ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

# MINUTE BOOK 7 1810-1814

List of Ordinary Keepers on the 1st day of January 1810 in the County of Rockingham

| When Granted | To whom Granted | When expired |
|---|---|---|
| 1809. April Court | ~~William McMahon~~ | ~~at May Court 1810~~ |
| ~~May Court~~ | ~~Joseph Graham~~ | ~~at June Court 1810~~ |
| ~~May Court~~ | ~~Tobias McGahey~~ | ~~at June Court 1810~~ |
| ~~June Court~~ | ~~Joseph Graham~~ | ~~at July Court 1810~~ |
| Ditto | ~~Henry Overly~~ | ~~at May Court 1810~~ |
| ~~July Court~~ | ~~John Ryan~~ | ~~at August Court 1810~~ |
| ~~August Court~~ | ~~John Ryan~~ | ~~at July Court 1810~~ |
| 1809. December Court | Peter Nicholas | at January Court 1810. vide 1st May 11. |
| October Court | James Duff | at November Court 1810. ditto |
| November Court | Dennis Lanahan | at December Court 1810. ditto |

List of Ordinary Licenses taken out Since the first day of May 1810.

| When Granted | To whom Granted | Date of the Bond | When expired | $ Ct. |
|---|---|---|---|---|
| May Court 1810 | Jacob Kyser esqr. | 17th May 1810 | 1st May 1811. | 12.50 |
| Ditto | Robert Higgans | 21 Ditto " | 1st May 1811 | 12.02 |
| Ditto | William McMahan | 19 Ditto " | " Ditto | 12.02 |
| Ditto | Jane Ireland | 1st June " | " Ditto | 12.02 |
| Ditto | Henry Overly | 13 Ditto " | " Ditto | 12.02 |
| June Court 1810 | Tobias McGahey | 23 Ditto " | " Ditto | 10.92 |
| " | Joseph Graham | 8 August " | " Ditto | 10.92 |
| August Court 1810 | John Ryan | 22 ditto " | " Ditto " | 8.87 |
| October Court " | John Smith | 17 ditto " | " Ditto | 6.79 |

Certified to 1st November 1810

Tuesday to wit

At a court held for the County of Rockingham the 17th day of April 1810.

Present

Joseph Bantz, Charles Lewis, Archd Rutherford and Jonathan Sherman & G Gentry

Ord from Earhart &c to Earhart acknowledgt
Co wch acknowledgt taken &c

Ord from same to P. Earhart same

Ord from same to Stoutemire same

Ord from same to J. Earhart same

Clerk of Delt ciu the estate of Peter Heggans dec
returned by the execution &c

Ord from Heggans exor to claim proved by
the oaths of James Morrison & Jacob Williamson
& &c record

Ord from Strickler Exr to Brannaman
acknowledgt wch acknowledgt &c

Ord from Last Will Robertson to Coffman proved by the
oaths of John Koerner, & Sarah Coffman. & &c

Ord from Moyers Exr to Moyers &c acknowledgt
wch acknowledgt taken &c

Ord from Stoutemyer Exr to Shaver ..... same 144 18 9 2 3 3

Ord from same ..... to Coffman .. same

Ordered that Christian Kyger be appointed overseer of the road in the room of Henry Price, and that the Tithables heretofore appointed to work on the said road be appointed for his gang to work on

Ordered that the Court be adjourned until to Morrow morning 11 o'clock

Joseph Baxter

Wednesday to wit

At a court continued and held for the County of Rockingham the 18th day of April 1810

Present

Ezekiel Harrison, John Erwin, Archibald Rutherford and Peachy Harrison . . . & G. Justices

Robert Erwin, Henry Pirkey, James Davis & Peter Bolinger, each produced commissions wherein they are appointed Officers in the Militia in the 116th Regiment, and they having taken the oaths before George Hunter esqr. they are ordered to be certified

A Deed from Eagle Lee to Shadrach Shanks, acknowledged in the County Court of Augusta and certified according to Law & Ord

A Deed from Bellinger Lee to Price acknowledged in the County Court of Rockingham, and certified according to Law & Ord

A Deed from T. Johnson Lee to Grahams, acknowledged in the County Court of Monroe, and certified according to Law and ordered to be Recorded

A Deed from Mills Exr to Nave acknowledged wife's acknowledgment taken & Ord

A Deed of Trust from Robertson to Harrison in trust for Coffman fully proved as to Robertson by John Taylor and acknowledged by Harrison & Ord

An appraisement bill of the estate of Philip Cook dec'd returned & Ord

An appraisement bill of the estate of Samuel Short dec'd returned & Ord

A Sale bill of the estate of Samuel Short dec'd returned & Ord

On the Motion of Thomas Bryan administration of the estate of Susanna Bryan dec'd is Granted him he having with Security entered into bond, and took the oaths prescribed by Law, and It is ordered that William Bryan Sen, Jacob Custer, David Brumfield and Thomas Brumfield, or any three of them being first sworn do appraise the said estate and make report to the Court

A Sale bill of the estate of Simon Krotzer dec'd returned & Ord

A Deed & Release from Smith to Meyers & acknowledged & Ord

A Deed from Smily to Lander proved by the oaths of Edmd Wallace, Basil Ragen, and George W Harrison, and order to be certified to North Carolina

Thos Bryan orphan of Thomas Bryan dec'd came into Court and made choice of David Smith as her Guardian who entered into bond with Security &c.

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On the Motion of Jacob Brunk, administration of the estate of Ann Brunk dec'd is Granted him. he having entered into Bond with Surety and took the oaths prescribed by Law and It is ordered that Gabe Furby, Henry Hoover Philip Sherman, and Christy Coffman or any three of them being first Sworn be appointed to appraise the said estate & Make report to the Court

Elizabeth Sweeny orphan of Daniel Sweeny # did came into Court and made choice of Joel Taylor as her Guardian who entered into Bond with Security as the Law directs.

Ordered that Richard Curtis be appointed, Overseer of the Poor in the room of John # Baker resigned. and that he qualify as the Law directs

Ordered that the overseers of the poor bind Samuel Bambridge (aged about 16 years) to # John Jenkins to learn the trade of a black Smith according to Law.

Ordered that the overseer of the Poor, take into their possession the Plantation lately purchased by the County Court of Rockingham, from Jacob Sheetz to be by them, held and their Successors held, and appropriated to the Reception and Maintainance # of the Poor of the said County —

Ordered that Philip Koontz be appointed Constable # in the Room of Robert Harrison, resigned

Ordered that Martin Strickler be appointed Guardian for Martin Profit orphan of Elizabeth Profit, who entered into bond with security, as the Law directs.

Ordered that Peachy Harrison, Joseph Fawcett, and Friedrich Spangler, or any two of them do examine state and settle the estate accounts of Philip Good dec with executors & Make report to the Court

Deed from Boler &c to Butts acknowledged by Peter Boler Sen, J. Blakes dec'd ~~was~~ were acknowledged before & Recorded

Commonwealth vs Williams B Mason.
The Defendant was brought into Court in custody of the Jailor,

Commonwealth
vs
Mason & for a breach of the peace on the Complainant of Elizabeth Fry.
The Defendant was brought into Court in custody of the Jailor, whereupon the witness being sworn & examined, and the Defendant heard by his Counsel The Court upon Consideration, do order, that he give security for his

Deed from Harshbarger Sen to Stouttemyer acknowledged & recorded acknowledgment before & Recorded

Commonwealth
vs
Mason & for a breach of the peace on the Complainant of Elizabeth Fry. The Defendant was brought in Court in Custody of the Jailor, whereupon the witness were sworn and examined, and the Defendant being heard in his Defence by his attorney. & the Court upon Consideration, do order, that the Defendant be

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to keep the peace, and be of Good behavior for one year and one day. in the sum of Two Hundred dollars, that is to say the said Defendant in the sum of One Hundred dollars and one good security in one Hundred Dollars or two Securitys in 50 Dollars each, and that he be committed to the Jail of this County untill he give such Security.

Ordered that Peachy Harrison, Archd Rutherford and Joseph Cravens or any two of them be and are to examine state and settle the estate accounts of Philip Croft dec'd with the admr and make report to the court

Ordered that the Court be adjourned untill Court in Course

Ezk'l Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 15th day of May 1810

Present

Ezekiel Harrison, John Ewen, Jacob Kyzor and Thomas Moore Jonathan Shipman & Gideon Gentry

Ordered that the Clerk be held in the Clerk Office on Thursday the 17th day of this Instant and on the days after the 3rd Tuesday in June and July Next as the Law directs

Ordered from Isaiah Shipman to Jonathan Shipman fully proved by the oath of Jesse Bear Ordered to be Certified

Ordered that Peter Roler be appointed Guardian for Peter Margaret and John Roler Children and heirs of John Roler dec'd who entered into bond with Security, as the

Law suits.

Ordered that Martin Baker be appointed Guardian for Caty, Ann and Jacob Boler Children and heirs of John Boler decd. who entered into bond with Security as the Law directs

Ordered that a License be Granted Jacob Kyser to Keep a tavern at his house in this County for one year he having paid to the Clerk $12.50 cents for the same, on his entering into bond with Daniel Rogers his Security in the Clerks office

Ordered that Henry Neely ~~to have~~ a License to Keep a tavern at his house in this County untill the first day of May next 1811 he having paid to the Clerk $12.00 cents for the same on his entering into bond with Henry J Gambill his Security as the Law directs

Grand Jury Sworn to wit
David Woolston Foreman, William Beard, Georg Snodder, Jonathan Taylor, Peter Sprinkle, Jacob Woods, Peter Brown, Joseph Aldridge, John Baker, James Beard, Adam Wise, Henry Pence, Peter Koontz, Benjamin Harrison, William Sprinkle and Wheelmon Woods, who heard their charge and retired from the Bar to consult of their Presentments, and after some time returning into Court, and ~~further~~ ~~this following~~ and having nothing to Present Ordered that the Grand Jury be discharged

Ordered that Jacob Snyder a License be Granted Jane Nelson to Keep a tavern ~~in her~~ at her House in this County untill the first day of May Next (1811) she having paid to the Clerk $12.02 Cents, on her giving bond with security in the Clerks office

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+ B A Deed from Martin Lee to Shands acknowledged with acknowledgemt. taken &c.

C A Deed from Perley Lee to Penn same

+ C A Deed from Nicholas Lee to Whitmore . . . same

+ C A Deed from Marshburger Lee to Fancher . . . same

+ C A Deed from Harrison &c to Miller acknowledged & recorded

+ C A Deed Trust from Woolf to Smith for Watson acknowledged &c

C A Deed Trust from Walton to Lewis for Harvey & Jackson acknowledged by Walton & Wife to be certified to Amherst.

+ C A Deed from Mossock Lee to Gamble in Trust for Goods proved by Saml Dale and Thomas Porter, Saml Gay which with Commission and Privy examination returned &c

+ C A Deed from Fulweiler &c to John Fulweiler further acknowledged by Catharine Fulweiler &c certified

C Rice v Portis &c Sarah Shipman Sheriff's office Inquest set aside Jury fined

+ C A Deed from Harrison to Carpenter fully proved by the oath of Archd Rutherford &c certified

C Evans v Cutler Archd Rutherford Sheriff's office Inquest set aside Jury fined

C Fulweiler v Schrengost &c. John Snapp Sheriff

C Adams that Robert Grattan, Jacob Kepler, Martin Whitmore and Adam Weir or any three of them do lay off and assign to Susanna Roler wife of John Roler dec'd her right of Dower in his said Lands.

The Last will and Testament of Peter Good dec'd was presented in Court and was proved by the oaths of Jacob Good & Henry Good two Witnesses thereto & Recorded and on the Motion of Philip Knepp, executor named in the said will, who entered into bond with security, and took the oath prescribed by Law, a certificate is Granted him for obtaining a probate in due form and it is ordered that David Brookhart, Lewis Driver, Peter Krimm and John Hoover or any three of them do appraise the estate of the said Deceadent and make report to the Court

Ordered that a License be Granted Robert Heggans to keep a tavern at his house in this County until the first day of May Next (1811) he having paid to the Clerk $12.02 Cents. on his his entering into bond with John Heggans his Security in the clerks office

City gave (appraised).

C. G. Dever vs Lock &c on Duly bond Note proved & Suggs

D. S. Nagas exrs vs Harrison &c same

C. S. Overton Poor vs Philips &c Note proved & Judgment as per Note with Interest & Costs

Ordered that Abraham Strickler be appointed Constable in the room of Jacob Burkle resigned who appeared in Court and entered into bond with Security and took the oaths prescribed by Law.

Philip Koontz who was appointed a constable in the room of Robert Harrison resigned, appeared in Court and entered into bond with Security and took the oaths prescribed by Law

Ordered that Michael March be appointed a Constable in the room of Henry March, resigned, who entered into bond with Security and took the oaths prescribed by Law

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Lincoln v Read &c John Krein Sp Bail Offer Judgt set aside Supt & Sfee

Craig exr v Carthrae &c Volentine Miller Sp Bail Offer Judgt set aside Supt & Sfee

Parrott v Merrick, Philip Krupp Sp Bail in two suits Offer Judgt set aside Supt & Sfee

Morris v Smily John Smith Sp Bail ~~Offer Judgt set aside Supt & Sfee~~

Comth v Maffords for a Breach of the Peace on the Complaint of Caty Lock. the said Defendant appeared in Court in discharge of his Recogz, whereupon due Inquiry being sworn, the Court are of the Opinion that he be bound ~~in the sum of~~ this good behavior for one year and one day, that is to say the said Abraham in the sum of $50 and two Good Securty in the sum of $50 or two Securities in the sum of $25 each, or three Securities in the sum of $12.50 cents each, Whereupon the said, Abraham Maffords, with Dorrow. Lofland, Zepheniah Wade and John Leymon, his Securities appeared in Court and Acknowledged themselves to owe and be indebted unto his excellency John Tyler Governor of Virginia, in the sum of One Hundred Dollars, that is to say the said Maffords in the sum of $50 and each of the said Securities in the sum of $12.50, to be levied of their respective goods and Chattles &c Upon Condition that he the said Abram Maffords shall be of good behavior, ~~to~~ towards all the good Citizens of this Comth. and more particularly towards the said Caty Lock for 1 year and one day then this Recogz to be Void &c

Rice v Smith Jacob Liggett Sp Bail in two ~~Cases~~ Suits. Offer Judgt set aside Supt & Sfee

Bagen v Davis Harrison Offic Judgm set aside and dismd agrd

Davis v Powell ..... dismd agrd

Bennett Davis v same ..... same

Rice v Woolf John Carthew. Sfbail Offic Judgm set aside prayed and agreed

Smith v Marshall Daniel Bagen Sfbail Offic Judgm set aside payt stayed

Present.

Moses Shanklen, George Dove. George Newton, Joseph Banks, Peachy Harrison, & Giles Tully. and Richd Witherford

Ordered that the Sheriff Summons all the acting Magistrates in this County to appear here, at June Court Next, for the purpose of Recommending Meetet Offecers, and for the Purpose of laying the County Levey, for the year 1810.

Ordered that John Bagen be ~~appointed~~ Summoned to appear here at the Next Court to shew Cause why his Children should not be taken away from him and be bound out by the overseers of the Poor it being suggested to the Court that he is not in Circumstances to Raise and Educate them in decent Manner.

