with a recognizance entered into by the said Wilson Rhodes when brought before him to appear here and to abide and perform such order as this Court should make concerning the same. Whereupon the said Wilson Rhodes appeared accordingly and the said Eliza Keller and divers witnesses being sworn and examined and the said Wilson Rhodes fully heard this Court upon the whole circumstances of the case doth adjudge the said Wilson Rhodes to be the father of the father of the said child and child and that the said child is likely to become chargeable to this County. Therefore it is ordered that the said Wilson Rhodes be charged with annual payment of \$20 to the warden of the Poor for the said County for the space until the sum of \$11000 is paid said payments to commence one month from this day and thereupon the said Wilson Rhodes and Cyrus Rhodes his security came into Court & acknowledged themselves to be jointly & severally indebted to the Commonwealth of Virginia in the sum of \$1100 to be levied of their respective goods & children lands & tenements & for the use of the Commonwealth with yet upon this condition that if the said Wilson Rhodes shall observe & perform the above order of this Court against him as aforesaid then the above recognizance is to be void.

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

S. H. Lewis.

At a Court held for Rockingham County on Monday the 19th day of November 1855

Present

Samuel H. Lewis of Benjamin & Coover
Samuel Miller & Samuel Rueland

} Gent
} 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 October last which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

1. Of Abled of Bargain & Sale from Joseph Canley Wife to Susan Mary W. Conger

- 2 ✓ Deed of Bargain & Sale from David Burkholder's wife To Samuel Shank
- ✓ Same from Samuel Coffman To William Carpenter
- ✓ of Same from Noah Keller To Christian Nicewander
- ✓ of Same from Tandleroy Jones wife To Jonathan Miles
- ✓ Same from Jacob G. Jordan's wife To Geo. W. Farland
- ✓ Same from Ephraim White's wife To George Brenner
- ✓ Same from George Drannow's wife To John Pence
- ✓ of Same from John Road's wife To Jacob Baggley
- ✓ Same from John W. Lee To C. C. Lewis Trust for Mrs. Harper
- ✓ Same from Michael May's wife To David B. Downman
- ✓ of Same from Peter Stichel's wife To Jacob Dinkel
- ✓ Deed of Trust from James A. Hoffman To Shrum Trust for Mr. Nicewander
- ✓ Same from Benson Breeden To T. Yancey for Mrs. Campbell
- ✓ Deed of Bargain & Sale from Wm. M. Cea's wife To Peter Thomas
- ✓ Same from John Smith's wife To George W. Lutz
- ✓ Same from Same To Jacob T. Turner
- ✓ Same from E. Williams's wife To Hopkins & Hiskling
- ✓ of Same from Morgan Deane To Ed. Breeden
- ✓ Same from Samuel Horick's wife To Lewis Pence
- ✓ Same from P. S. Roller's wife To Silas Skelton
- ✓ Same from Jacob Rogers To John Williamson Trust for Michael Keller
- ✓ Same from D. Young com'r To M. E. Church at Port Republic
- ✓ of Same from Same To George W. Kempher Sen
- ✓ Same from Same To Thomas Woods heirs
- ✓ Same from John Kline To Henry W. Majors
- ✓ Same from Nicholas Breeden To John Miller
- ✓ Same from Garland Gardner's wife To Same
- ✓ of Same from Wm. R. Hunkel's wife To W. C. Parley
- ✓ Same from Thos. Harkbarger's wife To John Green
- ✓ of Deed of Release from Al Gray To Daniel Leakeley's wife
- ✓ of Deed of Bargain & Sale from David Burkholder's wife To George W. Effinger
- ✓ Same from Wm. Miller's wife To David Harper
- ✓ of Same from Wells Learner To Same
- ✓ of Same from Ann Miller To Wm. Miller
- ✓ Same from Joseph Price's wife To Samuel Price
- ✓ of Same from George Lewis To Robert M. Massey

✓ 3 of A Deed of Bargain & Sale from John Willard to Frederick Celine

✓ 4 of Same from Mary Effinger to Maria Jones

✓ 5 of Same from Same to M^{rs} Effinger

✓ 6 of Same from Same to Robert Algray

✓ 7 of Same from Algray to Samuel Shacklett

✓ 8 of Same from Wm M^r Hartmann Trustee to David McLaughlin

✓ 9 of Same from Same to Henry McEager

✓ 10 of A Deed of Trust from John Kryder to Ad Melhorn Trust for Houch & Melhorn

✓ 11 of A Deed of B^t from Thomas Harnberger wife to Charles Wyancy

✓ 12 of Same from G. N. Taliaferro wife to Same

✓ 13 of Same from Joseph Baxter to John Swank

✓ 14 of Same from Henry Showalter wife to Abraham Spitzer

✓ 15 of Same from Abraham Spitzer wife to Mark & R Deputy

✓ 16 of Same from James Gilmoe wife to John R. Kogler

✓ 17 of Same from M^r M. Manning to Robert Algray

✓ 18 of Deed of Trust from John Sanders wife to Wm A. Harris for Lowenbach & Co

Settlements of the estates of Preston Lincoln dec^d, Allen (Levier dec^d, Thomas Wood dec^d, John Conrad dec^d, George Bowman dec^d, Margaret Loftland dec^d, Joseph Altaffer dec^d, Leatharine Bowman dec^d and H. Maritz dec^d were presented in Court & 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 Guardian accounts of Marshall McEne Guard for Isaac Smith, Samuel Shank Guard for Sarah Beery, Jacob McEne Guard for P. D. Reed, same Guard for Jacob Reed, same Guard for Sarah & Reed, Abraham Glick Guard for Mary Cool, Eli & H. Koontz Guard for Wm. F. Stephens & John H. Gardner Guard for Jacob & D. Leary, were presented in Court and 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.

A Settlement of the estate and an account of debts & demands against the estate of Amos & Offman dec^d was presented in Court & having been filed in the Clerk's office for the time prescribed by law, was examined by the Court and ordered to be recorded.

W. S. Rohn
 Mrs. Kowaty, who has been drawn & summoned to serve as a juror during the present term, appeared in Court & was examined on oath. It is ordered that she be excused from service during the present term.

On the motion of Solomon B. Hulvey & Josiah Hulvey who made oath thereto according to law and together with Jackson Bloom & John Leetes his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law requires. Certificate is granted the said Solomon B. Hulvey & Josiah Hulvey for obtaining letters of administration in due form upon the goods & chattels of Jonathan Hulvey dec'd.

It is ordered that Benjamin Trumbo, Abraham Branneman, Isaac Riddle and John Riddle do appraise the estate of said Jonathan Hulvey dec'd.

Sellers

Deft

vs

Hughes

Deft

} upon an attachment to

On Motion & for reasons appearing to the Court it is ordered that this cause be docketed and continued.

Ordered that the Clerk of this Court register John Beck a dark mulatto, aged 21 years in the June last, with a scar on the back of the right hand.

An instrument of writing purporting to be the last will & testament of Daniel Lowry dec'd - was presented in Court & proved by the oaths of John Rife & George Lohr Jr. the subscribing witnesses thereto and ordered to be recorded. And on the motion of Benjamin Hoover the executor therein named who made oath thereto according to law and together with Emmanuel Hoover his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$12,000 conditioned as the law requires. Certificate is granted the said Benjamin Hoover for obtaining a probate of said will in due form. It is ordered that John Rife, Daniel Driver, John W. Driver & Thornton Thomas do appraise the estate of said Daniel Lowry dec'd.