~~The Court doth fix the Rates of~~
Ordered that the Rates for Tavern established by the Court in June 1807. be Continued ~~as the same Rates of this~~

Richard Coates appointed an Overseer of the Poor in the room of John Baker resigned appeared in Court, and took the oaths prescribed by Law

Ordered that George Newton and Peachy Harrison be appointed to examine the Clerks Office, and make report to the Next Court

Ordered that Joseph Baxter, Joseph Fawcett and Joseph Travers be appointed to examine the Surveyors Office of this County, and make report thereof to the Next Court.

Evans v Krim, on the Motion of the Defendant by his Atty an Injunction is awarded him to stay all further proceedings on a Judgt. recovered by the Pltff agst said Deft. on his entering into bond with security and filing a release of errors &c

Krieg v Krim . . . . . the same

Paul v Hamilton . . . . . on the Motion of the Defendant by his atty an Injunction is awarded him for £2 11 12½ part of a Judgt recovered by the Pltff agst the said Defendant. on his giving bond with Security and filing a release of errors.

Baker v Stultz &c Conditional Decree set aside as to Stultz. answer filed, Cause Replication & Order Commission

Ordered that the Court be adjourned until to Morrow Morning 9 O'Clock

And Franklin

# Wednesday the 16th day of May 1810

Present

Ezekiel Harrison, Joseph Baxter
Archd Betheford and Jonathan Shipman Esqrs Justices

Wed Thomas Coleman &c to Asher Waterman, Acknowledgd, before the Judge of the District Court of New York District and by him Certified and ordered to be Recorded

Bear & Smith discharged agreed at Defendants Costs

Ordered that a Licence be Granted William M Mahan to Keep a tavern at his house in this County until the first day of May next (1811) he having paid to the Clerk $10.67 cents on his entering into Bond with Asher Waterman his Security in the Clerks office

Zerbe & Perce discharged agreed at Defendants Costs

Commonwealth vs Robertson Jury Sworn to try the Issue to wit John Crouse, John Ludwick, George Argabright, George Neffsman, William Jenkins, John Effinger, Henry Oliver, David Wallace, John Dalton, Benjamin Nagle, Philip Forebaugh and Richard Nagle — Verdict Defendant Guilty and amercement $20 Damages

Commonwealth vs Martin &c Continued

Same vs Thornhill Continued

Bagen vs Nicholas Thomas Clark Esqr Bail (two Suits) Offered Judgments set aside as to

Price vs Commonwealth vs Rice N. G. & Ryan & Continued

Same vs Wallace N. G. & Ryan & Co

Same vs Mowry N. G. & Ryan &

Comth v Pence A G & Ghue & Continued

Comth v Rogers Continues

Comth v Moore on a Presentment Defendant Call? Not appearing. It is Considered that he be fined $2 50 cents and Costs

Comth v Cline Continued

Comth v Harris on a Presentment Defendant Call? and Not appearing, fined $2 50 for not keeping the road in repair, ~~and Bench~~ ~~warrant~~ as and Costs. and Def? as to ~~the Bond~~ ~~of the~~ ~~Bond~~ ~~ordered~~ Not Keeping up an Fence &c

Comth v Newton Continues

Comth v Crowes Continues

Comth v Evans &c Order Information be filed

Comth v Kepell &c order Information be filed

~~Comth v Harrison &c State Warrant &c~~

Comth v Harrison &c On the Motion of the attorney ~~for~~ for the Comwth. It is ordered that the said Defendant be Summoned to appear here at the Next Term to shew Cause why an Information should not be filed against them for permitting a Negro man named Welby whom they claim as their slave to go at large and hire himself out Contrary to the act of Assembly.

Comth v abates by return

Campbell &c v Campbell &c Continued

Overseers Poor v Monroe.

Same v Bruster
Same v Groves
Same v White
Same v Brown

On Summons Continued until Next Court

Boards ads Dr Boards on a Summons Continued

Strayer Adm ads Moore Continued for the Plaintiff

Strayer ads Same . . . . . Same

Same ads Yount & Continued

Murphey ads Lawrence . . . Continued

Reese ads Sherridan Continued

Gault ads Carthrea Continued

Vernon ads Hamilton adm't It appearing to the Court that the Plff is dead by Consent of the Parties by their attorneys It is ordered that this suit stand revived in the name of Aaron Vernon adm'r of the said Vernon, WE set aside Sta. and Issue and Continued

Koontz ads Weiss adm'r WE set aside, Covenants not broken & Conditions performed, and Issue, Jury Sworn to try the Issue to wit John Smith William M Mahan, Frederick Boads, Jesse Boling, John Jenkins, Thomas Cummins, Daniel Protzman, John Beal, Martin Cromer Anthony Yount, Phelps Fitzbaughs and George Keever, Verdict for the Plaintiff for $100 Damages and Judgment, and on the Motion of the Plff by his attorney a New Trial is awarded to be had at the next Term on his paying the Costs of this Term.

Boswell ads Pence Continued

Miller Exr ads Packer Continued

Huffty ads Dove Continued

Bear ads Williams Continued

Holmes ads Harrison for Henry J Gambrill Spl Bail offer Judgt set aside Stays of Issue

Guerin ads Herring Daniel Smith Spl Bail . . . Same

Mayr &c ads Myers &c Offer Judgt set aside Stays for the Trial of Issue

Mosly vs Cathrea Dawl Bagew Sflbail offin Judgt set aside as to the Appearanu bail

Comitt vs Donanu offin Judgt set aside N.G for Issue

Peck vs Arrow Dawl Bagew Sflbail offin Judgt set aside as to the appearanu bail

Weis aarts vs Fawcett &c offin Judgt set aside payt for the Security & Issue

Grove vs Woods Dawl Bagew Sflbail WC set aside Covenants not broken & Issue

Sheetz vs Messick &c offin Judgt set aside payt for the Security and Issue

Perree vs Bowman & Sarun M Vay Sflbail for said Bowman by Recogz taken before Arch'd Rutherford, offin Judgt set aside to him

Geuris exrs vs Herring & Perry J Gambill Sflbail offin Judgt set aside payt & Issue

Rice vs Messick &c Offin Judgt set aside ~~&~~ payt for the Security and Issue

Bagew vs M Williams, Saml M Williams Sflbail offin Judgt set aside as to the appearanu bail

Bagew vs Bessp Alexander Herring Sflbail offin Judgt set aside payt & Issue

Bagew vs Sussexes (two Suits) Offin Judgments set aside payt for the Securities & Issue

Bagew vs Dever Offin Judgt set aside payt & Issue

Bagew vs Wm Peachy Harrison Sflbail offin Judgt set aside as to the appearanu bail

Wm from Wooty Exr to M Williams ~~to~~ in Trust for Joseph Harrison acknowledgd by the Partis and the Commissn & they examination said Wooty wife relinq Dr

Mesfor ar exrs v Carthrea &c on a Delay bond Notice proved & Rejd

The same v same &c . . . . same.

Myers v Woolf &c . . . . same

~~Hoover v Bash &c . . . . same~~

Nicholas v Arrow &c . . . . same

Cooke exrs v Arrow &c . . . . same

Adm from Harrison Esq to Moody acknowledged, which with the Commission & Oath examination of his Mess returns certified are order to be Recorded

Adm from Moody Esq to Sufferens acknowledged & R

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

J. Harrison

Thursday 10 o'clock

At a Court held for the county of Rockingham the 17th day of May 1810

Present

Andrew Shanklin, John Ewen, Archibald Rutherford and Jacob Kyle . . . . Gent. Justices

Adm from Gay Esq to Mc Afee proved by the oaths of Arch'd Rutherford, John Furnes, and Rich'd Harris, which with the Commission & Oath examination R

Rice v Carthrea, Jury Sworn to enquire of the Damages to wit John Effinger, David Wallace, Gordon Rogers, John Sufferens, Timothy Donavan, William Jenkens, James Phillips, Henry Mc Afee, Daniel Progman, John Kyle James Gelmore and John Ludwick, Verdict for $120 with Interest from 10 March 1808 till paid and Costs.

Perkey &c v Peter exor &c Jury sworn to try the Issue to wit the same Jury as in Price v Carthrea Verdict. for Plff for the Debt in the Declaration Mentioned and One Cent Damages & Judgmt.

Morgan v Newton Jury sworn to try the Issue to wit the same Jury as in Price v Carthrea Verdict for $30 with Interest from 28 September 1805. till said Judgment

Perry v Messick &c dismissed agreed.

Craig exor v Mackall Jury sworn to try the Issue the same Jury as in Price v Carthrea. whereupon by Consent David Wallace one of the Jurors is withdrawn, and the Cause is Continued untill the Next terme.

Smith v Brodwell an Attachment. dismissed by order of the ~~Plff~~ attorney for the Smith

Askew v Fawley dismissed ~~agreed~~ by order of the Plaintiffs attorney

Holmes v Neale &c plea mon: & Judgmt. Confessed as per Specialty with Interest and Cost (saving equity)

Holmes v Carthrea &c . . . . . same

Holmes v Crowe . . . . . same

Peter exors v Keesling &c . . . . . same

Smith v Matheny . . . . . same

Lewis v Arrow . . . . . same

Price v Mackall . . . . . same

Peters admrs v Crowe &c . . . . . same

Moore v Dillon Order of Publication, as the Law directs, Returnable to the third Tuesday in October Next to be Published in the Staunton Eagle

Lincoln v Lincoln & contd

Hamilton v Dever plea warr & Judgt per Curiam as confessed with Interest & Costs (saving Equity) Certificate &c

Bartes v Smith Continued

Pepes adms v Herring Jury Sworn to try the Issue to wit The same Jury as in Rice v Carthrea Verdict for Plff for $62,41 cents with Interest from 1st February 1811 tele paid & Judgment Mem? on the trial of this Cause Bills of exceptions was tendered to the opinion of the Court which was signed and Sealed as the Law dirts and orders to be made a part of the Record

Pepes v Pickering Continued

Jones estrix v Pepes exors Jury Sworn to enquire of the Damages. The same Jury as in Rice v Carthrea Verdict for the Plff. for $911 6/8 Damages with Interest from 20th June 1814 tele paid Judgt.

Herring v Taylor Exr Bates for Gilbait 0.7.6 Ct and Covenant person Served and Continued

Beal v Griggory Jury Sworn to try the Issue to wit The same Jury as in Rice v Carthrea, Verdict for Defendant and Judgment ~~against the Plff by Law~~

Wilson Donavan to Kyle proved by the oaths of Jeremiah Kyle, James Duff and David Smith 0.0.12

Evans v M Mahan Continued

Shelby v Falls Continued

Otteson v Carthrea Continued

Lincoln v Chandler & plea warr & Judgt. confessed as per Specially with Interest and Costs (saving Equity)

Ca Penn v Harry continued

B Taylor &c v Newton continued

Harrison v Evans &c On the Motion of the ~~Complainant~~ Defendant by their attorney. It is ordered that the Injunction awarded the Complainant to stay all further proceedings on a Judgment Recovered by the Defendant Evans against the Complainant be dissolved. and the same is hereby accordingly dissolved

Daniel Smith attorney for the Commonwealth in this County appeared in Court and took the oath prescribed by the act of assembly to suppress ~~the~~ duelling which is ordered to be certified

Harrison v Lotspeich adms and Lotspeich ~~heirs~~ Children &c On the Motion of the Defendant. It is ordered that Daniel Ragen be appointed Guardian for the Children of the said Lotspeich who are under age, to defend this Suit.

Mace v Sharp &c on Delivery bond Notice proved and Judgment

Ordered that the Court be adjourned until the 3rd Tuesday in June Next

Jno Hankins

Tuesday to wit

At a court held for the County of Rockingham the 19th day of June 1810.

Present.

Ezekiel Harrison, John Ewen, George Newton Archibald Rutherford, Walter Davis, and Giles Terrill & G. Sutton

Deed from Joseph Selfers exor to Byrom, acknowlegd

Deed from the same to Neale . . . . same

Deed from Balcare from Erwin to Ashes acknowlegd

Deed from Black to Segars . . . . same

Deed from Earhart Exr to Stoutamire. acknowlegd

Deed from Earhart Exr to Stoutamire. acknowlegd with a memorandum taken

An appraisement bill of the estate of Jacob Perley dec Returned

An appraisement bill of the estate of Abm Brunk dec

An appraisement bill of the estate of John Davis Returned

An appraisement bill of the estate of Joseph Selfers Returned

A Sale bill of the estate of Christian Wenger dec Returned

A Settlem of the estate of Christian Wenger dec Returned

Deed from Welsh Exr to Penn with memorandum taken

On the Motion of Tobias B. M. Gahey, It is ordered that a License be Granted him to Keep a tavern at his house in this County until the 1st day of May next he having paid to the Clerk $10.97 cents on his entering into bond with D. Garrett his security

Deed from Beaman &c to Bear acknowledged &c

Deed from Morris &c to Dearborn acknowledged &c

Christian Hayns Widow of Leonard Hayns came into Court and relinquished her right of administration Whereupon on the Motion of John Rush, & Jacob Rush administration of the said estate is Granted them they having Given bond with Security, and made thereto as the Law directs. and It is ordered that Jacob Nicholas, Peter Nicholas, Joseph Mauzy and Christian Kyger or any three of them do appraise the said estate & Make report to the Court

Deed from Mathews &c to Chrisman proved by the Witness thereto, & acknowledged &c

Deed from Boards &c to Leonard acknowledged & &c

Deed from Coffman to Chrisman proved by the Witness thereto &c

Deed from Leonard to Strayer acknowledged and Ordered to be Recorded

Deed from Leonard to Boards . . . same

An appraisement bill of the estate of Christian Layton &c

Ord
A Plat and Report of the Dower laid off to Susanna Boler Widow of John Boler dec'd Returned & thereupon it is ordered that the said Report be rejected unless the said Commissioners do make a further Report

A Deed from Maggot Ux to Michael Reilly proved by Joseph Mauzy & ack

A Deed from John Dunnare &c to Henry Early acknowledged by the parties thereto & ack

A Deed from Effert Ux to Deale, acknowledged & acknowledgment taken & ack

Nancy Phelps orphan of Evan dec'd came into Court and made choice of Henry Phelps as her Guardian who entered into bond with Security as the Law directs

Nancy Lewis Orphan of William Lewis dec'd came into Court and made choice of Edward Day as her Guardian who entered into bond with Security as the Law direct

The Last will and Testament of Sarah Shepherd dec'd was presented in Court and proved by the oaths of Isaac Lewis and Jemimah Oliver & ack

A Deed from Keetly to Powell acknowledged and ack

Ordered that Samuel Brackey orphan of Brackey be bound by the Overseers of the Poor to Jacob Bengle to learn the trade of a Carpenter as the Law directs who is to have £15

Ordered that the Overseers Poor bind Elizabeth Brackey to Augustine Armstrong, as the Law directs. who is to have £15.

25,

On the Motion of Eve Reeves, administration of the estate of William Reeves dec'd is Granted her she having entered into Bond with Security, and made oath thereto as the Law directs, and It is Ordered that Micajah Summers, Thomas Dennison, Aaron Bowen and John Harrison or any three of them being first Sworn do appraise the said estate and make report to the Court

Ordered that the Overseers of the Poor bind Sarah Eaton Poor child of William Eaton, to John Eaton to learn the trade of a House Joiner, as the Law directs, who is to have £15

A Deed from Boles & to Butts further acknowledged by Wheelbarger Sen'r wife acknowledged before Court

A Deed of trust from Watson to Lewis in Trust for Darby fully acknowledged by Lewis Court

Present

Benjamin Harrison, Joseph Baxter, Senr. Ian Kerby, Jacob Kyser, Charles Lewis, Thomas Moore, Andrew Shanklin, Peachy Harrison, and Jonathan Shepherd.

A Deed from Wiseman Wiseman to Brannan acknowledged wife acknowledged before Court

Ordered that Daniel Ragan be recommended to his Excellency the Governor, as a proper and fit person, to be Commissioned as Colonel of the 116th Regiment of the Militia of this County in the room of Josiah Harrison Removed to the State of Kentucky.

A Deed from Joseph Wenger Exr to B. Wenger acknow
ledged in Court & acknowledgt testm OK

On the Motion of Joseph Graham It is ordered that
a License be Granted him to Keep a Ferry at his House
in this County until the first day of May Next he
having paid to the Clerk $10.92 cents. on his entering
into Bond with John Graham his Security

A Deed from Harrison &c to Harshbarger acknowledged
& OK

A Deed from Harrison Exr to Yardley acknowledged &
OK

Ordered that Henry Driver be appointed Overseer of the
Road in the room of John Moore, and that he with the
hands heretofore allotted to work on the said Road, open
and work thereon and Keep the same in Good repair

The Court doth Recommend unto his Excellency the Governor
the following Gentlemen as proper and fit persons to be
Commissioned as officers in the 2d Battalion and
116th Regiment of the Militia to wit
William Bryan Major in the room of Daniel
Rogers promoted.
David Denton Captain in room of said Bryan
Thomas Hopkins Lieutenant in room of said Denton
William Sitis Ensign in the room of said Hopkins

Abraham Bowers an Ensign in the room of
Nicholas Shaver removed

John Rogers Ensign in Capt Hamilton's Infantry Company
in the room of John Dundore deceased.

The Court doth Recommend the following persons as Officers in the second Battalion and 58th Regiment of the Militia to wit

Sett. 9th

George Graves Captain in the room of Reuben Kete Removed

Reuben Feilty Lieutenant in the room of said Graves

Jacob Strole Ensign in the Room of said Feilty.

Jacob Comer Lieutenant in the room of Jacob Runkle refused to serve

John Bougher Ensign in the room of Jacob Comer who refused to serve.

Ordered that the Court will allow for Old wolf Scalps $10 and for all Young wolf Scalps $5 which is ordered to be certified

Sellers

Ordered that the Estate of Christopher Howard dec'd return Bill

Ordered that Andrew Shankles, Wallis Davis and Jonathan Shipman be appointed to examine into the state of two orphan children of James Eaton and Infant child of William Eaton and make Report thereof to the Court.

Gabriel Long Commissioner returned into Court an account for his Services which was examined and allowed by the Court, amount to Eighty days.

Cert. +

Reuben Harrison the same .... 80 days

Cert. +

Evans v Harris on Pc on Delt Bond & Note proved
C and Judgt with 10 per cent Damages on the whole
G. amount from 22d October 1807 to 1st May 1810

Overseers Poor v David Shaver on allegt as the
reputed father of bast born child of Catherine
Drawford the said Defendant appears in Court
and agrees to enter into a recognizance
for the support of the said Child, whereupon It is
Ordered that he be bound to pay to the overseers of the
poor the sum of £62. to be paid in the following
manner that is to say £7 in three months from
this day and then £7 annually from that day until
the said sum be paid up or other wise indemnify
the parish, whereupon the said David Shaver
with John Noreman his security appeared in
Court and acknowledged a recognizance, payable
to his excellency John Tyler Governor of Virginia
conditioned agreable to the above order.

Ordered that Walter Davis, James Magill and
Adam Wise, or any two of them do examine
state and settle the estate account of Abram
Erwin dec'd and make report to the court.

A Writ of Adjud=Damnum award William
Lewis, was returned into court with the Jurors Inquest
thereon in these Words "This Inquisition &c" whereupon
It is ordered that the said Lewis have leave to continue
his dam at the height it now is
on his paying to John Carthrea $10. the Damages
found by the said Jury, and on his offering and

Keeping a Slope in the said Dam which will be sufficient for the passage of fish at all time

On the Petition of Peachy Harrison and Reuben Harrison, It is ordered that Benjamin Smith Alexander Herring and Daniel Miller being first sworn do View an alteration proposed by the Petitioners in the Road leading from Harrisonburg to Gierings Gap, Beginning on the Western bank of Cooks Creek and near Harrisons new Mill and running thence down the Margin of the said Creek to within a few poles of the said Mill thence bearing to the right so as to pass the North west Corner of the same, and thence to intersect the said Road, and make report thereof to the Court of the Conveniences and inconveniences attending the said alteration

repeal return same court

Ordered from George Hamilton Clerk to Rogers acknowledgment was ordered to be Recorded

Ordered from the same to Heggans the same

Ordered from Hamilton &c to Rice ... same

Andrew Shanklin &c who was appointed to examine into the state of mind of James Eaton, reports that they had duly examined him and, are of the opinion that he is a perfect Idiot — which is ordered to be certified

Ordered Release from Gilliland to Wheelbarger acknowledged &c

Allen from Wheelwright due to Cooke & Scrow
Ledger wise acknowledged. Letter OOR

Ordered that Andrew Shandley, Asher Waterman
Henry J Gambill, be and they are hereby appointed
Commissioners, to build, or cause to be
built, on some plan as they shall designate
on the Public Road, a good and sufficient Pillory
and Stocks, and that they make report of the
expences to the court.

Smith v Cline, on Replevin part heard
and Defendant fined $2.50 according to Law.

Benjamin Smith &c who was this day appointed
to View an alteration in the road from Harrison
Bridge to Jennings Gap, agreeable to the petition of
of Peaky Harrison &c which report was examined
by the court, and the said alteration ordered to be
established agreeable to the said report, and it is further
ordered that the said Old road is not to be stopped
until the said New road is found and put in good
repair by the Petitioners

Ordered that Peter Roler be appointed Overseer
of the road in the room of Adam Beeler, and that
the Constable heretofore appointed to work on the said
road be allowed for his gang to work thereon and
keep the same in good repair

A Settlement of the estate of Philip Cook dec'd Returned
and ordered to be Recorded

Comth vs Cromer on Presentment pasted heard and Defendant fined $2.50 for not keeping on Rides, and Presentment dismissed for not keeping the road in repair

Comth vs Nesbitt on Presentment pasted heard and Defendant fined $2.50 cents and Costs.

Ordered that the Court be adjourned until to Morrow Morning 10 o'Clock.

Joseph Bartley

Wednesday the 21st

At a Court continued and held for the County of Rockingham the 20th June 1810

Present

Ezekiel Harrison, Esqr Matts. Davis and Peachy Harrison Esqrs. Gent. Justices
Joseph Baxter Andrew Shanklin & Archd Rutherford

D. Overseers Poor vs Brown Order Nisi Summons.

Same ... vs Mounce ... Dismissed

Same ... vs Brunker ... Dismissed

Same ... vs Grover ... Dismissed

Same ... vs White on a Summons, Defendant Capt not appearing. It is ordered that the overseers of the Poor provide proper places for his Children so that they may be bound.

Overseers Poor vs Rogers on a Summons. Defendant Capt not appearing. It is ordered that the Overseers take unto them the Care and Protection the Children of the said Rogers; and provide proper Masters for them.

D. Roads vs Roads Continued

Dec: to Dec: 1810

The Court proceeded to lay the County levey for the year 1810 (Commencing at December Court 1809) the Statement whereof is as follows to wit

To Daniel Smith esq attorney for the Commonwealth for one year ending at December Court next . . . . . $100.00

" Sheriff for his Services for one year . . . . . 25.00

" Samuel McWilliams Clerk for Extra Servies for one year . . . . . $ 25.00

" Ditto under the Revenue Law . . . . . 20.00

" Perry J Gambill for Keeping the Court House the same time . . . . . $ 25.00

" Ditto for Papers furnished for the use of the County for one year . . . . . $ 5.00

" Archibald Rutherford and John Brock Commissioners, to make the second payment for the Poor house Plantation due 1st November Next . . . $ 600.00

" John McLaughlin for 60 hours Patroling at 75 cents for every 12 hours . . . . . $ 3.75

" John Newton . . . 42 . . . Ditto . . . 2.62

" John Berry . . . 36 . . . Ditto . . . 2.25

" ~~Daniel Newton~~ . . . 18 . . . Ditto . . . 1.12

" David Newton . . . 42 . . . Ditto . . . 2.62

" Jesse Boalston . . . 18 . . . Ditto . . . 1.12

" Robert Black . . . 12 . . . Ditto . . . " 75

" Connor Nott . . . 12 . . . Ditto . . . " 75

" James Mallory . . . 12 . . . Ditto . . . " 75

" George Motts . . . 12 . . . Ditto . . . " 75

" John Beard . . . 6 . . . Ditto . . . " 37

" Jacob Vanpelt . . . . . 10.00

" John Hughes for one old Wolf Scalp . . . . . $816.75

| | | |
|---|---|---|
| amount brought forward | | $816.75. |
| To John Koontz Coroner for holding an Inquest on the body of John Cash | | $ 5.00 |
| " Joseph Bywaters Deputy Sheriff for summoning the said Jury | | $ 3.50 |
| " William Rathfern for work on the road | | 2.50 |
| " William Kessell for | Ditto | 5.82 |
| " George Pence Sen | Ditto | 2.00 |
| " John Brock for | Ditto | 1.50 |
| " Henry Overly for a Sign Post | | 2.00 |
| " William Kessell for work done on the road | | 3.00 |
| " George Pence Sen | Ditto | 5,00 |
| " Zephaniah Wade | Ditto | 2.00 |
| " Henry Overly | Ditto | 1.25. |
| " Reuben Harrison | Ditto | 2.00. |
| " Abraham Neswanger | Ditto | 2.00 |
| " William Kessell | Ditto | 2.00 |
| " Jeremiah Warren | Ditto | 5.00 |
| " Ditto | Ditto | 2.50 |
| " John Rogers | Ditto | 2,50 |
| " Gideon Rogers | Ditto | 1,50 |
| " ~~Daniel Rogers~~ | Ditto | 1,50 |
| " John Reno | Ditto | 1,75. |
| " Malcher Seacrest | Ditto | 1,33 |
| " George Kessell | Ditto | 4.00 |
| " Daniel Rogers | | $876,58 |

| | | |
|---|---|---|
| amount Brout forward | | $876 38 |
| To Joseph Denton for work on the road | $2.50 | |
| " Arthur Davenport | Ditto $2.50 | |
| " John Ragen | Ditto | 3.75 |
| " Henry Sipe | Ditto | 3.00 |
| " Philip Terebough | Ditto | 2,00 |
| " Robert Gains | Ditto | 2.50 |
| " Martin Cromer | Ditto | 2,50 |
| " John Nail | Ditto | 2.50 |
| " Jeremiah Massey | Ditto | 2,50 |
| " Joseph Fawcett Balt Deputy Sheriff | | 10.50 |
| " John Graves for one old Wolf Scalp | | 6.00 |
| " Barzel Ragen Jailer | | 70.64 |
| | | 987.27 |
| To Sheriffs Commission and Disbursem | | 337.43 |
| | | $1324.70 |
| By 2966 Tithables @ 45 Cents | | $1324.70 |

Ordered that the Sheriff Collect from each Tithable person 45 Cents in this County.

Ordered that the order made on Yesterday Directing the overseers of the Poor to hire Samuel Eaton to John Eaton be rescinded.

An article of an agreement between John Mooney & John Brock proved by the Witness oath

An appraisment bill of Estate Saml Hemphill dec. returned oath

A sale bill of Saml Hemphills estate. returned oath

Absent Andrew Shanklin & Archibald Rutherford

On the Petition of Hugh Brooks &c to discontinue the road leading from Knotzes by Williams Smiths place to Kefield, and it appearing to the Court that ~~the same has been~~ Notice of this Motion has been duly published in the Staunton Eagle, It is Ordered, that the Sheriff summon and impannel a Jury of twelve disinterested freeholders, who shall View the said Roads, being first Sworn, and on their oaths, say whether in their opinion public inconvenience would result from discontinuing the same; certifying the same under their hands and Seals which inquest shall be returned by the sheriff to the Next Court. —

Ordered that Henry J Gambill, cause to have bound in Good calf Skin, Such, and so many of the Records books in the Office, as in his Judgment, ~~shall be~~ wants rebinding, and that he return an account to the Court.

John Smith .... appellant
against
Abraham Hamilton. appellee. On an appeal from a Judgment recovered by the appellee against the appellant before Archibald Rutherford a Justice of the peace for the said County on the 9th day of July 1809. This day the parties by their attorneys and the Court having heard the Testimony, and the argument of the Counsel are of the opinion that there is no Error in the said Judgment and the same is in all things affirmed. Therefore It is considered by the Court that the appellee recover against the said appellant, This Security Damages at the rate of 10 per cent per annum from the said 9th day of July 1809. until paid on the whole amount of the said Judgment, together with

his costs. in Defending the said appeal here.

Ordered that Jacob Burkholder be appointed overseer of the Road in the room of Peter Vanfelt, and that all the Tithables within two Miles on each side of the said Road be allotted for his gang to work thereon and keep the same in Good repair

Ordered that the court be adjourned until Court in course

Jno Hamblin

Thursday to wit

At a Court held for the County of Rockingham the 19th day of July 1810

Present

Ezekiel Harrison, John Ewen, Joseph Baxter and George Deaton } Gentlemen Justices

An assignment from Joseph Harrison to Cornwell acknowledged, in the County Court of Monroe and Certified for Record

Richard P. Fletcher Deputy sheriff for Asher Waterman made a Report of an Election held for Trustees for the Town of Harrisonburg, shewing that Jeremiah Kyle, Asher Waterman, Frederick Stranger George Sites and Archibald Wilson were duly elected for one year from the last Saturday in March last which is ordered to be Certified—

An appraisement bill of the estate of Thomas Campbell dec'd returned & Ord

An appraisement bill of the estate of William Dunlap dec'd returned & Recorded

A Sale bill of the estate of William Dunlap dec'd ret'd & Ord

Deed from Werger &c to Flory acknowledged &c

Deed from Coffman to Taylor acknowledged &c

An appraisement bill, & Sale bill of the estate of Daniel Parthman dec'd filed &c

Deed from Woods &c to Redwine acknowledged &c

Deed from the same to Boles . . . same

Harrison & Evans &c an an Injunction, The Plaintiff having shewn no cause for continuing this suit as an Original one, It is Ordered to be dismissed pt the said Plaintiff Costs

Deed from Beard to Carrier acknowledged &c & acknowledgment certified &c

Ordered that the Sheriff pay unto Henry J. Gambill fourteen Dollars out of the Depositum for 1809. for having Sundry Records books bound belonging to the Office Court, and for Sundry blank books & furnished for the use of the Office as per account rendered—

The Court doth Recommend to his excellency, John Tyler Governor of Virginia, Hobart Berry, Charles Lewis and Taylor Garey Gentleman as proper and fit persons to be commissioned as Sheriff of this County for the ensuing year.