Warwick Stewart & Wm B Telfair who have been duly licensed to practise as attorneys at law in the courts of this Commonwealth are admitted to practise in this Court and thereupon they took the oaths prescribed by law

On the Motion of Reuben W Garrison he has leave to transfer his license as a merchant of this County to Messrs Shoemaker & Dovel

Commonwealth

vs

Adam Leare

} Upon an Indictment
This day the Court appeared in Court
N fined Judgment for one cent fine and the costs expended in
prosecuting said indictment

RN Garrison

vs

Wm Denebough

} Upon the report of a com^r for failing
to attend before said Court
V It is ordered that he be summoned to appear here on the 1st
day of the next term to shew cause if any he can why he shall
not be fined for his failure aforesaid

The Last will & testament of Adam Howdeshell dec^d was
presented in Court and proved by the oaths of John Garrison & Alon
S. Byrd two of the subscribing witnesses thereto and ordered to be
recorded and on the motion of Cyrus Turley the executor therein
named who made oath thereto according and together with John
Garrison & Giles (Dever his securities who justified as to their suffi-
ciency) entered into and acknowledged a bond in the penalty of
\$10000 conditioned as the law requires, certificate is granted
the said Cyrus Turley for obtaining a probate of said will in due
form. It is ordered that Nathaniel Britton, Jacob Meff, George
V More & Lepe Munk, do appraise the estate of the said Adam
Howdeshell dec^d

Shoemaker & Dovel vs Cooke Com^r for Deft

It is ordered to be certified that in the order entered by this Court on the 17th day of September last in regard to the death of Daniel Baugher upgrnee of Nathaniel Delauby who was entitled to Virginia Military land warrant No 6131 for 100 Acres of land and of the proof of the heirs of said Baugher. some of the names of said heirs were according accidentally omitted from said order & that the heirs are Paul Shreckhise & Barbara his wife John Baugher Christian Switzer Garrett Morris Samuel Baugher Daniel Baugher Asa Baugher Amanda Maiden Mary Roridabush Myrinda Moyers Julia A Baugher Barbara Baugher Albert Baugher Jacob Baugher Ann M Baugher Catharine Baugher John Keyant & Elizabeth his wife are the only heirs of said Daniel Baugher dec^d

On the motion of Jacob Barley who made oath thereto according to law and together with B Franklin Lincoln his security (who justified as to his sufficiency) entered into and acknowledged an in the penalty of \$500 conditioned as the law requires. certificate is granted the said Jacob Barley for obtaining letters of administration in due form upon the goods and chattles of the estate of James Barley dec^d

Michael Harris Com^r & Pltff
Joseph Heuffman & Defts } McPhancery

This cause came on to be finally heard this 19 day of November 1855 on the papers heretofore read and the proceedings heretofore read and the proceedings heretofore had & the report of E M D Harris was received and ordered to be recorded which report no exceptions being made thereto. It is further ordered that the estate of Maj. R. Grattan dec^d pay the expenses incurred by said commissioners in the execution of the deed

Ordered that the Commonwealth refund to Jacob Bonapant \$3 41/ the amount of Taxes & costs on a tract of land of 1772 acres sold as delinquent in the name of Benj. Solomon at the Sept^r Ct 1855 and \$6.28 tax for the years 1852 & 1853 the same being defended by the Commonwealth attorney

copy for Mr. P.
 Mary T. Yount orphan of Benjamin Yount dec^d being upwards of 14 years of age by an instrument of writing under her hand and acknowledged before a justice of the peace made choice of Martin Yount as her guardian and the court doth appoint the said Martin Yount as guardian for Catharine Yount ~~also~~ under 14 years of age also an orphan of Benjamin Yount thereupon the said Martin Yount together with John Bowman his security (who justified as to his 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 Last will & Testament of Valentine Bare dec^d was this day again presented in court & having been heretofore recorded and thereupon on the motion of Benjamin Turney the executor therein named who made oath thereto according to law and together with John Harris his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$100 conditioned as the law requires which bond is ordered to be recorded.

John C. Beard & James D. Beard Petff
 vs
 Robert S. R. Beard Deft } Upon a Notice &c

471 This day came the parties by their attorneys and a witness being sworn and examined. It is considered by the court that Petff recover against the Deft the sum of eighty nine dollars 95 1/3 cents with interest thereon from the 20 day of August 1835 till paid and the costs by the Petff about their notice in this behalf expended.

James D. S. McCann who has been duly elected a constable for this County appeared in court and together with George K. Coulter & Minniea S. Baughen his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2000. conditioned as the law requires and thereupon the said James D. S. McCann took the several oaths prescribed by law
 Commeth vs Smiley upon an attachment On Motion Quervin for

Present Mountain M Layton

Gent Justice

James W Sharp late of the County of Rockingham, who stands charged with a felony by him committed in this that he did on the 31 day of October 1855, maliciously & feloniously shoot and wound Henry Saml & Andrew ^{a slave the property of G. H. Harnsberger} with intent to maim, disfigure, disable and kill Robert Morney & said Henry Saml & Andrew a servant slave of George W Harnsberger was led to the bar in custody of the jailer, and sundry witnesses being sworn and examined and not having time to hear the argument of counsel the further examination is continued until tomorrow morning at 9 o'clock & thereupon the prisoner is remanded to jail

Saml W. Beazley upon an attachment. On motion this cause is docketed.

Ordered that the Court be adjourned until tomorrow morning at 9 o'clock

St. Lewis.

Tuesday November 20th 1855

Present

+ Samuel H Lewis of Mountain M Layton } Gent
Benjamin Hoover Saml Melton Saml Ruebush } Justices

Ordered that the Clerk of this Court register Polly Collins wife of Sanay Byrd a light mulatto, aged about 25 years 5 feet 8 inches high, no marks visible

Hamilton Outbaze wife Deft.

Robert Seekfort

Deft.

In Chancery

This cause comes on to be heard this 20 day of November 1855 on the papers formerly read in the cause and the report of the commissioners to which there is no exception on consideration

whereof the Court is of opinion that the said report ought to be received whereupon the Court doth adjudge order and decree that the said Commissioner ZK Harnsberger be appointed a receiver to collect and distribute the proceeds of the sale of the land in the bill and exhibits mentioned and that after all costs about the suit expended shall have been paid by him, that he shall then divide the remainder of the money in his hands into four equal parts and to each of the respective heirs of John Seckfort pay an equal good part except in case of the infant deft Robert Seckfort his proportion to be paid to the receiver of this Court by him to hold on condition that so soon as a Guardian be appointed for Robert Seckfort the same shall be placed in the Guardian's hands subject to the further order of this Court.

Glooke &c

vs

Kemney Trustees

Plff

Deft

In Chancery

Ordered that Littleton W Gamble be appointed Guardian ad litem for the infant deft in this cause

Sellers

vs

Leaven

Plff

Deft

In Chancery

Ordered that Littleton W Gamble be appointed Guardian ad litem for the infant defendants in this cause

Commonwealth

vs

Sandy Bayra

} Upon an Indictment

On Motion and for reasons appearing to the Court, it is ordered that this cause be continued

Richard P Fletcher Jr. John Beery. Christian Skinner & Peter Flecker who have been duly summoned to serve as jurors during the present term. On their motion and for reasons appearing to the Court, it is ordered that they be discharged from further service as jurors during the present term

James W Tharp late of the County of Rockingham who stands charged with a felony by him committed with this that he did on the 30 day of October 1855 Maliciously & feloniously shoot & wound Henry Saml & Andrew a slave the property of G W Carnesberger with intent to maim disfigure, disable & kill Robert Morney & the said Henry Saml and Andrew the servant slave of George W Carnesberger was this day again led to the bar in custody of the jailor and the Court having fully heard the evidence and argument of counsel and upon mature deliberation the Court is of opinion ^{that a felony has been committed} that there is probable cause to ~~suspect~~ charge the prisoner therewith. It is therefore ordered that he be remanded for trial in the Circuit Court for Rockingham County on the first day of the next term thereof. The prisoner upon the trial moved the Court to quash the certificate of commitment for the offence of which he stands charged also the warrant of commitment and to discharge him from custody on the ground that he is not properly charged with any offence. as which motion the Court overruled and to which opinion of the Court the prisoner by his counsel excepted in the words and figures following to wit "Commanwealth" which exception were signed sealed and enrolled by the Court and ordered to be made a part of the record. The said James W Tharp moved the Court to be allowed to enter into a recognizance with security for his appearance before the said Circuit Court which motion the Court also overruled and thereupon the prisoner is remanded to jail.

Be it remembered that on this day personally appeared in court Robert M Morney & Henry Saml and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the just and full sum of one hundred dollars to be levied of their respective goods and chattels, lands & tenements and for the use of the Commonwealth. Yet upon this condition that the said Robert M Morney & Henry Saml shall make their personal appearance before the Circuit Court for Rockingham County on the first day of the next term thereof then and there to testify and the truth to speak on behalf of the Commonwealth against James W Tharp who stands charged with a felony and not depart thence without the leave of said Court.

Samuel R. Sterling who has been heretofore a Notary Public for this County appears in Court and together with A. C. Shunkel his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires which bond is ordered to be certified.

Same Plff }
vs } upon an attachment &
Beazley Deft }

This day came again as well the Plaintiff and the Defendant by their attorney as Henry Beazley by his attorney who filed his Petition claiming the same horse listed on under said attachment and thereupon he is ordered to be made a party thereto and the said Henry Beazley tendered William E. Kite as his security and thereupon the said William E. Kite acknowledged himself bound to satisfy & pay all such costs & damages as may be awarded to any of the parties to the case in case the said Henry Beazley shall be cast in this suit and also that the said Henry Beazley shall satisfy and pay all the fees which shall become due from him to the officers of this Court or that he the said William E. Kite will satisfy and pay those costs damages and fees for him and thereupon the cause is continued until the next term.

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

St. Louis,

Wednesday November 21st 1855

Present

+ Samuel H. Lewis Jf. + Benjamin Hoover }
+ Samuel Mueler, + Monte Learfonter, + Andrew Houch. } Justices

Ordered that John O. Coroner be appointed survey of fire unit No 1 in the place of Benjamin O. Ralston

on the Motion of

J. C. Berme Guardian for Frances F. & Andrew P. Berme. it is ordered that the settlement of the accounts of said Guardian of

record in the Clerk's office of this Court be committed to commissioner Richard O. Fletcher for correction

Calderwell	for	as	March 9	On D Bond notice from & execution in and as a
Baldwin	as	same		Same order
Gray	as	same		Same order
Hedbrook	as	Harrist		Same order
Hjorkleff	as	Hidden		Same order
Lewis	as	Eutslent		Same order
Raines	for	as	Eutslent	Same order
Lewis	as	same		Same order
Lefft	as	same		Same order

Commonwealth
 as No 5
 Merrick Wittich } upon an Indictment for retailing
 ardent spirits without license

This day came as well the attorney preparing for the
 forineth as the Deft by his attorney and thereupon came a jury
 12 wit John Hedrick Mole Eoffinger Daniel P. Stephens Jos. Rhodes
 Wm. Learner Thomas Harrison Benjamin Bervy, Wm. Kite
 Franklin Mitchell Benj. Cluffman John Guile & Rudolph Moyers
 who being elected tried and sworn & struck to speak upon the issue
 joined and having heard the evidence retired from the bar to
 consider of their verdict and not being able to agree Mrs. Rhodes
 one of said jurors is withdrawn and the balance from rendering
 a verdict are discharged & the cause continued

Ordered that the Clerk of this Court register James Arthur Nelson
 a bright mulatto aged 23 years - five feet 9 inches high free born
 has a slight scar over the left eye a slight scar above the second joint
 of the index finger of the left hand, and a scar nearly the whole length
 of the third finger on the right hand

Commonwealth
 as No 2
 Merrick Wittich } upon an Indictment
 On Motion this cause is dismissed

Commonwealth

vs

No 7.

Ulrick Wittick

Upon an Indictment

On Motion & for reasons appearing to the Court this cause is ~~continued~~

Same vs same (N.A) On Motion continued until the next Court

Commonwealth vs Miltzberger. New capias awarded

Same vs Blankenship

New Sum^p. awarded

Same vs Morris (4 Cases)

New Sum^p awarded

Same vs Bloper (2 Cases)

continued

Same vs Blain

do

Same vs Algers

do

Same vs Byrd

do

Same vs Glover (2 Cases)

do

Commonwealth

vs

Ulrick Wittick

Upon an Indictment for retailing
ardent spirits without license

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 Henry Beery Indlgoffinger Bro Williamson B F Thomas Addison
H Kemp. George Kisting. Ephraim Wenger. A Johnson. Philip
Suggs. Madison Moore. Timothy Frank & James Smith who having
heard the evidence retired from the Court to consider of their verdict & after
some time returned into Court and not having time to hear & be able
to agree upon their verdict Indlgoffinger one of said jurors is with an arm
& the balance of the jurors from rendering a verdict are discharged & the cause
continued

Commonwealth

vs

Baldwin & Harvis

Upon an Indictment

This day came the attorney prosecuting

for the Commonwealth and summons awarded against the Def^t being returned executed and the being solemnly called and not appearing thereupon came a jury to wit Franklin Mitchell John Guile. Memla Kite. M^cLe-Effinger. Ridolph Mayers Benj. Beery. Benjamin Huffman. Meml. Carnner. Thomas Harrison Jos. Rhodes. David Robinson & John Dearick who being elected & tried ^{return} to a verdict on the Damages. Having heard the evidence retired from the bar to consider of their verdict retired from the bar and after some time returned into Court upon their oath do say "We the jury find the defendant guilty & assess his amercement at \$100. It is therefore considered by the Court that the Commonwealth recover against the Def^t the said sum of \$100. and the costs expended in prosecuting the said indictment

Commonwealth

vs

No 1

George Steering

} Upon an Indictment

This day came the attorney for the Commonwealth and the Def^t not appearing. It is considered by the Court that the Commonwealth recover against Def^t the sum of \$30 the fine imposed by law and the costs expended in prosecuting the said indictment

Commonwealth

vs

No 2

George Steering

} Upon an Indictment

This day came the attorney for the Commonwealth & the Def^t not appearing. It is considered by the Court that the Commonwealth recover against the Def^t the sum of \$30 the fine imposed by law and the costs expended in prosecuting the said indictment

Commonwealth

vs

Sally Showalter

} Upon an Indictment for retailing ardent spirits without license
The Same Order

Commonwealth
vs No 1 } Upon an Indictment for retailing ardent
Abraham Showalter } spirits without license

This day came the Attorney for the Commonwealth, and
summons awarded in this case being returned executed, and he being
solemnly called and not appearing. It is considered by the Court
that the Commonwealth recover against him the thirty dollars
the fine imposed by law and the costs of endeavoring to prosecute
said indictment

Commonwealth
vs No 2 } Upon an Indictment for retailing ardent
Abraham Showalter } spirits without license
The same order as in 1st Case

Commonwealth
vs No 3 } Upon an Indictment for retailing ardent
Same } spirits without license
The same order as in 1st Case

Commonwealth
vs No 4 } Upon an Indictment for retailing ardent
Same } spirits without license
The same order as in 1st Case

Commonwealth
vs No 5 } Upon an Indictment for retailing ardent
Same } spirits without license
The same order as in 1st Case

Commonwealth vs Frances Nicewander upon an Indictment
Not guilty, plea of general Demurror filed to Indictment
Same vs Same. Same plea & Demurror (in 29 other cases)
Same vs Randal same plea & Demurror (in 29 cases)
Same vs Stonelack same plea & Demurror

Commonwealth vs Mitchell upon an Indictment, Not Guilty plea
& general Demurrer filed to Indictment

Same vs Miller & A	The same order
Same vs Smiley	The same order
Same vs Bengef	The same order
Same vs Sipe &	The same order
Same vs Harrison	The same order
Same vs Gordon	The same order
Same vs B Miller	The same order
Same vs L Miller	The same order
Same vs Roller	The same order
Same vs Hall (Wes)	The same order
Same vs Libat & Bowman	Not guilty plea & demurrer filed in each count of the Indictment

Commonwealth }
vs } upon an Indictment
Last West }

On the Motion of the Attorney prosecuting for the
Commonwealth, and for reasons appearing to the Court as is
ordered that this cause be dismissed

Same vs	} Upon an Indictment
Same	

McGakey	Def	} upon a summons
Demmis' rep	Def	

On Motion this cause is dismissed

Same	Def	} upon a summons
vs Same	Def	

On Motion this cause is dismissed.

McGakey Jr

Deft

Gilmore

Deft

Upon a Motion

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

Bowers ex vs Holler On Motion continued until the next term
at Costs of Deft

May

Deft

Nicholas

Deft

Upon a Notice &c

On Motion & by consent of parties by their attorneys this cause
is Docketed and continued

Lang

Deft

Jenn

Deft

Upon a Notice &c

On Motion & by consent of parties by their attorneys this cause is
Docketed and continued

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

S. B. Lewis

Thursday November 22^d 1855

Present

+ Samuel C. Lewis P. J. Benjamin Hoover } Gent
+ Wendt Carpenter + Aaron Church } Justices

William G. Stevens who was on the 19th day of November 1854 by the
Board of the School commissioners for this County appointed superintendent
of schools for said County appeared in Court and together with Thomas
Harrison his security entered into & acknowledged a bond in the penalty of \$500
which was received, admitted to record and filed according to law

Commonwealth

vs

Peter Neff

} upon an Indictment

On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed

Same

vs

John P Brock

} upon an Indictment

The same order

Daniel Miller & others Plff

vs

David Fridley

Deft

} In Chancery

This cause came on to be finally heard this 22^d day of November 1855 upon the bill exhibit and the Defendant having failed to answer the bill although more than one month has elapsed since the filing of the same, and the return of the subpoena executed the bill is therefore taken for confessed. But inasmuch as the Court is informed that since the pendency of this suit, the defendant & wife have duly executed the deed which they were required by the Plff and there appearing no further reason for retaining this cause in Court the Court do therefore adjudge order and decree that the plff recover of the Defendant their costs expensed in the prosecution of their suit & have leave to sue out execution for the same and it is further ordered that this cause be dismissed.