Ordered that Archibald Rutherford, Peachy Harrison & Joseph Fawcett or any two of them examine state and settle the estate account of John Reeves dec'd with the executors and make report to the Court.

Overseers Poor v Nance.

On the Motion of Joseph Craven, It is ordered that Samuel M'Williams Archibald Rutherford, and Thomas Clarke, being first sworn do View and alteration proposed by the said Craven in the road leading from Harrisonburg to Dry River Gap, the said alteration to be on his own land, and that they make report of the Conveniens and inconveniens attending the said New Way, as also the old road, thereof to the Court.

Overseers Poor v Nance on a recogz, as the father of a bare born Child of Catharine Peters. the said Defendant appeared in Court in discharge of his Recognizance, whereupon It is ordered that he enter into a Recognizance with Good Security in the sum of forty two pounds payable to his excellency John Tyler Governor and his Successors for the Support of the said Child, that is to say he shall pay to the said Overseers the sum of £2 within two months from this day, and then £2 annually from thence until the said sum of £42 be paid, or other wise indemnify the said Parish from the Support of the said Child, and that he stand Committed until he gives the said Security.

Overseers Poor v David Shaver on a recognizance, as the father of a bare born Child of Sarah Newman, the said Defendant appeared in Court in discharge of his Recognizance whereupon on the Motion of the Defendant by his Attorney the same is Continued, until the next Court and that he enter into a Recognizance with good Security in the sum of two Pounds and Dollars, payable to the Governor, himself in the sum of $100, and Security in the sum of $100, to make his appearance on the first day of the next Court to be held for the said County whereupon the said David Shaver with Henry Welch his Security appeared in Court and acknowledged a recognizance agreeable to the above order

County

Sprinkle & Ux Chancy

On the Motion of the Defendants by their Atty. It is ordered that the Surveyor of this County do go upon the Lands in Controversy. on the day of Next and survey the same as either party may require, and return fair plats and reports to the Court.

M'Williams v Cutlip &

Same . . v Same . . . Suspended until next term

Miller v Cutlip . . . . . Same

Snodden v Cutlip . . . . . Same

Krotzer v Cutlip . . . . . Same

Same . . v Same . . . . . Same

David Kyle &c Petition to discontinue the road from Krotzer to Kessell-Town Continued.

On Motion of Overseer of the Poor of George Whitt, On a Summons to Show Cause why his Children should not be bound out. The said Defendant was called and not appearing. It is ordered that the Overseers of the Poor bind his said Children until their Majority, and report them to be bound out at the next Court.

Ordered that the Court be adjourned until the 3d Tuesday in August Next

J. J. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 21st day of August 1810

Present

Ezekiel Harrison, Joseph Bantz, Ar. Rutherford and Jacob Kyser . . . Gent Justices

Deed from Tallman Exr to Stephens acknowledged ment acknowledgt taken OOR

Deed from Boyer Exr to Coffman . . . . same

Deed from Nave Exrto Bowyer . . . . same

Deed from same . to Nave . . . . same

Deed from Depoy to Roudebush . acknowledged OOR

Deed from Bowman Exr to Zerring acknowledgt ment acknowledgt taken OOR

Deed from Fretz Exr to Spetzer . . . same

Deed from same . to same . . . same

Deed from Yancey Exrto Moon . . . same

Deed from . same . to Shell . . . same

Deed from Ketchey Exr to Nebert . . . same

Deed from Neffman Exrto Sheetz . . . same

Deed from Branaman Exr to Kyser . . . same

Deed from Melcher Exr to Bolton . . . same

Deed from same . to Armentrout . same

Deed from Powell Exr to Kenty acknowledged OOR

Deed from Rice to Rice, acknowledged in the County Court of Madison and ~~Cert~~ certified, OOR

Deed from Lewellen to Taylor proved by the oaths John Argo Lieut. Abraham Boon and Davy Sipe OOR

A Deed from Boler &c to Butts further proved by the oath of William M'Mahan, James Morrison & Abram Hoke as to John Kephinger & Catherd

A Deed from Warner to Daulis proved by the Witness thereto &c

A Deed from Clark to Boston acknowledged &c

Grand Jury Sworn Henry Sepo Foreman / Benjamin Bryan, William Seitz, William Beard, Jonathan Taylor, Jacob Kyger, Michael Deck, John Showalter, Clement Erwin, Benjamin Erwin, William Fowler, Daniel Linkle, John Hooker, Thomas Hopkins, David Harrison, Peter Brown, and David Boalston. who received their charge and retired from the bar to Consult on their Presentments and after some time Returned into Court and made the following, We Present &c and nothing further appearing it is ordered that the said Grand Jury be discharged and that process Issue on the said Presentments returnable as the Law directs

Peter & Pickering ME set aside N.G. & Sewasault Issued

On the Motion of John Cathcart Jr. - Philip Malony of Bangor deposed before the court that Roger Malony was the eldest son & Heir at Law of Peter Malony who was the eldest son & Heir at Law of John Malony - that John Malony was a Serjeant in the revolutionary army in the company of the deponent in the Regiment of Col. James Innes - that the said John Malony died about the year 1777 - leaving the aforesaid Peter Malony his Heir at Law who died in Janry 1784 leaving Roger

Malory Ins elect Brother Thos at Law

X Ord pow Brumfield to Rules a Knowledged Dr

Sufferance — Douglas William Care Gilbert Offer

Judge set and do past Offer and Continued

Ordered that the overseers of the Poor bind Sally Parson poor

Child of David Parson aged 9 years in March last to

cp // John Tyre Jr as the Law directs. ~~who is to pay him $20 per annum during~~

Ordered that the overseers Poor bind Thomas Parson

Poor Child of David Parson aged about 3 years to Christian

cp X Keto to learn the trade of a Cooper as the Law directs

who is to pay him $20 per annum during

Ordered that the Overseers Poor bind Henry Johnston poor

X Child of Nancy Johnson aged [redacted] to Leonard

cp Null to learn the trade of a Black Smith, as the Law

directs. who is to pay him $20 per annum during

Overseers Poor v David Shaver. On a Recognizance, as the

cp. reputed father of above born Child of Sarah Bowman, the said

Defendant appears in Court the discharge of his Recognizance

and being heard the Court ~~upon~~ upon Consideration ~~thereof~~

whereof are of the opinion that he is the father of the said Child

and do order that he be bound in a recognizance with Security for the support

of the said Child in the sum of £42. payable to his excellency

John Tyler Governor of Virginia and his successors. to be

paid to the overseers of the Poor of the said County in the follow

-ing manner, to wit $30 within one Month from this day

and then £6.12/ annually from that day until the said

Sum be paid. to ~~save~~ indemnify the parish from the support

of the said Child, and that he stand committed until he give

such Security. Whereupon the said David Shaver with Henry

Welch his Security appears in Court, and acknowledge a

Recognizance agreeable to the above order, &c

M Kersey v Losley. Michaels March Special bail offered
Judgment set aside payment & Costs & Costs

Newton v Morgan On the Motion of the Complainant, an
Injunction is Granted him to stay all further proceedings
on a Judgment Recovered by the Defendant agst the
Complainant, on his entering into Bond with Security and
filing a release of errors as the Law directs

Shangles v Dallon John Clark Special bail offered
Judgt set aside payt & Costs and Continued

Usher v Sanders On an Attachment

The Sheriff having Returned on the attachment
executed on a quantity of Rye and Wheat in the sheaf and
the said Defendant not appearing, altho solemnly called,
~~and not appearing~~ It is considered by the Court that he
Recover agst the said Defendant $74.50 Cents with Interest
on $50 from 25 day December 1808 till paid, and ~~the~~
Interest on ~~the Balance~~ $24.50 Cents the balance from the
21st August 1810 till paid, and Costs. and It is further
Ordered that the Sheriff make sale of the said Wheat &
Rye and pay the Money arising from such Sale ~~to the~~
~~Plaintiff in Satisfaction of the said Judgment~~ (first paying
the amount of taxes due from the Defendant to the Sheriff.)
and first deliver to the Plaintiff one
hundred and twelve shocks of Wheat &
thirty shocks of Rye, for the expence of
cutting the said Grain, that appearing
to be the one seventh part of the whole
crop which the Deft agreeably to his
Contract was to reap & put in shock
at his own expence - but which has
been done by the Plaintiff as appears to
the Court - and the money arising
from such sale after paying the Taxes
aforesaid to pay the Plaintiff in

discharge of this Judgment & the overplus if any to pay to the Defendant —

Ordered that James Wedgwarden (a free Negroe) be summoned to appear here at the Next Court to shew Cause why his Children should not be taken away from him and be bound out by the Overseers of the Poor it being suggested to the Court that he is not in Circumstances to raise them in a decent manner

Overseers Poor v Sellers Barger on a Note for Money due by a Recognizance Note proved and Execution with Interest and Costs

St Clair Kirtly produced in Court a Commission wherein he is appointed Sheriff of the County of Rockingham, for the ensuing year, and took the oath of Office according to Law and entered into Bond with Security whereupon he is ~~Sheriff~~ and ~~took the oath of Office~~ ~~and entered into Bond~~ ~~with Security~~ which Bonds were severally acknowledged by the Obligors, and ordered to be Recorded.

On the Motion of St Clair Kirtly Gentleman Sheriff Daniel Bagen, Joseph Bywaters and Richard P. Fletcher are admitted his deputies and sworn accordingly

Goar v Steffy John Glover Special Bail Office Execution issued paying Fees and Costs

Ordered that the Courts be held in the Clerks office on Thursday the 23d day of this Instant and on the day after the third Tuesday in September Next according to Law

Ordered that the Court be adjourned untill to Morrow Morning 10 o'Clock

Gl Harrison

Wednesday to wit

At a Court Continued and held for the County of Rockingham the 22nd day of August 1810

Present

Ezekiel Harrison, John Evew, Archibald Rutherford and George Dove . . . & G Justices

A Deed from Rose &c to Sawyer acknowledged & ackd to be his act & deed

A Deed from Donaven Dew to Magey . . . same

Polly Newman orphan of Henry Newman dec'd came into Court and made Choice of Fredk Long as her Guardian who with Security entered into bond, as the Law directs.

William Bell . . . Complt

v

Jane Beard &c . . Defendants. } In Chancery

This cause came on to be heard this 22nd day of August 1810 on the bill and exhibits filed, and it appearing that the Constitutional decree made in this cause having been served upon the defendants John Kyle & Margaret his wife and they still failing to appear and answer the Plaintiffs bill. It is therefore adjudged ordered and decreed that the said Defendants John Kyle and Margaret his wife do convey to the Complainant the lands in the bill Mentioned, with a Special Warranty and that the Plaintiff recover against the said Defendants his Costs. by him about his suit in this behalf expended

A Deed from Wm A Fee to Rutherford in trust for Reuben Harrison acknowledged and ordered to be Recd

Order from Sheriff to Harrison & Foster to be proved by the oaths of Daniel Rager and James Deff two Witness &c

On the Motion of John Ryan It is ordered that a license be Granted him to Keep a Tavern at his house in this County until the first day of May Next he having paid to the Clerk $8.87 cents, & his entering into bond with John M Causland his Security

Vernon adm v Hamilton adm. Jury Sworn to try the Issue to wit David Wallace, Julius S. Foster, John Preston Joseph Neeley Thomas Clark, John Butcher James Murphy. Charles Clark, Christian Peter, Jesse Boling. Benjamin Lewis and John Dalton Verdict for Defendant & Judgment

Comth v Martin &c continued

Same v Thornhill Discharged with leave of the Court.

Comth v M. Rice Jury Sworn to try the Issue to wit John Preston, Benjamin Lewis, John Butcher, Christian Peter James Smiley. Jesse Boling James Murphy. John Dalton, Julius S. Foster, Charles Clark, Thomas Clark, and Joseph Neeley Mrs. Verdict that the Defendant is Guilty. It is therefore considered by the Court that the Comth Recover against the said Defendant the sum of $20. besides the costs of this Prosecution, and that he be committed to the Jail of this County until he shall have made his fine and paid the costs aforesaid and shall moreover give Security for his good behaviour for 12 months himself in the sum of $100 and one or more Securities in the same sum, and It is ordered that a capias do issue against said Defendant for the fine and costs aforesaid, and also to bring him before this Court the first day of the Next Term, then and there to be dealt with accordingly

Comwth v Jacob Mowry. Jury Sworn to try the Issue to wit The same Jury as in Comwth v Rice. Verdict for that the Defendant is Guilty Therefore It is Considered by the Court that the Commonwealth Recover against said Defendant the sum of $20 besides the Costs of this prosecution and that he be Committed to the Jail of this County untill he shall have made his fine and paid the Costs aforesaid and shall moreover give Security for his good behavior for 12 Months himself in the sum of $100 and one or more Securities in the like sum, and It is Ordered that a Capias do issue against said Defendant for the fine and Costs aforesaid, and also to bring him before the Court on the first day of the Next Term, there and there to be dealt with accordingly —

Comwth v Pence. Jury Sworn to try the Issue to wit "the same Jury as in Comwth v W. Rice and Verdict that the Defendant is Guilty. It is therefore Considered by the Court that the Commonwealth Recover against the said Defendant the sum of $20. besides the Costs of this prosecution, and that he be Committed to the Jail of this County, untill he shall have made his fine and paid the Costs aforesaid, and shall moreover give Security for his good behavior for 12 Months himself in the sum of $100 and one or more Securities in the like sum, and It is Ordered that a Capias do issue against said Defendant for the fine and Costs aforesaid and also to bring him before the Court on the first day of the Next Term, there and there to be dealt with accordingly

Comwth v D. Wallace Jury Sworn to try the Issue to wit "the same Jury as in the Comwth v Rice. Verdict that the Defendant is Guilty" It is therefore Considered by the Court that the Commonwealth Recover agst.

the said Defendant the sum of $20 besides the Costs of this Prosecution and that he be Committed to the Jail of this County, until he shall have made his fine and paid the Costs aforesaid, and shall Moreover give Security for his good behaviour for 12 months hemself in the sum of $20 and one or more Securities in the like sum, and It is Ordered that a Capias do issue against said Defendant for the fine and Costs aforesaid and also to bring him before the Court on the first day of the Next Term, then and there to be dealt with accordingly

Commonwealth v John Rogers Jury Sworn to try the Issue to with the same Jury as in the Commonwealth v Rice, Verdict that the Defendant is Guilty, It is therefore Considered by the Court that the Commonwealth Recover against the said Defendant the sum of $20 besides the Costs of this Prosecution and that he be Committed to the Jail of this County until he shall have made his fine and paid the Costs aforesaid and shall moreover give Security for his good behavior for 12 month hemself in the Sum of $10. and one or more Securities in the like sum, and It is Ordered that a Capias do issue against said Defendant for the fine and Costs aforesaid and also to bring him before the Court on the first day of the Next Term, then and there to be dealt with accordingly

Present. Asher Waterman, & Jacob Nyser.

Absent John Ewen & Archibald Rutherford

B. Salvage v Treeze Office Judgm set aside and dismiss. agreed.

Holt v Herring &c on a Delivy bond, Note acknowledged by Herring and Judgment.

Rice v Herring &c. on Delivy bond same - - -

Deed from Gelman to Hamilton acknowledged &R

49.

Harrison endrs v Messrs &c on a reply bond for Rent. Noted proof of Judgment.

Saml M Williams

v

Andrew Cultis. } On an attachment

The Sheriff having returned on the attachment executed on one Stone &c and the Defendant not appearing to reply the same altho solemnly called It is considered by the Court that the Plaintiff recover against the said Defendant $50 with Interest from 31st day of May 1810 late said, and Costs. and It is further ordered that the sheriff make sale of the said Property and pay the Money arising from such sale to the Plaintiff in discharge of the said Judgment first satisfying and paying the $13.50 Cents being the amount of Sundry Clerks fees and taxes due the said Sheriff from the Defendant, And on the trial of this Cause the following bill of exceptions was taken to the opinion of the the Court to wit "M Williams agst Cultis Attachment" &c and M Williams agst Cultis &c which were signed and sealed, and ordered to be made a part of the Record.

M Williams Guardian for M. Harrisons heirs

v

Andrew Cultis. } On an attachment

The sheriff having returned on the attachment executed on the same property as in the attachment of M Williams v Cultis, and the Defendant not appearing, It is considered by the Court that the Plaintiff recover against the said Defendant $79.46 cents with Interest from the 11th day of May 1808 late said and Costs and Interest on $49.44 Cents the balance from 11th day of May 1809 late said, and Costs.

Miller v Cutler on attachm

The Sheriff having returned on the attachm executed on the same property as in the case of M'Williams v Cutler and he not appearing, It is considered by the Court that the Plaintiff recover against the said Defendant £150 with Interest from the 5th day of May 1810 till paid and Costs. and It is further ordered that the Sheriff make sale of the Property & pay the amount of the said Judgm. out of the balance that may be in his hands arising from the sale of the said Property after the payment of the Judgm of M'Williams agst Cutler. Mem.d on the trial of the cause the following exceptions were taken to the opinion of the Court, Miller v Cutler on attachm and M'Williams v Cutler &c and Miller v Cutler which were signed and sealed and ordered to be made a part of the Record.

Shodden v Cutler on an attachm

The Sheriff having returned on the attachm executed on the same property as in M'Williams v Cutler and he not appearing, It is considered by the Court that the Plaintiff recover against the said Defendant $32 with Interest from the 14th day of May 1810 till paid, and Costs, and It is further ordered that the Sheriff make sale of the Property & pay the amount of the said Judgm. out of the balance of the money arising from the sale of said Property after paying the amount of the Judgment of M'Williams v Cutler and Miller v Cutler this day rendered. Mem.d on the trial on this cause the following exceptions were taken to the opinion of the Court, Shodden v Cutler &c and Miller Shodden v Cutler & Shodden v Cutler which were signed and sealed and ordered to be made part of the Record

M'Williams Guardian

" On attachment

Cutler ... The Sheriff having returned on the attachment executed on the same property as in M'Williams

v Cutler and the said Defendant not appearing
It is considered by the Court that the Plaintiff recover
against the said Defendant $79.16 cents with Interest
on $49.44 cents from the 1st day June 1808 till paid and
Interest on $29.72 cents the balance from the 11th day
of May 1809 till paid and Costs and It is further
ordered that the Sheriff make sale of the Property &
pay the amount of the said
Judgment to the Plaintiff out of the balance of the Money that may
be arising from the sale of the said Property
in his hands, after first paying the amount
of M'Williams, Miller, and Broddus Judgments
against the said Cutler this day rendered. Mem!
On the trial of this cause the following bills of exceptions
were taken. M'Williams Guardian v Cutler and
M'Williams Guardian v Cutler &c which were
signed and sealed and ordered to be made a part of
the Record.

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Williams exor v Moore & Ezekiel Harrison Affidt
for Dunkenson

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Thomas Warrens admr
v
Cutler . . . } On an attachment.

The Sheriff having returned on the attach
Executed on the same property as in M'Williams v Cutler
and also executed in the hands of Sam! M'Williams
and summoned him a Garnishee who appeared in Court
and being Sworn, declares he had nothing in his hands
of the Defendant at the time of the service of the attach
but that he afterwards received $175. from a certain
James M'Garvin Jr. with whom the Defendant had
deposited it, to be applied & the paid to John Ewen, in
discharge of a Deed of trust which the said Ewen had
on the house and Lots of the Defendants, to that amount
and which sum he paid to said Ewen, and he further
saith that he was the Trustee named in said Deed

and the said Defendant not appearing, It is considered by the Court that the Plaintiff recover against the said Defend $115 with Int from 24 January 1807 till paid and Costs and It is further ordered that the Sheriff make sale of the Prop & pay the amount of the said Judgment out of the balance of the Money that may be in his hands arising from the sale of the said Property, after first paying the amount of M'Williams, Millen, Snoddons, & M'Williams (Guardians) Judgments against the said Cutler this day rendered.

John & Joseph Krotzer
vs
Andrew Cutler } On attachment.

The Sheriff having returned on the attach executed on the same Property as in M'Williams vs Cutler and also executed in the hands of said M'Williams and summoned him a Garnishee who appeared in Court and being sworn, declared the same (as he did in the attachm of Warren admr vs Cutler) and the said Defendant not appearing, It is considered by the Court that the Plaintiff recover against the said Defendant $300.94 Cents with Interest on $92 part thereof from 11th February 1808 till paid and Interest on $47.16 Cents part thereof from 14 November 1808 till paid and Interest on $161.78 Cents the balance of the said Debt from 18 day of April 1810 till paid, and Costs, and It is ordered that the Sheriff make sale of the Property & pay the amount of the said Judgment, out of the balance of the Money that may be in his hands arising from the sale of the said Property, after first paying the amount of M'Williams, Millen, Snoddons, M'Williams as Guardian, and Warrens admr. Judgments against the said Cutler this day rendered.

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

J. J. Harrison

Thursday to wit

At a Court Continued and held for the County of Rockingham the 23d day of August 1810.

Present

Joseph Bartis, Archibald Rutherford
George Dove and Jacob Kyger . . . & G Justices

Smith vs Brown &c Writ of Error set aside N. A. & Sum & Costs
Koontz exor vs Harrison. Office Judgt set aside Supt for
the bail & Sum and Continued
Morris vs Smith Office Judgt set aside Supt & Sum Bank
Graham vs Marshall &c Office Judgt set aside Supt for
the bail & Sum and Continued
Brown vs Hamilton &c . . . . . same
Brock &c vs Roadman &c . . . . . same
Salvage vs Read, Gilbert garnishee &c - Archd Rutherford
Office Judgt set aside Supt & Sum and Continued
Byrnes vs Jacob Felters Office Judgt set aside Supt for
the bail & Sum and Continued
same . . vs Philip Felters . . . . same
Dodds vs Smith . . . . . same
Branaman vs Smith . . . . . same
Smith . . vs Hamilton (3 suits) . . . same
Felters vs Miller Writ of Error set aside N. A. & Sum & Costs
Fultz &c vs Shrewsbury &c Office Judgment set aside
Supt and Sum & Costs Continued
Smith vs Keezee &c Continued
Smith vs Kesler Continued Defendant
Smith vs Harrison &c . . . Continued

Evans v Harris. Plea warn. and Judgmt Confess as per Specialty with Interest and Costs (Savage Ch Ct)

Craig exrs v Carthew &c . . . . same

Holmes v Harrison . . . . same

Guion exrs v Herring . . . . same

Wayt Hoo v Kyser &c . . . . same

Parrott v Merrick . . . . same

Shultz v Mostoch &c . . . . same

Rice v Mostoch &c . . . . same

Rice v Smith . . . . same

Rice v Smith . . . . same

Guion exrs v Herring &c . . . . same

Rice v Portis &c . . . . same

Rice v Woolf . . . . same

Smith v Marshall . . . . same

Evans v Cutlar . . . . same

Ragan v Dever . . . . same

Ragan v Rupp . . . . same

Ragan v Jeffersonville (two Suits) . . . . same

Overseers Poor v Brown Continued

Rhoads &c v Rhoads Continued

Campbell exors v Campbell &c Continued

Grant v Carthew Jr abates by Plaintiffs death

Craig exrs v Marshall &c Continued

Parrott v Merrick Continued

Strayer Hoffman v Moore ME set aside N.A. Sffres and discon by order of the Plaintiff attorney

Strayer v Moore ME set aside N.A. Sffres and suit discon by order of the Plaintiff attorney

Lincoln v Lincoln Pl plea evan. & Judgmt confessd as per specialty with Interest and Costs (saving Dower)

Sams exrs v Gaunt & Henry Harshbarger Sci fac plea by the pail set aside, Payment by the Principal and Sffres Jury sworn to try the Sffres to wit James Scott, William Wendle, Alexander McKinsey, Hugh Richford, John Crumrine, John Effinger, John Kyle, Morris Hinchey Jacob Rohr, Peter Sprinkle, John Farlow and Volentine Miller Verdict for the Defendant and Judgment.

On the Motion of S. Clem Kirby, David Wallace is admitted his deputy and sworn accordingly —

Murphey v Ludwick ME set aside N.G. Sffres, Jury sworn to try the Sffres to wit, David Cummins, Jacob Fent, Jacob Gaunt, Charles Gaunt, Thomas Cummins Frederick Spangler, Henry Sipe, John Smith, John Dalton, Dorman Lofland, Henry Harshbarger and Thomas Reid Verdict for the Plaintiff for $43.34 cents Damages and Judgment and Motion of the Defendant, a New trial is award to be had at the next Court on paying the Cost of this trial and leave is given the Plff to amend his Declaration

Smith v Dorman By consent of the parties by their attorneys, all matters in difference between them in this Cause is referred to the final Determination of James

Lewis and Henry Welch, and their award, or the award of them umpire in case of disagreement, to be made the Judgment of the Court

Ordered that the Plaintiff have the New County & Weirs at the last term, and agreeable to the Verdict of the Jury

Ordered that the court be Ajourned until the third Tuesday in September next

Joseph Baxter

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of September 1810

Present

Ezekiel Harrison, Joseph Baxter,
Arch'd Rutherford, Thomas Moore & G. Gentlemen Justices

A Jury

An appraisement bill of the estate of Jacob Perkey dec'd returned

A Deed Release from Rife & to Read acknowledged

Ordered that Nightwarter

A Deed from Garber Exr to Garber acknowledged & proved & ordered to be recorded

A Deed from Samuel Garber and Molly his wife to Martin Garber for land lying in the County of Frederick and State of Maryland was acknowledged by the parties and ordered to be certified

A Deed from Heyser exr to Cline fully proved by John Reader

Deed from Bargle &c to Layman acknowledged &c

Deed from Gilmore Senr to Lisle acknowledged wife's acknowledgt taken &c

Deed from Zeisler Senr to Neff ... same

Deed from Dunkenson Senr to Custer ... same

On the Motion of Catharine Mertz, administratrix of the estate of Peter Mertz dec'd is Granted her she having entered into bond with Security and made oath as the Law directs. and it is ordered that Henry Mauch Michael Maich, John Moore, and Zachariah Hoy or any 3 of them being first sworn do appraise the said estate &c

Baker is Sheriff &c His return by order of the Plff attorney

Deed from Jacob Kyser &c heirs of Michael Kyser dec'd to Baltzer Dorell heirs was presented in Court and acknowledged by Jacob Kyser and wife, Martin Kile & Wife John Kyser Senr, Christian Strole Senr and Daniel Kyser, wife's acknowledgt taken and acknowledged by Eve Perky, Magalena Shular, and ordered to be certified

Jacob Keer orphan of Valentine Keer dec'd came into Court and made choice of Jacob Rife as his Guardian who entered into bond with Security as the Law directs

Sale bill and appraisement bill of the estate of Peter Sellers dec'd &c

Deed from Henry Smith &c to B. Smith's wife acknowledgt taken &c

A Deed from Benj. Smith Exr to E Nicholas acknow
Ex ledged & proved & acknowledged before OOR

A Deed from same Exr to D Smith . . . same
Ex

A Power of attorney from Jacob Wedick to Samuel
Ex Wedick proved by 2 Witness OOR

The Last will and Testament of Michael Zeigler
Ex deed was presented in Court (Written in the German Language,)
and was proved by the oaths of Jacob Rife and David
Bowman OOR, whereupon a Translation of the said
will was produced in court, which was also proved by the
oath of Jacob Rife OOR and to be Recorded, and on the
Motion of John Krotzer executor named
in said will who entered into bond with security and
a certificate is Granted him for obtaining Probate is duly
made oath thereto, as the Law directs, and It is ordered
B that John Chrisman, Jacob Chrisman, Joseph Krotzer
and Joseph Krotzer Sr. or any three of them being first
sworn do appraise the said estate &c

A Deed from Trees & heirs of John Wedick dec'd to David
Ex Showalter acknowledged by the parties thereto as the Law directs
OOR

Ordered that John Krotzer be appointed Guardian for
X Simon Krotzer heir of Simon Krotzer dec'd who entered
into bond with Security as the Law directs

A Deed from Rutherford to Kyle acknowledged OOR
Ex

The Last will and Testament of Godlove Bowman
dec'd was presented in Court (Written in the German
Ex Language) which was proved by the oaths of
Martin Garber and Samuel Garber two Witness

thereto, and also a Translation of the said Will was presented in Court and proved by the oath of said Samb Garber and Ordered to be Recorded. and on the Motion of Samuel Storrer executor named in the said Will who made oath thereto a certificate is Granted him for obtaining a probate in due form the said Will not requiring any Security to be given by the said executor

A Deed from Woods Exr Boller unto Acknowledged & letter thereto

A Deed from same to Perkins . . same

A Deed from Woods Exr to Miller Acknowledged unto & Acknowledgt taken &c

A Deed from . . same Exr to Gains . . . same

A Deed from . . same to Gambill . . same

A Deed from . . same to Aaron Gains . same

A Deed from W. Robertson to Coffman proved by the oaths of Jacob Lincoln & Joseph Byington & ordered to be Recorded

A Deed from Douglass Exr to Koogler, Acknowledged unto Acknowledgt taken &c

A Letters of the estate of John Burns dec'd was returned into Court &c

A Deed from Dietz Exr to Lewis Acknowledged unto & Acknowledgt taken &c

Ordered that Layton Yancy, Joseph Mauzy and Tobias B. McGaby or any two of them do examine state and settle the estate accounts of Jacob Gibson dec'd & Mack

Report to the Court

A Deed from W. Harrison Exr to P. Harrison acknowledgt not acknowledgt before [illegible]

A Deed from Nudlow &c to John Nudlow proved by the oaths of Adam Frowbough, & John Frowbough as to John Nudlow and acknowledgt by Adam Nudlow and by Hannah Exr not acknowledgt before [illegible]

A Sale bill of the estate of John Neeble dec retd [illegible]

Ordered that Asher Waterman, Peaky Harrison and Arch Rutherford or any two of them do examine state and settle the estate accounts of John Neeble dec and make report to the Court

A Deed from Carthrew Exr to Derrick proved by the oaths of William Beard and George Woolf, two Witnes [illegible]

A Deed from same to Clark . . . same

A Deed from same to Catlet . . . same

~~A Deed from~~

A Settlemt of the estate of Phebe Croft dec retd [illegible]

Coffman v Robertson upon a Notice for ~~[illegible]~~ for Money paid as his Security to Conrod Custer (In Seven Cases) Notice ~~[illegible]~~ proved and Judgment as per Receipt with Interest and Costs.