Reuben Sellers Grandchild Plff

against

Sarah Cowen & others

Deft

} In Chancery

This cause came on to be heard by consent this 22^d day of November 1853 upon the bill exhibits answers of the infant defendants by their guardian ad litem, where upon the argument of counsel being heard and heard, and it appearing to the Court that the lot or parcel of acres of land which was allotted to the defendants is not susceptible of division without injury to the value of the shares and the interest of

the defendants will be promoted by a sale instead of partition, and more than a month having elapsed since the order of publication was issued and the adult defendants having failed to appear and file their answers the bill is therefore taken for confessed as to them. The Court doth thereupon a judge order and decree that Jacob M Cowen who is appointed a commissioner for that purpose having first given four weeks notice of the time and place of sale by advertisements put up at three of the most public places in the neighborhood, do proceed to sell at auction on the premises or near thereto the lot or parcel of land in the bill mentioned, on the following terms viz one third on the day of sale or within sixty days thereafter with interest from the day of sale at the option of the purchaser and the remainder in two equal yearly payments from the day of sale taking bonds with good security from the purchaser and the title to be retained, until the whole of the purchase money is paid and said commissioner is required to make a report to this Court at the next term after the sale. But before said commissioner receives any money under this decree he is required to execute in the Clerk's office of this Court a bond with good security on the penalty of \$500 with condition agreeably to the act of assembly.

James Long

vs

Miles Jones &c

Plff

Defts

} Upon a Notice &c

This day came again the parties by their and by consent of parties. The judgment obtained at the August term last in the name of Miles Jones who sues for the use of Horram Coffin an or James Long be set aside and the cause reinstated upon the same docket & by like consent the Sheriff has leave to amend his return upon the summons in this cause and thereupon the Defendant pleaded payment & filed a list of offsets which he desires to prove upon the trial of this cause and the issue continued until the next term.

John W Bayton who has been duly summoned to appear here as a witness on behalf of the Commonwealth against John A Murray being solemnly called and not appearing it is ordered that he be summoned to appear there on the next day of the next term to the cause if any he can why he should not be fined for his contempt.

✓ Martha Peters a black girl 18 years old 5 feet 1 inch high a scar on the right cheek a small scar below the right eye brow also a scar under the right eye and a scar in palm of the left hand free Borne

John Strayer

Pliff

vs

Isaac Reed

Deft

In Ejecution

This day same parties by their attorneys and it appearing that the order of survey made in this cause has not been executed it is ordered that a new order of survey be awarded according to law and made returnable to the February Term next of this Court & the cause is continued

Commonwealth vs John Sumner On Motion continued

Same vs Gelmer &

The same order

Same vs Hoas &

The same order

Same vs B. Sumner

The same order

Same vs Rader

The same order

Same vs Frank

The same order

Same vs Gracie

The same order

Same vs Hifer

The same order

Same vs Frank

The same order

Same vs Owens

The same order

Same vs McDorman &

The same order

Same vs McDorman &

The same order

Same vs Long

The same order

Same vs Freed

The same order

Same vs Hall (8 cases)

The same order

Same vs Murray (7 cases)

The same order

Same vs Randall

The same order

Harpers heirs vs Grinn &

The same order

Reff vs Andes

The same order

Reubens vs Beard

The same order

Ryle vs Dusk

The same order

Reed vs Smith

The same order

White for vs Grove

The same order

Heeney Suters & sons
vs

Black & Sons Spike Company

Plff

Def

} is from a report &

This day came the parties by their attorneys and by consent it is ordered that the order heretofore made appointing commissioners in this cause be set aside and it is ordered that A. H. Eckman, Henry B. Hamberger, Andrew B. Brick, Benj. H. Martz & George W. Eoffinger be and they are hereby appointed commissioners for the purpose with the same powers as given the former commissioners.

Powell's heirs	vs	Powell & ex	On Motion continued
Coanady	vs	Thompson	The same order
Gailey	vs	Beaver & ex	The same order
Shull	vs	Anderson &	The same order
VanPelt	vs	Swallowwood	The same order
Mooney	vs	Barth	The same order
Williams	vs	Haughton	The same order
Harris	vs	Wendel	The same order
Gorman &	vs	Agansey	The same order
Hanston	vs	Flenton & son	The same order
Shank	vs	Longler	The same order
Marypaa	vs	Rader	The same order
Eoffman & son	vs	Hewley	The same order
Shaver	vs	Spears	The same order
Melzer's	vs	Miller	The same order
Mafer	vs	Hodgeson	The same order
Clarke	vs	Blackaby	The same order
Spunkel	vs	Perrow	The same order
Gorman &	vs	Perforoad	The same order
Dean	vs	'do	The same order
Boyers	vs	Boyers	The same order
Song	vs	Miller	The same order
Hurley	vs	Samuel (Eases)	The same order
Liskey	vs	Stinespring	The same order
Base	vs	Tifer	The same order
Orvicens of Port	vs	Althight	The same order

Miller vs Diggs, Meppick vs Forwood, McGahey vs Gilmer, Rhodes vs Perkins
 Mo. A. Dice, vs Forwood, & C. L. Weaver vs Forwood. On motion severally contin-
 ued until the next term.

Joannah Estinger Leetes vs Arhart, Hockaday vs Diggs &
 Bowman vs Arhart. On motion the aforesaid causes are dismissed.

C. C. Buckner vs
 C. C. Sterling vs } In Case
 Plaintiff }
 Defendants }

This day came the parties by their attorneys and
 the debts confessed judgment for \$32.29 damages with interest &
 costs. It is therefore considered by the Court that the Plaintiff recover
 against the Defendants the said sum of \$32.29 with interest thereon
 from the 22^d day of October 1852, till paid, and the costs by the
 the Plaintiff in this behalf expended.

James H. Lowman vs }
 Plaintiff }
 R. Thurmond vs } Defendant }
 Defendant }

This day came as well the Plaintiff by his attorney as Wm
 Dunlap by his attorney who claims the amount of money due by Thurmond
 the said Thurmond is indebted to John W. Dunlap in an amount
 more than sufficient to pay the Plaintiff demand. It is therefore
 considered that the Plaintiff recover a defendant pay to the said
 Lowman the sum of \$39.65 the amount this day due the said
 Lowman with legal interest thereon from this day till paid
 & the costs by the Plaintiff in this behalf expended.

McKewell vs Gayley, Switzer vs Leutels admts, Miller vs Gayley, Blair vs
 Bleigh, same vs McLeod, DeCoursey vs Thompson, Phillips vs Dever
 Seigler vs Selley, Miller vs Emile, Brook vs Bryerly & Hinton, Van Fleet
 vs Miller, Brackwaite vs Kelly, Haynes vs Haynes, Bausins vs Marling
 Stonespring vs Brackwaite, Alexander vs O'Rorick.

On motion and for reasons appearing to the Court it is ordered
 the aforesaid several causes be continued.

Lindamood vs Howdyshell. On motion this cause is dismissed

Samuel Bowman ex Plff } In Case
vs Isaac Moffett Def

This day came the parties by their attorneys and Samuel & Lewis to whom this cause was referred. ~~the~~ made his award in the words & figures as follows to wit: 'I Samuel & Lewis appointed an arbitrator to decide a matter of controversy existing in the County Court of Rockingham County in which the Exr of Saml Bowman is Plff and Isaac Moffett defendant, having had the same under consideration am of the opinion and do award that said Moffett shall pay to Bowman ex the sum of \$27.16 & the interest thereon from the 30th December 1841 and that the costs of the suit shall be paid by the said Bowman ex his Attorneys whereof I have herunto set my hand this 18 day of Octo. 1855 S & Lewis. It is therefore considered, that the said Bowman ex recover against the said Moffett the sum of \$27.16 with legal interest thereon from the 30th day of December 1841. till paid. and it is further considered that the said Moffett Deft recover against said Bowman ex Plff his costs about his suit ~~in this~~ defence in this behalf expended

Smith Darnall vs A Miller &c. On motion & for reasons appearing to the Court & this the 18th day of Octo. 1855 it is ordered that leave be given to the Defts or either of them leave leave to file additional interrogatories to the Plff and the cause is continued until the next term

Derick Pennybaker Plff } In Case
vs George Rader Def

On motion and by consent of Parties this cause is removed to the Circuit Court of this County for trial

Brathwaite vs Leedy & Campbell vs Roadcooper On motion these cause are continued until the next term

Rockingham Turnpike Co vs Bryan
The same order

Thomas vs Raines On Motion continued at the loss of Deft
 Gleason Nicholas vs March continued

Dallen & Miller Plffs
 vs
 Wm D Bowman Deft } In Case

This day came the plff by his attorney and the Deft
 being solemnly called and not appearing. and on the party requiring
 a jury. the court proceeded to execute the writ of enquiry & after the
 damages to which the Plffs are entitled at \$294.53 It is therefore
 considered by the Court that the Plffs recover against the Deft the
 sum of \$294.53 the damages aforesaid with interest thereon from
 the 13th June 1855 till paid and the costs by the Plff about his suit
 in this behalf expended.

Cole, Shirk & Co Plffs
 vs
 J H P Effinger Deft } In Debt

This day came the parties by their attorneys and the
 Deft confessed judgment (saying equity) for \$222.08 with legal
 interest thereon from the 14th day of April 1855 till paid & costs
 It is therefore considered that the Plffs recover against the Deft
 the said sum of \$222.08 with legal interest thereon from the 14th
 day of April 1855 till paid & the costs by the Plff in this
 behalf expended said judgment is subject to a writ of \$162.08
 of date 14th April 1855.

Thomas vs Raines & On Motion continued for Deft

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

J. H. Lewis.

Friday
Wednesday November 23^d 1855

Present

+ Samuel H. Lewis Pf. Andrew Leach
Wm. W. Carpenter Peter Paul

} Gent
Justices

Horn & Devier

Plff

vs

Jacob Ettinger

Def

} upon the report of a commissioner
for failing to attend before Court

On motion of the Plff it is ordered that a rule be awarded
against the Def according to law

Brown & Manzy

Plff

vs

Same

Def

} upon the report of a commissioner
for failing to attend before Court
The same order

Wm. H. Barley Wm

Plff

vs

Same

Def

} upon the report of a commissioner
for failing to attend before Court
The same order

Lode. Shirk vs

Plffs

vs

J. P. Efferinger

Def

In Debt

This day came the parties by their attorneys and on
motion & by consent of parties the judgment rendered on yesterday
be set aside and the cause reinstated upon the docket & cont of
Defts

Hamilton & Lobbager vs

Plffs

vs

Robert Seckfort &

Defts

} In Chancery

This cause came on to be heard on the 23^d day of Nov. 1855
on the papers formerly read in the cause and it appearing to the Court
that the Commissioner has no power given him to make a deed of
conveyance of the land in the Bill & that it is hereby
adjudged ordered and decreed that John R. Hannsinger the

Commissioner in this cause be empowered to convey to Catharine & Elizabeth Seckfort the land in the list & exhibits mentioned by deed of bargain and sale with special warranty

Albert G. Seigler

Plff

vs

George Selley, admr. Deft

In Debt

It being suggested that the Plff 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 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 unless the Plff can show that he is a resident of this State

Rephart & Darby

Plff

vs

Wm D Bowman Deft

In Case

This day came the Plff by their attorney and neither party requiring a jury the Court proceeded to examine the writ of enquiry & after the damages which the Plff are entitled thereupon the Court ordered said damages at \$60.25 with int from 5 July 1853 till paid. It is therefore considered that the Plff recover against the Deft the sum of \$60.25 the damages aforesaid with interest thereon from the 5 day of February 1853 till paid and the costs by the Plff about their suit in this behalf expended

W. H. Gray

Plff

vs

Same

Deft

In Case

This day came the Plff by their attorney and neither party requiring a jury the Court proceeded to examine the writ of enquiry & after the damages which the Plff are entitled thereupon the Court ordered said damages at \$35.65 with int from 12 day of June 1855 till paid. It is therefore considered by the Court that the Plff recover against the Deft the sum of \$35.65 the damages aforesaid with int thereon from the 12 day of June 1855 till paid and the costs by the Plff about their suit in this behalf expended

T. J. May }
 vs }
 Charles Nicholas }
 Deft }

Upon a Notice in

This day came the parties by their attorneys and Court
 having maturely considered the error assigned as well as the return of the
 sheriff, is of opinion that the said return is defective & insufficient
 and that no proper execution of the process in the original suit against
 the said T. J. May appearing the judgment heretofore rendered based
 upon such execution of process was erroneous. Whereupon it is considered
 by the Court that said judgment be set aside and annulled and
 that Original suit of Charles Nicholas vs T. J. May Deft
 be ~~set~~ reinstated upon the docket the said Nicholas having liberty
 to sue out any proper process against said May

Samuel Switzer }
 vs }
 David & Jones }
 Deft }

In Deft

This day came the parties by their attorneys and Court
 of the Deft this cause is continued at his costs

Bear vs Jones Not guilty please and issue continued

Hooker vs Beery Not guilty please and general demurrer to Deft
 declaration & issue continued

Ordered that it be certified that the following named persons
 are entitled to the sum affixed to their respective names to be paid
 by the Commonwealth vs.

Memble Kite	\$1 00	Rudolph Meyer	\$1 00	Wm. Kearns	\$1 00
Henry Beery	50	Geo J. Kisting	50	Franklin Mitchell	1 00
Timothy Funk	50	Wm. Kern	50	Ephraim Danger	50
Mo Guile	1 00	Wm. Kearick	1 00	Moses Cannon	50
Benj. Huffman	1 00	Wm. Rhodes (A)	1 00	Benj. Beery	1 00
Thos Harrison	1 00	Philip Liggert	50	DR. Hopkins	1 00
Moly. Effinger	50	Mason Moore	50	Wm. Harvey Effinger	1 00
B. A. Thomas	50	A. J. Johnson	50	Wm. Smith	50

Shff pay the same on demand

And ordered that the following named persons be allowed the sum affixed to their respective names which sums are to be paid by the County of Rockingham viz

Wm Learner	\$2.25	Asa Kempf	\$1.75	Thos Harrison	\$2.25
Wm LeKite	2.55	John Beery	75	Philip Liggitt	2.50
Rudolph Mayers	2.25	Wm Williamson	2.50	Wm Leffinger	2.50
Just Lownan	1.50	Wm Guile	2.25	Wm Leffinger	1.75
Frank Mitchell	2.25	Wm Hosarick	2.25	Madison Moore	1.00
Henry Beery	2.50	Benj. Berry	2.25	Wm LeSmith	1.00
Geo Wisting	2.50	Benj. Huffman	2.25	B. P. Thomas	1.00
R. P. Fletcher Jr	75	For Rhodes (A)	2.25	W. Johnson	1.75
Ephraim Meenger	2.50	John Simmons	75	Augustus Stoller	1.50
Timothy Frank	2.50	D. R. Hopkins	2.25		

and it is ordered that the Sheriff of this County do pay the same on demand

M J Pence for

Plff

In Delt

Nachariah Taylor

Def

This day came the parties by their attorneys and thereupon came a jury to wit William LeKite Joseph Rhodes John Guile Timothy Frank Henry Beery Philip Liggitt D R Hopkins Benjamin Berry John Hosarick Ephraim Meenger Franklin Mitchell Wm Learner 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 a verdict for the Defendant Thereupon the Plff by atty moved the court to set aside the verdict rendered with no cause on the ground that it is contrary to the evidence which motion was overruled It is therefore considered by the court that the Def recover against the Plff ^{his cost} about his ~~suit~~ defence in this behalf expended

George Prices atty

Plff

In Delt

Nachariah Taylor

Def

This day came the parties by their attorneys and the Def by

his attorney moved the Court to dismiss this suit on the ground that it was improperly instituted, which motion being argued by counsel and upon mature deliberation do sustain said motion. It is therefore considered by the Court that this cause be dismissed and that the defendant recover against the Pltff. his costs about his defence in this behalf expended and on the motion of the Pltff. ~~has~~ leave to withdraw the original notes in this cause.