Overseers Poor v Joseph Layton on a Recgz as the father of Rebaw born child of Phebe Phelps, the said Defendant appeared in Court in discharge of his Recognizance upon Consideration whereof the Court doth order that he be bound in a Recgz for the support of the said

bastard child in the sum of £42 payable to his excellency John Tyler Governor of this State payable in the following Manner, to wit $10 within two Months, and then $10 annually from that day until the said sum be paid up, or otherwise indemnify the said parish, and that he stand committed until he give Security agreable to the above order

Overseers Poor v Coffman, dismissed by order of the Attorney for the ~~County~~ Overseers of the Poor

Deed from Harrison &c to Blosser acknowledged & ordered to be recorded

Ordered that the Overseers Poor bind David Woods (a Mulatto) boy aged about 2 years to Henry Rader to learn the trade of a Weaver, as the Law directs, who is to give him $18 freedom dues

A Settlement of the estate of Henry Brumback dec'd returned & ordered to be recorded

Smith v Lokey on Recognizance, parties heard and dismissed with costs.

Ordered that George Erman be appointed overseer of that part of the road in the room of Daniel Miller, who with the tithables heretofore appointed to work on the said road be appointed for his guard &c

Ordered that Rose Weghwarden a Negro Child of James Weghwarden aged about he be bound by the Overseers of the Poor to Ezekiel Harrison to learn the trade of a black Smith, who is to have for freedom dues ~~$10~~ $18 –

An appraisement &c of the estate of Simon Krotzer dec'd returned & ordered to be recorded

Deed from Hannan &c to Dudlow acknowledged & ordered to be recorded

G. Massey & ux Jones &c On Delay bond Note proved Judgt.

S. Mauzey v Jones &c ..... same

G. Price &c v Mallall &c ..... same

Baker v Rice &c ..... same

A. Martin v Grady &c ..... same.

A. Coffman v Jones &c ..... same

A. Nolen v Carthrew &c ..... same

A. Mayberry v Moyers &c ..... same

C. Report of the Viewers appointed to View an alteration in the road from Harrisonburg to Miller Iron Works agreable to the Petition of Joseph Cravens, Was Returned into Court, upon Consideration whereof It is ordered that the said alteration be established, and It is further ordered that the said Cravens is not to shut up the said old road until he shall have opened the said New way, and put the same in as good repair as the said old is now. is

S. Peirce v Carthrew &c on a Delay bond, Note proved and Judgment

C. Deed from Memphill &c to Chandler acknowledged & ordered to be recorded

C. Anderson v Beal &c By consent of the parties by their Attorneys It is ordered that the Injunction of the Plaintiff be made Perpetual, and that the Defendant pay to the Plff his Costs.

Phelemon Roark ~~Security~~ Guardian for the Children of George Phelips decd who was Summoned to give Counter Security appears in Court and executed a bond with Security to ~~the~~ indemnify his said Security which is ordered to be filed in the said Papers and that he pay to the said Security their Costs &c

Parsons vs Thompson on an appeal Continued

Klein vs Evans &c and
Klein vs Krieg &c. } On Injunctions

On the Motion for the Defendants by their attorneys It is ordered that the Injunction awarded the said Plaintiffs to stay further proceedings on the Judgment recovered by the said Defendant Krieg and Evans against the said Complainants be dissolved and the same ~~are~~ hereby accordingly dissolved

~~On the Petition of Black and Others~~

X Ordered that the Sheriff Summon all the acting Magistrates in this County to appear here ~~on the 1st~~ November next
(P. Court, in order to take into their Consideration the Recommendation of Militia Officers

Ordered from Hamilton Scott to Bowman acknowledgment of a Recognizance taken &c

Ordered that George Rader be appointed Overseer of that part of the road call'd the Brocks gap road Beginning at Carrs Mill and from thence to the Intersection of the Moorefarm road, Opposite John Hamilton's ~~Brocks gap road~~ and that the Inhabitants heretofore appointed to work on that part of the road be attached for his Gang &c and that so much of the order as directs Lewis Driver to work on the said Roads be rescinded

Ordered that Asher Waterman Peachy Harrison and Archd Rutherford or any two of them do examine state and settle the estate accounts of Samuel Hemphill dec'd and make report to the Court

Present Post in Layton, the Defendant was brought into Court by an arrest from under the hand of Gl Harrison a Justice of the Peace for said County, and he having given unto a Schedule of his estate, debts he having given unto a Schedule of his estate, debts the oath of an insolvent Debtor, and was discharged the Notice being acknowledged by John Rader one of the said Overseers).

Ordered that the Court be adjourned until Court in course

Gl. Harrison

At a Court Call'd and held at the Court House of Rockingham on Monday the 24th day of September 1810 for the examination of Thomas Rader Charged with ~~Felony for the~~ feloniously stealing from George Rader fifty Dollars

Present

John Ewen, Asher Waterman
Archibald Rutherford, Giles & G. Gurley
Early and Jonathan Shipman

The Prisoner was led to the Bar in Custody of the Jailor plead Not Guilty, and whereupon Sundry witnesses were Sworn, and examined to wit, George Rader, George Sites Jesse Lincoln and Mathias Snyder.

The Court upon Consideration whereof are of the opinion that the is Not Guilty, and that he be discharged

and the Court arose

A. Rutherford

Tuesday to wit

At a Court held for the County of Rockingham the 16th day of ~~September~~ October 1810

Present

John Erwin, Joseph Baxter
Charles Lewis, Wallis Davis and
George Dove . . . . . & G. Gentry

Ordered that the Rules be held in the Clerks on Thursday the 18th day of this instant and on the day after the 3d Tuesday in November, December and January next as the Law directs

Deed from Robertson to Coffman fully proved by the oath of William Taylor & Recorded

Deed from Burtholder Exr to Burtholder acknowledged & acknowledgt taken & Ctfd

Deed from Lemaraver Exr to Shipman same

Deed from Nair Exr to Reinhart same

Deed from same to A Davison . . same

Deed Ardis to Tuck proved by the oath of George Dove & Certified

Deed from James Lokey to Abram Pickering for land lying in the state of Ohio was presented in Court and proved by the oaths of William M Coy, George Rea & Henry Marsh Evidence to be certified

Deed from Boles &c to Butt further acknowledged by Conrad Boles Exr in Bath Court and Certified according to Law

On the Motion of John Smith Pt is ordered that a License be Granted him to Keep an Ordinary at his house in this County until the first day May Next he having paid to the Clerk of the Court $6.79 cents, on his entering into Bond with Henry J Gambill his Security in the Clerks office as the Law directs.

A Deed from Wesley to Holland proved by the oaths of William Taylor, Nich. Matheson & Henry J Gambill & ordered to be Recorded

A Deed from Leonard to Caldwell acknowledged & OR

Ordered that the Overseers Poor, bind Isabella Greer 4 years in April Next aged ____ ~~years~~ to Anthony Miller, as the Law directs. who is to have 15 Dollars freedom dues.

A Deed from Gourley ~~&c~~ to Wesley proved by the oaths Peachy Harrison, Hugh Dews Jr and Jacob Nebelt and ordered to be Recorded

A Deed from Cook Lee to Spangler acknowledged wife acknowledged to have OR

Grand Jury Sworn to wit John Brock, George Airey, Peter Brown, Henry Eyman, David Harrison, William Fowler, George Mallow John Craige, Solomon Perkey, James Kyle, David Coffman, Frederick Roads, Moses Thorp, John Timms, & John Tetrick, & Henry Beeler, who retired in charge and Voted from the bar to consult on their Presentments and after some time Returned into Court, and made the following, an Indictment agt Mason a true bill, and no Present &c and nothing further appearing It is ordered that the said Grand Jury be discharged, and that process issue on the said Presentments returnable as the Law directs

Adams v Sallee, Henry J Gambill, William Scott & Elliott Bitherford Sfbail office Judgt set aside payt & Issue & Continued

Deed from Shane &c to Snyder acknowledged & ackd & ordered

Deed from Vance &c to Vance for land lying in the State Tennessee, proved by the oath of John Lincoln (attorney) thereto

Nupp v Root. William Gamb. Sfbail office Judgt set aside as to the appearance bail payt & Issue Contd

On the Motion of Abraham Philips administration of Jacob Philips dec'd is Granted him, he having with Security entered into bond, and made oath thereto as the Law directs, and it is ordered that Philip Roark Thomas Moore, John Moore and Phileman O Roark or any three of them being first Sworn do appraise the estate of the said deceased and make report to the Court.

On the Motion of William M Coy admr of the estate of Margaret Losey dec'd is Granted him. he having entered into bond with Security and made oath thereto, as the Law directs, and it is ordered that Zachariah Coy. Henry Shaver, Daniel Mathews and Thomas Moore or any three of them being first Sworn do appraise the estate of the said deceased and make report to the Court

Mefsick v Weeks &c Benja Bryan Sfbail for Shane Dis

Roark v Rea &c Henry March and Thomas Bear Sfbail office Judgt set aside payt & Issue Contd

Herring v. Rankin &c. David Golliday Affidavit offer Judgm set aside pay Costs Continued

Herring v Rankin &c. David Golliday Affidavit offered Judgm set aside pay Costs Continued

Carmack v Gunnel &c. John Smith Affidavit offer Judgm set aside pay Costs Continued

Deed from Crowbarger to Alston proved by the oaths of George Alston & Jesse Thompson Ord

The Last will and Testament of John Alford dec'd was presented in Court and was proved by the oaths of John Snapp Sr. and John Snapp Jr. and ordered to be Record and on the Motion of George Alston and John Alston the executors therein named who entered into Bond with Security, and made oath thereto as the Law directs. a Certificate is granted them for obtaining Approbation in due form, and it is ordered that John Snapp Sr. Jobe Inglish, John McCausland, and Oliver McCausland or any three of them being first sworn do appraise the estate of the said deceadent and make report to the Court.

Harrison v Bear (two suits) David Harrison Affidavit offers Judgm set aside pay Costs and Continued

Booth v Erwin. on a Present of the Grand Jury for this Court hear and Defendant fined $250 Cents according to law and Costs

The Last will and Testament of George Shaver dec'd was presented in Court and was proved by the oaths of George Alston and John Alston Wits and on the Motion of Philip Shaver the executor therein named

who entire into bond with Security and made
accepted to is Granted him for obtaining probate of the same
oath thereto as the Law directs, and It is Ordered that
John Newton. John Pearce, Thomas Pacin, & Peter
Pyles or any three of them being first Sworn do
appraise the estate of the said decedent and make
report to the Court.

Marshburger vs Eyman &c. Abraham Barnam Sfbail

Reed vs Eyman. 2 suits Abram Barnam Sfbail

Gilmyer vs Cochran Arch'd Buchanan Sfbail offer
Pro confesso and pay 1/2 Ofer & Costs.

Comth vs W. Reid on a Conviction at the last Term
for unlawfull Gaming, the said Defendant against
whom a Capias was awarded, ~~obtaining last~~ came into Court. and
Together with Jacob Coogler, his Security ~~entered into~~
acknowledged themselves indebted unto his excellency John
Tyler governor and his Succesors in the sum of $100
each to be levied of their respective goods and Chattle
Lands and Tenements and for the use of the Comth
to be Rendered, upon this Condition that the said
William Reid shall be of good behavior for
one year, then the above obligation to be Void
else to remain in full force

Kirk for Pl. vs Robertson David Coffman Sfbail, offer
Pro confesso and pay 1/2 Ofer

Comth vs Rader ~~&c~~ on a Presentment the Defendant
appeared and being heard, It is ordered that an Informa-
tion be filed

Comth v Joseph Newton on a Presentment the Defendant appeard in Court and Confess'd a Judgment for ~~$10~~ one Dollar and the Costs of this Prosecution. Therefore It is considered by the Court that the Comth recover agst the said Defft the fine and Costs aforesaid

Ordered that Reuben Harrison and Gabriel McGarry be appointed Commissioners of this County for one year, on their entering into bond with good Security in the sum of $1000. each ~~Commissioner~~ in the Clerks office conditioned as the Law directs, and taking the ~~oaths prescribed by~~ oaths of Office

Comth v William Taylor. It appearing to the Court that David Shaver a Witness who was Summoned to attend this Court this day, Not appearing altho solemnly Call'd and no reasons appearing to the Court Ord. is ordered that an attachment be awarded against him for a contempt returnable hereon to Morrow

Comth v Koontz on a Conviction for unlawfull gaming the Defendant against who a Capias was awarded at the last Term, appeard in Court and Together with Joseph Bywaters his Security acknowledge themselves indebted to his excellency John Tyler Governor of Virginia and his Successors in the sum of $100 each to be levied of their respective goods and Chattles Lands and Tenements and for the use of the Comth to be Remitted upon Condition that the said Jacob Koontz shall be of good behavior for one year then the above recogz to be void else to remain in full force.

Miller Dr v Rachford. Mr Setzer as A G Office, and suit dismiss'd by order of the Plff's attorney

Comth v D. Wallace on a conviction for unlawfull Gaming, the said Defendant against whom a Capias was awarded at the last Term appeard in Court and together with Peter Shrimble his Security, acknowledged themselves to be indebted to his excellency John Tyler Governor of Virginia in the sum of $20 each to be levied of their respective goods and Chattels lands and Tenaments and for the use of the Comth to be rendered upon Condition that he the said David Wallace shall be of good behaver for one year then the above recog to be

Comth v J Perry on a Conviction for unlawfull Gaming, the said Defendant against whom a Capias was awarded at the last term appeard in Court and Together with Daniel Ragin his Security, acknowledged themselves to be indebted to his excellency John Tyler Governor of Virginia in the sum of one Dollar each to be levied of their respective goods and Chattels land and Tenaments and for the use of the Comth to be Rendered upon Condition that if he the said John Perry shall be of good behaver for one year from this day then the above to be

Ordered from Pickering Lee to May acknowledge recog acknowledged Sat. SBB

Ordered that this Court be adjourned until to Morrow Morning 10 o Clock

Geo. Hudson

# Wednesday the 17th October 1810.

Present.

John Ewen, Asher Waterman Peachy
Harrison & Jacob Wyson . . . & G. Justices

Arnold v Donaghue exon. dismd by order of the Plfs attorney.

Murphey v Ludwick Continued, and Nihil for Security for Costs,

Smith v Donaven dismd. agreed

Chandler v Pain the Defendant was brought in Court and confessd a Judgmt for the Debt in the Declaration Mentioned with Interest Costs

Ragen v Beaver Jury Sworn to enquire of the damages to wit George Sites, Jeremiah Warren, Peter Shrunkle, John Bulcher, William Jenkins, Henry Ware, Henry Sholderman, Josias M. Clark Joseph Krotzer, James Mefford & James Smily and James Scott Verdict for $38, 69 Cents with Interest and Costs, and Judgmt.