Ordered that Thomas Harrison be committed to the jail of this County until the rising of the Court this evening for a contempt by him offered in presence of the Court and it is further ordered that said Harrison pay the officers fees in carrying out this order.

M J Pence for Pltff

vs

Yashanah Taylor Def

} In Debt

Mem^o upon the trial of this Cause this day ^{the Pltff} excepted to an opinion of the Court delivered in this Cause which exceptions are in the words following to wit. M J Pence vs Taylor v. who it were signed sealed and enrolled by the Court and ordered to be made a part of the record.

Miller Perry vs Miller on motion continued until the next term
Hoock vs Smith The same order

Present O C Sterling Genl Justice

The Manassas Gap Rail Road Company Pltff

vs

Leffe Ralston

Def

} upon a report of
writ

This day came the Parties by their attorneys and sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation ~~the Court~~ doth confirm the report made by commissioners heretofore appointed and filed in this cause and that said Company be seized in fee of the land condemned by said report, & that the Pltff recover ^{against the Def} the costs expended in this behalf from and after the filing of said report.

Shawalter vs Mahon. Officeday set aside, payment plead
set-off filed & issue continued until the next term

Reuben McLeavison Plff }
vs } Upon a Report
John Slackley Def

This day came the Plff by his attorney and the Def having summoned before a commissioner a claim for the sum of \$50. against Gabriel & Jacob Slackley. It therefore ordered that the said Gabriel & Jacob Slackley be summoned to appear here on the 1st day of the next term to show cause if any they can why a judgment shall not be entered up against them for the amount aforesaid

Elizabeth McGahey & Plffs }
vs } Upon a Notice
Gibson Gilmore Def

This day came the parties by their attorneys and the Def by Attorney, moved to quash the notice in this cause on the ground that it is insufficient to sustain the action which motion the Court overruled and to which opinion the Def excepted in the word & figures following to wit "McGahey & vs Gilmore &" which exceptions were signed and sealed and enrolled by the Court and ordered to be made a part of the record

William Siskey Plff }
vs } Upon a report of Court
William Shinespring Def

The rule awarded last against the def being returned excused the failing to appear and answer it is ordered that an attachment be awarded against him according to law

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

W. Lewis

Virginia

At a Court held for Rockingham County
at the Court House there on Monday
the 17 day of December 1855

Present

Samuel H. Lewis D^r. O. Sterling } Gent
+ Mo. N. Hervey & John Burkholder } Justices

The clerk of this Court presented in Court a list of
Deeds and other writings admitted to record in his office since
the last term of this Court which being perused and inspected by
the Court is ordered to be entered on the minutes as follows to wit

- ✓ 1 \ A Deed of Bargain & Sale from Collin Catterton wife to Mem Medearick
- 2 \ Same from Michael May wife to Charles Steever
- ✓ 3 \ Same from Daniel Corrier to James Black
- ✓ 4 \ A Deed of Trust from Benson Breton to Ellyancey Brier for James M. Camp
- ✓ 5 of A Deed of Bargain & Sale from Henry Perkey to John Perkey
- ✓ 6 of Same from Elvira Free to William A. Free
- ✓ 7 \ Same from John B. Korman wife to John Zigler
- ✓ 8 \ Same from Silas Skelton wife to Wm. Showalter
- ✓ 9 \ Same from Andrew Orelough to Samuel Orelough
- ✓ 10 \ Same from Joseph Barier wife to George Brainer
- ✓ 11 \ Same from Benjamin P. Byerly wife to Robt. L. & J. Pence
- ✓ 12 of Same from A. S. Byrd & R. L. to Wm. Steever
- ✓ 13 \ A Deed of Trust from John Spitzer to John C. Brown Trust for C. S. Spitzer
- ✓ 14 of A Deed of B. S. from P. S. Rollet wife to Trustees of German R. Church
- ✓ 15 \ Same from Solomon Garber wife to John Garber
- ✓ 16 \ Same from John K. Maury wife to Cyrus Spitzer
- ✓ 17 of Same from Jacob Rogers wife to Frederick Speck
- ✓ 18 of Same from Wm. L. Tate to Simon Hensley
- ✓ 19 of Same from Same to John Hensley
- ✓ 20 \ Same from Andrew Orelough to Noah Orelough
- ✓ 21 \ A Deed of Release from G. T. Hooping to Lewis Bush
- ✓ 22 \ A Deed of B. S. from Lewis Bush wife to H. T. Taliaferro
- ✓ 23 of Same from Martin Road Cap. wife to Jacob Brucher
- ✓ 24 \ Same from Nicholas Vandewerf to Trustees of Woodmenburg Church

- ✓ 25 \ A Deed of Bargain & Sale from Abraham Smithknife To E A Shands
- ✓ 26 of \ Same from Elizabeth Hoover To Isaac Hoover
- ✓ 27 \ A Deed of Trust from Wm Woolfry To W A Harris In Trust for M Mayerhaeff
- ✓ 28 of \ Same from John Lee To M Gamble In Trust for Ann Lee
- ✓ 29 \ Same from George Yancey To Charles Gratton In Trust for M D Gratton
- ✓ 30 of \ Same from Wm C Perry To Jas W Fletcher In Trust for P A Minney
- ✓ 31 of \ A Deed of Bargain & Sale from Sarah Manning To Elizabeth Oakley
- ✓ 32 \ Same from James Blackknife To Daniel Horner
- ✓ 33 \ Same from Thomas A Yancey To Theodore Sellers
- ✓ 34 \ A Deed of Trust from Joseph C Brathwaite To L G Hoffman In Trust for A O Smith
- ✓ 35 of \ A Deed of Bargain & Sale from John Harris agent To John Manning
- ✓ 36 \ Same from Paul Bramonknife To Samuel C Harlow
- ✓ 37 \ A Deed of Trust from John S Shoveller To E H Warren In Trust for W B Gougeon

Settlements of the estates of Christian Coffman dec^d, Jacob Rhodes dec^d, Martin Cronen dec^d, Jacob Runkel dec^d & J N Jordan dec^d were presented in Court and having been filed in the Clerk's office of this Court for the time prescribed by law were examined and ordered to be recorded

Settlements of the guardian accounts of George Rhodes Guard for Charles Brock, Isaac Hardesty Guard for Virginia Conrad, Abraham Andes Guard for George Andes, were presented in Court and having been filed in the Clerk's office of this Court for the time prescribed by law, were examined and ordered to be recorded

Settlement of the accounts of Wm R McLean Trustee for Margaret Moyers, was presented in Court and having been filed in the Clerk's office of this Court was examined by the Court and ordered to be recorded

Manapa Gap Rail Road Company vs O Deery & heirs. the report of the Court in this cause was presented in Court and ordered to be recorded

Peter Hoile Appellant
 vs
 Wm Galey Appellee } Upon an appeal from the
 Judgment of a Justice of the Peace
 On Motion it is ordered that this cause be docketed

Jacob Miller produced in Court ^{his own attestation and a copy of his} Credentials of his ^{being a regular} member in communion with the the (Dunk and Church in the State of Virginia and thereupon the said Jacob Miller together with John M. Kline his security entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law requires. ^{Testimony is granted} certificate is granted the said Jacob Miller for the purpose of celebrating the rites of marriage and thereupon he took the several oaths required by law

On the Motion of John Smith, who made oath there to according to law and together with Jacob McLeann his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000⁰⁰ conditioned as the law requires. certificate is granted him for obtaining letters of administration in due form upon the goods and chattels of William Pickering dec^d and it is ordered that Levi Heiggs Jackson Martz Saml Bowman and Morgan Layton or any three of them do appraise the estate of William Pickering dec^d

On the Motion of Michael J Gjerle who made oath there to according to law and together with Giles Devord John Bowman his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of \$2000⁰⁰ conditioned as the law requires. certificate is granted the said Michael J Gjerle for obtaining letters of administration in due form upon the goods and chattels of Michael Miller dec^d and it is ordered that Henry Ruff Lewis Will Abraham Frank & David Reedy or any three of them being first sworn for that purpose do appraise the estate of the said Michael Miller dec^d

Joseph Lowry & Mary Magdalene Lowry orphans of Daniel Lowry dec^d. by an instrument of writing made choice of George Lohr Jun^r as their guardian and the Court doth appoint George Lohr Jun^r Guardian for Catharine Lowry also an orphan of Daniel Lowry who is under 14 years of age and thereupon the said George Lohr Jun^r together with Benjamin Hoover (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of Six thousand dollars conditioned as the law requires which bond is ordered to be recorded.

Isaac Lowry orphan of Daniel Lowry dec^d who is upwards of 14 years of age by an instrument of writing under his hand made choice of John Lowry as his guardian and thereupon the said John Lowry together with Benjamin Hoover as his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000⁰⁰ conditioned as the law requires which bond is ordered to be recorded.

The Court doth appoint Benjamin Lowry Guardian for Daniel Lowry orphan of Daniel Lowry dec^d who is under the age of 14 years of age and thereupon the said Benjamin Lowry together with George Lohr Jun^r his security entered into and acknowledged a bond in the penalty of \$2000⁰⁰ conditioned as the law requires which bond is ordered to be recorded.

Ordered that Peter Long be appointed Captain Christley Grandall Nathaniel Summers Jacob Summers Abram Rosenberger and Franklin Armentrout be appointed to patrol in the Spartanburg Magisterial district in the Harrisonburg Magisterial District for the space of three months from this day.

The last will and testament of Richard S. Mann Jun^r dec^d was presented in Court and proved by the oaths of Allen Bryan and John Pittman two of the subscribing witnesses thereto and ordered to be recorded. And on the Motion of J. B. Burkholder

one of the executors therein named who made oath thereto according to law and together with Erasmus Coffman Michael Bowman and Anthony Burkholder his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned as the law requires. certificate is granted the said Jesse Burkholder for obtaining a prod of said writ in due form. Erasmus Coffman and Deliv Coffman the other executors therein named refused to take upon themselves the burden of the execution thereof. and it is ordered that Deliv Coffman v Peter Aucker John D Mullen Jacob Moyers or any three of them do appraise the estate of said Richard M Manfin dec'd

Forced Blakemore

Plffs

vs
Thomas Young

Deft

upon an attachment

This day came the parties by their attorneys and a witness being sworn and examined it is considered by the Court that the Plff recover against the deft the sum of \$24.12 with legal interest thereon from the 15th day of June 1854 till paid and the costs by them in this behalf expended

The Last will and testament of Charles C Spears dec'd was presented in Court and affirmed by the oath of Jesse Burkholder and George H. Chrisman two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of William Glasgow & William Weaver the executors therein named who made oath thereto according to law and together with Allen C Bryan Augustus Rice Effin H. Weaver John Spears Lehen B. Bear George H. Chrisman John D. Herring & Henry B. Harnsberger their securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of One hundred thousand dollars conditioned as the law requires which bond is ordered to be recorded. certificate is granted the said William Glasgow & William Weaver for obtaining a prod of said writ in due form and it is ordered that George H. Chrisman & Effin H. Weaver

George Branner & John Lincoln as appraisers the estate of the
said Charles C. Spears dec'd

vs
John Bear

Plff } On the report of a Com'r
Def } for failing to appear

On Motion of the Plff. it is ordered that there be
awarded against the Def't according to law.

vs
Abraham Wiswender

Plff } On the report of a Com'r for
Def } failing to appear
The same order.

Ordered that George H. Chrisman, Samuel C. Lewis &
Nason Bear be allowed 15 dollars each for acting as Brokers in
the Manassas Gap Rail Road, and also George H. Chrisman
15 dollars for services to Alexandria on a former trip.

~~The Court doth appoint Lewis C. Whitescarver Guardian of
Sarah C. Wise orphan of Adam Wise dec'd - and thereupon
the said Lewis C. Whitescarver together with
his accounty (who justified as to sufficiency)
entered into and acknowledge a bond in the penalty of \$
conditioned as the law requires, which bond is ordered to be
recorded.~~

vs
George R. Duty

Plff } On a Motion
Def }

Ordered that the said George R. Duty be summoned
to appear here at the next term to shew cause if any he can
why his powers as administrator of Jacob Dyer dec'd shall not
be revoked and annulled.

Josiah S. Roller

Plff

vs

Lewis C. Whitescanner

Deft

Upon a Motion &

This day came the parties by their attorneys and thereupon the Deft is required to execute a new bond with security as guaranties for Sarah Ellice or for of Adam Wise Jr. dec'd and thereupon the said Lewis C. Whitescanner appeared in court and entered into and acknowledged a new bond in the penalty of \$5000 with Elfred & Samuel Chauden as his security who justified as to his sufficiency which bond is ordered to be recorded

Daniel Thomas this day produced credentials of his ordination and also of his being in regular communion with the German Baptist Church took the oath of allegiance to this Commonwealth and with Daniel Miller 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

Horn & Dever

Plffs

vs

Jacob Ettinger

Deft

On a Motion &

The rule returned awarded at the last term of this Court being returned executed and the Deft appearing it is ordered that an attachment be awarded against him according to law

Brown & Maury

Plffs

vs

Same

Deft

On a Motion

The Same order

Wm. C. Barclay & Co

Plffs

vs

Same

Deft

On a Motion

The Same order

Peter Harrison a free Negro surrendered in Court his register of freedom and on his motion the Clerk is ordered to renew his register

Jackson Rhodes Plff }
 v.
 Abner Perkins Deft } On Motion &c.

The rule last awarded against the Deft being returned executed and he failing to appear it is ordered that an attachment be awarded against him according to law returnable to the next Court

St Burkholder assignee of
 Anderson Newman assignee of J M Newman } Plff }
 v.
 Harvey Swank Deft } On a suggestion that the Deft
 is indebted to Westley Landorman
 a judgment creditor of Plff

This day came as well the Plff. by as Westley Landorman by their attorneys and the Deft also appeared and was examined on oath in open Court and it appearing that there is no liability on the Deft. it is therefore ordered that this cause be dismissed

# Colo. Shirk vs Effinger	On D Bond	Notice proved & execution awarded
# Richard vs Hunter &c	On D Bond	The same order
# Crawford vs Manchester	On D Bond	The same order
Wardson com vs McFicken	On D Bond	The same order
Edwards vs Effinger	On D Bond	The same order

~~Fuller~~ ~~high~~

On the Motion of John Weaver guardian of David Homans an idiot it is ordered that Michael Homans Committee of said David Homans is hereby authorized and empowered to pay over to said John Weaver who was qualified as guardian of said David Homans in the probate Court of Highland County Ohio, any money or moneys

in the hands of said Mahan, Homan as committee of said David Homan
 it appearing that four weeks notice of this motion in the Valley
 Democrat a newspaper published in Haverhill

Henry Lamm

Plff

} upon an Attachment

Andersen Beazley James to Tharp Defts

This day came the as well the Plff by his attorney the Defts
 by their attorney as Henry Beazley by his attorney and sundry witnesses
 being sworn and examined and upon mature deliberation the
 Court is of opinion that the horse seized upon is not the property
 of the Defts. but is the property of Henry Beazley. it is therefore ordered
 that the officer who seized said attachment restore the possession of
 said horse to Henry Beazley. and it is further ordered that the Henry
 Beazley recover of the Plff his costs in this behalf expended and the
 cause as to the other property is continued until next term

On the motion of Levi Corvorn who made oath thereto according
 to law and together with James Steele 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
 to be recorded. certificate is granted the said Levi Corvorn for
 obtaining a probate of letters of administration in due form on
 the good and chattels of Henrietta Rolston decd. and it is
 ordered that James Steele, John Corvorn, Jesse Rolston, William H.
 Rutherford do appraise the estate of said Henrietta Rolston decd.

Sarah Ann Dunning child of John Dunning being upwards of fourteen
 years of age appeared in Court and with the approbation of the Court
 made choice of James McDorman as her guardian. and thereupon
 the said James McDorman together with Joseph H. Minnick his
 security, (who justified as to his sufficiency) entered into and
 acknowledged a bond in the penalty of one hundred dollars conditioned
 as the law requires which bond is ordered to be recorded.