Ragen v Dever plea Warrt of Attorney confessd as per Specialty with Interest and Costs (saving &c right)

Keerby exon v Harrison . . . . same

Morris v Smily . . . . same

Gore v Stuffey . . . . same

Spangler v Dallow . . . . same

Salvage v Neal . . . . same

Brown v Hamilton &c. plea wand & Demr. Confsd saving equity

Sufferens v Douglas . . . . . same

M Kensey v Losey . . . . . same

Brock . v Rodman &c . . . . same

Craigie &c v Marshall &c . . . same

Bywaters . v Telford . . . . same

Dodds . . v Smith . . . . same

Bramman v Smith . . . . same

Graham v Marshall &c Dan'l Rogers S.P. said plea for Security stands kept by Principal & Sum and plea wand & Demr. Confsd saving equity

Sulivates v Shreckengost plea wand and Demr Confsd as per note with Int & Costs

Smith v Hamilton &c (3 suits) same

Sitis v Erskens & Custis In Chancery, On the Motion of the ~~Ptff~~ Plaintiff by his Attorney, and it appearing to the Court that the Defendant Erskens is no Inhabitant of this Commonwth. It is Ordered that the other Defendant Custis ~~can not be~~ be restrained, from ~~Conveying~~ paying, Conveying, away, or secreting the Debts by him owing to, ~~the~~ or the effects in his hands, of the said Defendants Erskens untile the further Order of this Court

Lincoln v Neal &c plea wand & Demr Confsd as per Special with Int & Costs (saving equity)

Spangler v Amon, William McMahan Sp. Bail
Offer Judgt set aside Supt Sp. Court

Lingle v Rice Sp. Offer Judgt set aside Supt for bail
Sp. Court

" Mott v Harrison . . . . . same

" Harrison v Rhew Offer. Judgt set aside Supt &
Sp. Continued

" same v same . . . . . same

" Carpenter v Losh Offer Judgt set aside Supt for the
bail Sp. Offer and continued

" Carpenter v Losh Sp. . . . . same

" Rea v Harrison M E set aside N. A & S. A within
five years. and Sp. Court

" Donaghue extr v Arnold Offer Judgt set aside ~~to~~ Supt
and to such record Sp. Offer and Cont.

" McWilliams v Hamilton Offer Judgt set aside for
the bail Sp. Offer and Continued

" Harrison extrs v Burgess . . . . same

" Gavis . . . v Hamilton Sp. . . . same

" Stanley exors v Dunlavon Offer Judgt set aside
Supt and Sp. Court

" Lane v Sulenbarger Offer Judgt set aside Supt for
the bail Sp. Court

" Harrison v Bear M E set aside Covenants performed.
by the bail and Sp. Continued

" Rice v Hamilton Offer Judgt set aside Supt by the
bail Sp. Offer and Continued

Forebough & Smith &c. offic Judgmt set aside & capt for the bail & Sheriff and Costs

~~Capt~~
Capito & Coffman dis. agreed.

Comth & Rogers on a Conviction for unlawfull Gaming, the Defendant against whom a Capias was awarded at the last term appeard in Court and together with Samuel M'Williams and Gordon Rogers his Securities acknowledged themselves to be indebted to his excellency John Tyler Governor of Virginia, in the payment of Ten Dollars each to be Levied of their respective goods and Chattles Lands and Tenements and for the use of the Comth the Condition endorsed, upon Condition that if the said John Rogers shall be of good behaveor for twelve Months. then the above Obligation to be void. whereupon the said Defendant delivered up a Schedule of his estate and took the oath of an Insolvent Debtor and was discharged.

A Deed from Waterman Exr to Kerby acknowledgt & acknowlgt taken &c

~~Comth & Depositions Entered~~

Comth & Kessell & Rogers Affdts as to Rogers N. Gas to Kessell & Jurs, Jury Sworn George Sites, Jeremiah Warren Peter Shrewsbo, John Butcher, William Jenkins, Henry M'Ca Dee, Henry Sholderman Josias M. Clark Joseph Krotzer, James Mefferts, James Smily, and James Scott. Verdict for Defendant

~~Comth & Rice & Oder Before adjourned~~

Comth v Cearer, &c the alleg for the Comth not ~~appearing~~ being willing further to prosecute this Prest. It is with the Consent of the Court ord'd to be dismis'd

Comth v Harrison Continued

Comth v Hoy ord'd Information be filed

Comth v Krotzer on a Presentment, fine $1.67 Cents for Working on the Sabbath day and Costs

Comth v Curtis. Defft call'd, and ord'd Information be filed.

Comth v Same. Same

Comth v Thompson ~~Defft called not appearing~~ on a presentment for unlawfull Gaming. Defft call'd not appearing. It is ord'd by the Court that he make his fine with his excelly John Tyler Governr of the Comth, and his Sureties in the sum of $20. for the use of the Comth. ~~and that~~ besides the costs of the prosecution, and it further ord'd that a Capias ~~be~~ issue ~~and award~~ agst the said Defendant for the said fine & Costs, and to bring him before the Court on the first day of Febry Court next there and then to be dealt with accordingly

Comth v Taylor ~~N G~~ & Same ~~Cont'd~~

Same v Frost ~~N G~~ & Same Continued

Same v Dunlap ~~N G~~ & Same Continued

Comth v Worthing on a presentment for unlawfull Gaming the said Defendant not appearing altho solemnly call'd. It is considered by the Court that he make his fine with his excellency John Tyler Governor of Virginia in the sum of $20. for the use of the

Comth. and that he pay the costs of this prosecution and It is ordered that a Capias do Issue agst the said Defendant for the said fine and Costs, and to bring him before the Court on the first day of February Term Next then and there to be dealt with accordingly

Comth v Showalter & N. Linn awarded

Comth v Freeze abated by return.

Comth v Smith & order Reforman be fild

Comth v Harshman & N. Linn

Comth v Reed & Mary Reforman as to Reed & Linn v Taylor.

Comth v Brindle abated by return

Campbells adm v Campbell & dismd by order of the Pltfs attorney.

Ordered that the Court be adjourned until to Court in Course

John Ewing

Tuesday to wit At a Court held for the County of Rockingham the 20th day of November 1810

Present.

Joseph Bartlett, George Newton, Archibald Rutherford Geles Jury & Thomas Moore Gent Justices

Deed from Rutherford to Cook acknowledged and ordered to be Recorded

Ordered that Layton Yancey, Jacob Bear and Joseph Mauzy or any two of them do examine state and settle the estate accounts of John Sheler dec and make report to the Court

Deed from Bell Exr to Lynn acknowledged in the State of Tennessee and Certified, according to Law OR

Ordered that Henry Sellars be appointed overseer of the Road in the room of Thomas Bird, and that he with the usual Tithables appointed to work on the said road be allowed for his Gang to work thereon &c

Deed from Lamar Exr to Woodward acknowledged & wife acknowledged taken OR

Deed from Ewen to Miller ~~acknowledged~~ proved by John Ewen Jeremiah Kyle & Henry Gamble OR

Deed from Miller Exr to Wagger acknowledged ~~OR~~ & wife acknowledged taken OR

Deed from Miller Exr to Paul &c same

Ordered that Peachy Harrison Joseph Craven & Joseph Tarrant or any two of them do examine state and settle the estate accounts of Adam Urquhart dec and make report to the Court

Grant that John ~~Cobb~~ Futwiler be appointed overseer of the road from Church Run to Mill Creek, in the room of ~~Abram Bush~~ George Sheffer, and that all the Tithables within 2 Miles on each side of the said Road be allotted for his gang

A Deed from Wm A Lee &c to Tesher acknowledged & ordered to be recorded

A Deed from Tesher &c to Wm A Lee &c same

A Deed from Perrie &c to Maggart &c same

A Deed from Pacengers to Lewis proved by the oaths of John Marshall & Joseph Graham & ORd

Sally Cook orphan of Henry Cook dec. came into Court and made choice of Jacob Sherly as her Guardian who entered into Bond with Security as the Law directs

A Deed relase from Rush &c to Newton proved by the oaths of John Rush, and William Swanson as to George Rush and William Steele, and Commission to Perry examination of said Steele is returned certified & ORd

Otto vs Steele on a Delivery Bond. Notice proved and Judgm.

A Settlement of the estate of John Steele dec. returned & ORd

Krim vs Evans &c on an Injunction

Same vs Krim &c on Injunction

The Plaintiffs having shewn cause, for continuing these Injunction as an Original Suit, It Ordered that they be severally Continued as ongenal Bill

A Deed from Hannum Rex to Sarah Hannum acknowledged and acknowledgt taken &c

Deed from same to Mary Hannum Jr. same

Deed from same to John & E. Hannum same

Ordered that Giles Fury, John Evens & Thomas Hoffman or any two of them do examine state and settle the estate accounts of Mary Baxter dec and make report to the Court

Ordered that the same settle the estate of Mary Baxter Jr. and make report to the Court

Sutherland v Erskens & Curtis In Chancery On the motion of the Plff by his attorny and It appearing to the Court that the Defendant Erskens is no Inhabitant of this Commonwealth, It is ordered that the other Defendants Curtis be restrained from praying, conveying, away or secreting the Debts due him owing to, or the effects in the hands of the said Defendants Erskens until the further order of the Court.

On the motion of Mobdelena Shank It is ordered that Joseph Krotzer Sen, George Chrisman, Jacob Rife and John Lincoln or any three of them be appointed to lay off her Right of Dower in the Lands of her late Husband Adam Shank dec and make report to the Court

Ordered that Mathias Amon, Joseph Graham Henry Harshbarger & John Mackall or any three of them being first sworn be appointed to View the old road near Port Republic, agreeable to the Petition of Benjamin Lewis and that make report of the conveniens and inconvenien ~~cies~~ attending the same to the Court

Ordered that Charles Lewis, William Lewis, Mathew Walsh and Moses Sharp or any 3 of them being first sworn be appointed to View an alteration made in the Public road by George Mc. agreeable to his and John Mackall Petition, and that they make report of the conveniens and inconveniens. attending the said alteration as also the old road to the Court

Samuel McWilliams Clerk of this Court produced in Court his account for Public Services, which was exam'd and allowed by the Court & Ord'd to be Certified

On the Motion of Adam Harshbarger and for reasons appearing to the Court It is ordered to be certified that he has paid £6. 4s Cents two much Land Tax for the years 1801, 1803, 1804, 1805, 1806 & 1807. ~~and assessed by~~

C.D. to f. 99.

Ordered that John Fenkle be appointed overseer of the road in the room of Bathewel Herring and that the usual Tithables appointed to work on the said road be allotted for his gang to work thereon and Keep the same in good repair

~~Ordered from Harshbarger to Attest proved by two others~~

Ordered that John Harrison be appointed overseer of the road in the room of Thomas Dunscombe, and that the usual Tithables appointed to work on the said road be allotted for his gang &c

Present
Ezekiel Harrison, Peachy Harrison
absent Giles Terry.
Joseph Bowles & Giles Terry.

Ordered that Jacob Crowder be appointed overseer of the road in the room of Samuel Crowder, and that the Tithables appointed to work on the said road be allotted for his gang to work thereon & keep the same in good repair

Ordered that George Leonard be appointed Overseer of the road in the room of John Shaver, and that the Tithables appointed to work on the said road be allotted for his gang to work thereon & keep the same in good repair

On the Motion William Campbell admr of the estate of Nancy Campbell dec'd is Granted her. he having made oath thereto, and entered into bond with security as the law directs. and It is ordered that Henry Perley, John Perrie Snr George Noble and John Nudlow or any 3 of them being first sworn do appraise the said decedents estate and make report to the Court

McGahey v Thompson On an attachment
The Constable having returned executed on 3 days &c and the said Defendant not appearing to reply the same altho solemnly called It is considered by the Court that the Plff recover against the said Defendant £9.11.3 with Interest on £8.16.4½ from the 28 Septr 1809 till &c and Interest on 7/10½ the balance from 1st Novr 1810 till

paid, and Costs. and It is further ordered that the Sheriff ~~vend~~ make sale of the aforesaid attached property and pay the Money to the Plff. in part of the said Judgm. &c

On the Petition of John Koontz for a View of a way for a road leading from his Mill on Smiths Creek to intersect the Main Road leading from Russells Town to New Market. Beginning at the said Mill and thence through the lands of John Brock, &c so as to intersect the said Road between Stevens plantation (late Tallmans) and —— Woods blacksmith shop, It is ordered that Michael Summers, Peter Petty, Daniel Mathews and Thomas Bear, or any three of them being first Sworn do View the said Way and make report of the Conveniency and inconveniency attending the same to the Court

Deed from Parrot &c to Lincoln proved by the oaths of Archd Rutherford, Zachy Harrison and George Sites, which with the Commission & Jury examination of this were returned &c

John Parson ... Appellant
David Thompson ... Appellee } On an appeal from a Judgm recovered by the appellee against the appellant, before Geles Jury esqr a Justice of the peace for the County of Rockingham on the 25th day of August 1810. this day came the parties by their attorny, and the Court having heard the evidence, and argument of Counsel, are of the opinion that there is no error in the said Judgment but and that the same be in all things affirmed

Therefore It is considered by the Court that the appellee recover against the appellant and his Security, Damages at the rate of 10 per cent from the said 25 day of August 1810 till paid, on the whole amount of the said Judgm and Costs together with his Costs in defending the appeal aforesaid here

Chandler v Carthew on a Note for money due for Jail fees Note proved and Judgm. $28. 164 cents with Interest from the 1st January 1807 till paid & Costs

Chandler v Carthew on a Note for money due for Jail fees. Note proved and Judgm for $30.58. with Interest from the 1st January 1807 till paid & Costs

Chandler v Newton on a Note for money due for Jail fees Note proved and Judgm for $7.56 cents with Interest from 1st January 1808 till paid & Costs

Ordered that the Sheriff do Summon all the acting Majestrates in this County to appear here on the first day of the next Court in order to Recommend Militia officers, and for the purpose of examining the Sheriffs list of Delinquents for the years 1809 & 1810.

Ordered that Jacob Leedy be appointed overseer of the Road in the room of John Koontz and that he with the Tithables heretofore appointed to work on the said Road work thereon and keep the same in Good Repair.

Ordered that the Court be adjourned until Court in Course

Joseph Boyles

Tuesday. To wit

At a Court held for the County of Rockingham on the 18th day of December 1810

Present

Ezekiel Harrison George Huston } Gent.
Jonathan Shipman & Walter Davis } Jus-

Spd A Deed of B. & S from Noah Fidler & wife to Melchor Brannaman Ack.d wife Examined. & O R —

Spd Same from Jacob Lamb & Wife to John Wise Junr ack.d wife examined. & O R

Spd A Deed from Thomas Porter & wife to Lepree Herring Commission & Wife's examination returned & O R

Ordered that the Overseers of the poor bind Elsey Bridwell aged 18 years the 13th day of March next and Samuel Bridwell children of John Bridwell to Lepree Bolin to Learn the trade of shoemakers & boot makers he paying each of them $15. Dollars at freedom dues, and that the Overseers ascertain the age of said Samuel.

A Deed from Samuel Tingley & wife to Thomas Simmons ack.d, wife examined, & ordered to be certified to the Superior Court of Hardy County. —

The Last Will & Testament of Joseph Hamilton dec.d was presented in Court and proved by the Oaths of Joseph Hinton & John Hilton two of the Witnesses thereto. & O R. And on Motion of Henry Smith & George Hamilton Exors named in the said Will who made oath and entered into bond with security Certificate is granted them for obtaining

a probate thereof in due form and it is ordered that James Henry, Henry Huddle James Quinn & Georg Airy or any three of them being first sworn do appraise d. estate and make report to the Court

On Petition of John Koontz for a road from his Mill so as to intersect the main road leading from Keizel Town to New Market the report being returned and the several person through whose lands the said road is proposed to run having certified their consent to the opening of said road, The same is established and it is ordered that Peter Zitty be appointed Overseer thereof and that the tithables within two miles on each side, assist him in opening & keeping said Road in lawful repair

Ordered that John Flora be appointed overseer of the road from George Kline to Jacob Kyper in the room of ~~Solomon~~ Huffman & that the usual tithables attend him in keeping the same in repair

A Sale Bill & settlement of the estate of Adam Argabright dec. Rt. & O R

Koontz vs. Vance &c on D Bond notice for D. & Ind.