Ordered that the Clerk of this Court register Doc Epherson a freed negro of Black color
 5 feet 10 inches high a large scar on the left hand & one on the right hand about 3 inches long

Upon the petition of John A. Rice and others and the summons awarded against the petitioners and the land holders. being returned executed and thereupon came ^{as well} the Petitioners as P. M. Ervine by his attorney and on motion the cause is continued until the next term

M. M. Silbert

Deft

vs

Peter Harrison

Deft

} upon an attachment

On Motion, this cause is Docketed and continued until next term

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

W. Lewis

Tuesday December 18th 1855

Present

+ Samuel H. Lewis Jr. + O. C. Sterling

John Burkholder & M. M. Carpenter

} Genl
Justices

Upon the Petition of George H. Chrisman & others. This day came as well the petitioners by their attorneys as George Shaffer by his attorney and thereupon said road is established agreeably to the report of the commissioners returned in this cause upon the petitioners paying to the said George Shaffer the sum of \$85.00 the amount found by the jury and the costs by the said Shaffer & about his defence in this behalf expended

Tutwiler vs Valley Turnpike Co. Harpster heirs vs Grimm. Rockingham Turnpike Co. vs Bryan. Vuffas Anders. Coetzler & Beard. Kyle & Mark Keester vs Fultz. Whiters vs Grove. Powell's heirs vs Powell's ex. Canady & Thompson. Gailey vs Bear's ex. Shull vs Anderson. Vanpelt vs Smallwood. Mooney vs Baethis. Williams vs Slaghter. Clinton & Clinton's ex. Miller vs Sterling. Manzygn vs Rader. Houch vs Smith. Sager vs Sam. Hoffman & Co. vs Huber & Co. Ordered that the aforesaid causes be continued until the next term

Bowman vs Miller. Shafer vs Hedinger. Sprinkel vs Dorrow. Foster
 Richan vs H. Pet for road. James Dean. Pet for road. Long vs Miller. Hodge
 vs Miller. same vs same. Liskey vs Stonespring. Bear vs Shafer. Overcorse
 the Poor vs Althight. Miller vs Biggs. Mepick Pet for road. LeMucaver Pet for
 road. Sellen vs Houghs. Andrus vs ~~Shattuck~~ Beard & Lewis vs Thurmond
 Ordered that the aforementioned causes be continued until the
 next term.

Shank vs Crigler. McGray vs Gilmore & Harrison vs Lenebaugh
 Ordered that the aforesaid several causes be dismissed.

Harrison vs Hockley. On a motion v.

Ordered that a new summons be awarded be against
 the Defts according to law.

George W. Entzler. Plff

vs

Robert S. A. Beard &

Defts

} by Issue

On Motion of John C. Beard this cause both Chancery and at
 Common Law be removed to the Circuit Court it appearing that the
 cause has been pending in this Court more than twelve months
 without being decided.

M. G. R. Company. Plff

vs

M. Horman

Def

} upon a motion v.

On Motion continued until the next term at the law
 of the Plff

R. C. Thompson & Co.

vs

Jacob Baker admr of P. Baker

Plff

Def

} 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 aforesaid. It is therefore considered that
 the said Baker, admr, recover against the said Thompson & Co. the
 County his costs in this behalf expended & also the costs expended before the
 Justice of the peace.

James Steele appellant

vs

Adam & Brewer 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 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 ^{as to appellee} John McBell his security recover his costs as well here in this behalf as before the justice aforesaid expended.

Robert SR Beard appellant

vs

Beard Lewis & Beard appellee

} upon an appeal from the
judgment of a justice

On Motion and for reasons appearing to the Court it is ordered that this cause be dismissed and leave is reserved to the appellees to withdraw the original note filed in this cause upon leaving an attested copy thereof.

Thomas Hearniman appellant

vs

George Horgan 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 the Court upon mature deliberation are of opinion that there is error in the judgment of the justice and therefore this Court proceeded to give judgment such as the justice ought to have given. It is therefore considered that the said Thomas Hearniman recover against the said George Horgan the sum of six dollars and eighteen cents with legal interest thereon from this day and the costs by the appellant in this behalf expended.

Wm Boyers vs Boyers. Rutherford vs Rader (three cases) Smith vs Armentrout
Vanhook vs Bear. Maiden vs Law. Dowell vs Holler. Keran vs Harrisberger & Co.
Lidd vs Henselberger. Smallwood vs Sparshel. Heston vs Joseph. Joseph vs Liles
Armentrout vs Heston. Baker vs Lewis & Smith & vs Byrd on Motion the
aforesaid several causes are confirmed until the next term.

Rogers vs Beezle & Lofland vs Hurley &c. on motion & for reasons appearing to the Court the said two causes are dismissed

Heall vs Bryerly. McGehee vs Rumsey. Heall vs W. G. Bailey. Gibson vs Henger. Smith vs Clough. Farmers same. Shipman vs Deeny & Butler vs Brock. ordered that the aforesaid several causes be continued until the next term

Hiram Golday & appellants

vs
Jacob Martz

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 the Court upon mature deliberation are of opinion that there is error in the judgment of the justice it is therefore considered that the judgment of the justice aforesaid be reversed and annulled and that the appellants recover against the @ of the costs ~~and~~ by them in this behalf expended

Abraham Seedy appellant

vs
Abraham 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 it is therefore considered that the judgment aforesaid be ~~reversed and annulled~~ ^{affirmed} and that the appellant recover against the appellee this costs in this behalf expended

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

St. Louis

Wednesday December 19th 1853

Present

+ Samuel H. Lewis CJ. + Andrew Clough } Just
+ William H. Carpenter & O. C. Storck }

Bathwaite vs Nicholas On motion continued until the next term at the cost of the appellant

Sh. Dold

Appellant

۵۲

Perry Dougherty

Aprille

Stm Dold *Appellant*

Perry Daughter *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 the Court upon mature deliberation ~~of~~ ^{are} of opinion that there is error in the judgment aforesaid and the Court doth reverse and annul the said judgment and it is considered by the Court that the appellant recover against the appellee the sum of seven dollars with legal interest thereon from this day and the costs by the appellant in this behalf expended.

Ordered that Larkin Pumphrey be committed to the
jail of this Court for a contempt of officer in the presence of
the Court and said Larkin Pumphrey remain in prison until
the adjournment of the Court this evening and that he pay the
fees of the officers incurred in carrying out this order

Ordered that George Whizge be committed to the jail of this Court and to remain there until the adjournment of this Court today - for contempt offered in the presence of the Court and that he pay the officers fees incurred in carrying out this order.

Abel Gibbons

appellant

25

Samuel Wenger

appelles

Abel Gibbons
vs
Samuel Wenger

appellant,
appellee.

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

This day came the parties by their attorneys and sundry witnesses being sworn and examined touching the premises the Court was of opinion that there is error in the judgment of the justice aforesaid. It is therefore considered that the said judgment be reversed and annulled and that the appellant recover against the appellee the sum of \$31.50 with legal

interest thereon from the 1st day of September 1854 till paid
and the costs by the appellant in this behalf expended but
said judgment is subject to a credit of \$14.74 of date the 20th
September 1854

Ordered that the Court be adjourned until the Thursday
in January next

St. Lewis.

Aug 1st Sat
 Lites and Joseph D 1 She
 Holiday in Johnson 27
 Life is Roller D 1

Dec 1
 Empsuller
 and J B Mupel 1-2
 overer poor

Nov -
 Radin and Cromer - D 1 She 21
 Pouty and Conist D 1
 Connard and Baker D 1 - 3
 Connard and Genney D 1
 Bpenny vs Connard D 1 - 10
 Steer vs Smith & Marshall D 2
 Holler vs Bowers 4 D 1
 Butler and Powell - D 1 11
 Holler - and Bowers 1, 4 D 1 -
 Steer vs Marshall D 1
 Brecon vs Roger D 1 12

Dec 1st 1833 -
 Gesner Mepick - 1-
 R. G. R. Co

August 6 1833 -
 Wm Gaily vs Beatrich D 1 She
 J. H. More and Fine D 1
 J. H. Beatrich and Gales D 1
 Loran vs Rutherford D 1
 Baker vs Pifer D 1

Nov. 1833 -
 Holler and Bowers 4 D 1 She
 Butler vs Brock D 1 4 20

Dec
 Saml Leedy and Leedy - D 1 She
 Solid vs Bangher - D 1
 Gayle Brindy and Thompson D 1 11

Arch 3 Bara
203 1/55

Quob...
15 1/55

Ala...
203 1/54

Ad...
20 1/55

Re...
20 1/55

25 1/55

Ar...
20 1/55

20 1/55

Blank
15 1/55

Harmon's will
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James Big...

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