Ordered that Henry Rode be appointed Overseer of the Road of which Peter Swope was overseer in room of said Swope, & that the usual tithables assist him in keeping the same in lawful repair

Ordered that the Overseers of the poor bind Fanny Bredwell to Henry Overly and that they ascertain her age she to have $15. for freedom dues.

Ordered that John Fulk be appointed overseer of the road from Brocks Gap towards Pendleton from the forks of the road to the foot of the mountain in the room of Peter Zirky and that the usual tithables assist him in keeping the same in lawful repair —

On Petition of Conrad Rader &c. Adam Fulk for an alteration in the old Brocks Gap road called Grattans road as it runs through their lands. It is ordered that William Hopkins Peter Shekel, Adam Reader & Joseph Baxter or any three of them being first sworn do view the same & report the conveniencies & inconveniencies to the Court

A Deed from Anthony Yost & wife to Fredrick Stumback Ack. wife Examined & O.R.

On motion of the Overseers of the poor, it is ordered that so much of the Order ~~of direction~~ David Woods a free Mulatto to be bound to Henry Rader as requires Eighteen Dollars to be paid as freedom dues be rescinded and that $12 be paid as freedom dues.

On Motion of Thomas Lanahan late a resident of the kingdom of Great Britain who appeared in Court and gave satisfactory proof by oath of his intention to reside in this Commonwealth and also took the Oath ~~of Allegiance~~ giving assurance

of fidelity to this Commonwealth & the same is ordered to be certified and also that he is a daily Labourer late of that part of Great Britain called Ireland

On Motion of Ezekiel Davison administration of the estate of Godfrey Grandell dec^d is granted him he having made oath and entered into and ack^d bond with security according to law, Elizabeth Grandell the widow of s^d dec^d having relinquished her right of administration and it is ordered that John Moore Thomas Moore Michael Mantz & Daniel Matthews or any three of them being first sworn do appraise said estate and make report to the court

Peck vs. Amon &c. On D Bond notice proved & Judt.

Crouse vs Hudlow &c. on D Bond notice proved as to Hudlow & Judt.

Herring vs Breedin on Att^a the Deft being called & failing to appear and the Plff having established the justice of his demand Judgt is granted him for $10.80 & Costs and Ordered that the Sheriff make sale of the attached effects &c.

Ordered that the Sheriff Summon all the acting magistrates in this County to appear here on the first day of the next Court in order to recommend Militia Officers, and for the purpose of examining the Sheriffs list of Delinquents for the years 1809 & 1810.

Ordered that the Court be adjourned until Court in Course.

Joseph Baxter

Tuesday to wit

At a Court held for the County of Rockingham the 15th. day of January 1811.

Present.

John Ewen, Joseph Baxter, Jacob Kyger &
Asher Waterman

Ordered that the Overseers of the Poor bind Patsey Kellers poor child of Nancy Kellers aged 2 years the 25 of December 1810 to Peter Moyers, according to Law.

Ordered that the overseers of the Poor bind Judeth Ann Black child of David with his approbation aged about 14 years, to John Early who is to recd for freedom dues $15 Dollars

A Report of the Dower of Madelena Shank Widow of Adam Shank dec'd returned & Rd

A Appraisement bill of the estate of Isaac Branaman dec'd Ret. & Recorded

A Power of attorney from Asher Waterman to Timothy Green acknowledged & R

A Deed from Mellis &c to Deeds acknowledged by the Deputy Sheriff in Madison Court and certified, and was proved by the oaths of Henry Gambill, Philip Deeds & Geo. M. Harrison, & Recorded

A View and report of an alteration in the road, made agreeable to the Petition of Conrod Custer, which alteration is ordered to be established agreeable to the said report. and it is ordered that the overseer of the old road, work on the new part thus established, as the Law directs. &c.

Ordered that John Sherman Jr. be appointed overseer of that part of the road leading to Woodstock Ct.

the back road) in the room of William Robertson and It is ordered that all the Tithables within three miles on each side of the said road be allotted for his gang to work thereon and keep the same in Good repair

Ordered that the overseers of the Poor bind John Fry orphan of Fry and (who was formerly order to be bound unto Jacob Early) unto Peter Roughgh to learn the trade of a Shoemaker as the Law directs, and It is ordered that the former Order directing him to be bound unto said Early be rescinded

A View and report of an alteration in the road leading into the Town of Port Republic, was returned into Court, by the Viewers, which alteration is hereby established agreeable to the said Report, and It is ordered that the overseer of the said old Road work on the said new road, and keep the same in Good repair.

Ordered that John Showalter be appointed overseer of the road in the room of John Byerly and that he with the usual Tithables appointed to work on the said road, work thereon and keep the same in Good repair &c

Ordered that the William Lafferty be summoned to appear here at the Next Court to Shew Cause if any he can why his Children should not be taken away from him and be bound out by the Overseers of the Poor it being suggested that he is not in Circumstances to raise and Educate them &c

Ordered that the overseers of the poor —— a Mulatto child and —— a ferniale black child to Mark New and the said —— to learn the trade of Saddle tree makes, and It is ordered that he give unto

each of them £15 free dome dieg.

Cl An appraisment bill of the estate of Joseph Harrellson dec. returned & R

Ord on the Petition of the executors of William Smith dec. for an alteration in the road leading from Harrisonburg to New market. Beginning at the Widow Barr, and running thence to the top of the hill beyound the old dwelling house, ~~that~~ so as to turn the said road along the old road, It is ordered that, Samuel M Williams, Thomas Harrison, Daniel Hagen and George W Harris or any three of them being first sworn ~~for~~ do View the said alteration as also the road as it now runs, and make report, of the conveniencies and inconveniencies attending both ways to the Court.

Ordered that the bounds of Samuel Glyn an Overseer of the road from Russells Town to New market be devided, beginning at Roberts Harrisons Plane at Smiths Creek, and from thence to Williams Stentons old place, to with the said Glyn to continue on that part from the said Creek, to John Dessos, and that the said John Dess be appointed Overseer of the remaining part of said bounds, and the Tithables appointed to work on the said road be devided between the said Overseers.

Ord Rt. Nolins & Pallis &c on a Delig. bond Nolin found Judgm

A View and report of the alteration made in the road leading from Harrisonburg to New Market agreable to the Petition of the exrs. of William Smith dec. was returned into Court, whereupon It is ordered that the said alteration be established

agreeable to the said Report, and that the said Petitioners have leave to stop the road as it now runs so soon as the said New way is open and put in Good repair, and that oversees work thereon and keep the same in good repair

Ord A Settlem of the estate of Philip Royer dec returned & R

Ord On the Motion of Jarvis Dusp, It is ordered that an Ordinary License be Granted him to keep an Ordinary at his house from 6 January 1811 until the first day of May next he having paid to the Clerk $3.91 cents. or his entering into bond with Daniel Smith his Security.

bond given

Ord On the Motion of Peter Nicholas It is ordered that a License be Granted him to keep a Tavern at his house from this day until the 1st day of May Next he having paid to the Clerk $3.66 cents or his entering into bond, with Henry J Gambill his Security as the Law directs

bond given

Ord Ordered that Asher Waterman, Peachy Harrison & Joseph Fawcett or any 2 of them examine state and settle the estate accounts of Gawin Hamilton dec with the heirs and make report to the Court

Cop

Ord On the Motion of Dennis Lanahan, It is ordered that a License be Granted him to keep a tavern at his house from this day until the first day of May Next he having paid to the Clerk $3.66 cents or his entering into bond with Henry J Gambill his Security as the Law directs

bond given

Ord Ordered that Henry Gilmore be appointed a Constable in the —— District with Ephraim Harshbarger, until the July Court Next who entered into bond with Security and took the oaths prescribed by Law, as also the oath to suppress ~~the~~ duelling

Susanna Wooden Orphan of Jonathan Wooden dec.d came into Court and made choice of Henry Sejis as her Guardian who entered into bond with Security as the Law directs

Ordered that the Court be adjourned until the 3.d Tuesday in February Next. John Dunn

Tuesday to wit

At a court held for the County of Rockingham the 19.th of February 1811

Present

Ezekiel Harrison, Joseph Baxter, George Harter
Jacob Kyger . . . Js Gentlemen

+ ADeed from M. Cooper Exr to Z. Harrison acknowlg.d and certified from the State of Ohio &c.R

+ ADeed from Shoolder to Miller acknowlg.d wch acknowlg.d before &c.R

+ ADeed from Melchorn &c to Jacob Snell acknowlg.d wch acknowlg.d before &c.R

+ ADeed from Melchorn Exr to Snell acknowlg.d before &c.R

+ ADeed from Dunlap exr.s to Bader acknowlg.d by Baxter one of the exr.s and proved by David Bowman Benja Tenan and John Shaver as to the other exr. &c.R

Ordered that the Rules be held in the Clerks office on Thursday the 21.st Instant and on the day after the third Tuesday in March and April next as the Law directs

Michael Butts orphan of Merridle Butts dec'd came into Court and made choice of Jacob Kyzer as his Guardian, who entered into bond with Security as the Law directs

On the Motion of John Deales, administration of the estate of Jacob Bowden dec'd is granted him he having with Security, entered into bond, and made oath thereto as the Law directs, and It is Ordered that John Riddle John Rader, Andrew Andrews, & Jacob Bumbo, or any three of them being first sworn do appraise all that part of the said Deceadents estate being in the County of Rockingham and It is ordered that Adam Shover, John Weiser, John Slater & Peter Fry or any three of them being first sworn do appraise, that part of the said Deceadents estate being in the County of London and make report to the Court

Nancy Driver orphan of Michael Driver dec'd came into Court and made choice of George Sheltze as her Guardian, who entered into bond with Security as the Law directs.

Weis adm'r to Estate of William Rice & Gilbert Hughes set as do pay 5 p. cent

Deed from Peter Fry to Jereboam Acknowledged, which with the Privy examination of his wife returned Certified are ordered to be Recorded

Grand Jury Sworn for the body of this County, to wit Samuel Chandler, Foreman, Henry Lyman, Isaiah Shipman, Stephen Connor, William Scott, William Sprinkle, Joseph Williams, William Rice, Michael Miller, George Small, Nicholas Boughner, John Craige, Jonathan Taylor, Kevin McCausland, Abram

Deal and Thomas Hopkins, who retd their charge and retired from the Bar, to consult on their Presentmt and after some time returned into Court and made the following, viz Present David Kyle &c and nothing further appearing It is ordd that the Grand Jury be discharged and that process issue on the said Presentmt returnable to the next Court.

Ordd from Mackall Rex to Austin a Scire facias & Alias

Dellard v Matheny Daniel Mathews Spelbach

Miller v Cummins Disms'd by order of the Plffs attorney

Reese v Smith dism'd by order of the Plffs attorney

Ordd from Wayt &c to Lynn a Scire facias and certif. from the County court of Augusta &c

Ordd that Benjamin Thompson be summoned to appear here at the next Court to shew cause if any he can or knows to say why his children should not be taken away from him and be bound out by the overseers of the poor it being suggested to the court that he is not in circumstances to raise and educate them in a proper Manner.

Gettinger v Cochran dism'd agreed

Coutts v Harrison by consent of the attorney for the Coutts and with the assent of the Court the said Presentment is dismissed

On the Motion of Zachariah Dye, It is ordered that a License be granted him to keep an Ordinary at his house from the 16th January 1811. to the 1st day of May Next he having paid to the clerk £3.66. Cents on his entering into bond with Samuel Chandler his Security in the Clerks Office

Present Asher Waterman

Ordered that the court be adjourned untell to Morrow Morning 10 oClock

E. Harrison

Wednesday to wit

At a court continued and held for the County of Rockingham the 26th of February 1811.

Present

Ezel Harrison, Joseph Baxter, Peachy Harrison & George Love - - - - J. G. Justices

Hayes Hoffman v Carrell dismiss'd agreed

Gilbert v Wilson dismiss'd agreed

Smith a Rader Not Guilty & Issue and a Jury sworn to wit Jesse Rolston, John Newton, John Black, William Bear, Abraham Baker, Michael Dick Gordon Rogers Aaron Kyle, John Jr. Jenkins George Cline, John Craig & Mathew Walton Verdict Defendant Guilty and Judgment.

Rice v Parry John Carlton Jr Sp Bail Office Judgment set aside paying Costs & Continued

Samuel Glyn, & David Beard ~~John Beard~~ who was this day summoned to attend as Jurors and was solemnly called but came not. It is therefore considered by the Court that they make there fine in the payment of $8 each unless good cause be shewn for such there Non attendance during the present term

Bear v Peter exon (N. E set aside, plea Owe Nothing), and Issue, and continued

Comth v Martin & McLaughlin Jury sworn to try the Issue to wit Joseph Dexter, John Boyer, John Lincoln, Adam Fesher, Jesse Boling, Daniel Probyman, John Dalton, Julia S. Foster, Benjamin Snider, Zachay Noy, William Jenkens, & Peter Kelley. Verdict that the Defendants are Guilty, and assess Martins amusement to 2 cents and McLaughlin to $2, and Judgments.

Comth v Noy Not Guilty & Issue, Jury sworn to try the Issue to wit Jesse Rowlston, John Dexter, John Black, William Bear, Abraham Baker, Michael Deitz, Goran Bogus, James Kyle, John Jenkens, George Cline, John Craig, & Mathew Walton. Verdict Defendant Not Guilty.

On the Motion of Barbara Robertson & Daniel Coffman administration of the estate of Milbe and Robertson dec'd is Granted them they having given bond with security, and made oath thereto as the Law directs, and

It is ordered that Henry Stalp, Casper Brammer, Frederick Cline, and John Shaver or any 3 of them being first sworn do appraise the estate of the said Robertson and make report to the Court.

Sufferences v Douglass & Now a Day bond Notice proved acknowledged by Douglass & Judgment.

Comth v Lewis on Presentment, parties heard and discharged

Comth v Custard Not Guilty & Issue and Jury sworn to wit Joseph Dexter, John Boyer, John Lincoln, Adam Fesher, Jesse Boland, Daniel Probyman

John Dalton, Benjamin Tinder, Zacharia Hoy
William Jinkens, Peter Tilly and Henry V. Bingham
Verdict. Defendant Not Guilty

The same v The same Not Guilty & Issue, Jury sworn
to try the Issue to wit, the same Jury as in the first Case)
Verdict Defendant Not Guilty.

~~Comth v Shawalter N G & Issue Verdict~~
~~Comth v Shawalter Not Guilty and Costs of the Prosecution~~

Comth v Taylor Jury sworn to try the Issue to wit
Isaac Rowlston, John Newton, John Black, William
Bear, Abraham Bates, Michael Deck, Gordon Rogers
James Kyle, John Jinkens George Cline, John Craig &
Andrew McClelland whereupon, the by Consent the
Jury is adjourned untill to Morrow 10 Oclock

Comth v Thompson on a conviction at the last Term for
unlawfull Gaming, the said Defendant was brought into
Court on a capias, and Together with Joseph Bywaters
his Security acknowledged themselves to be indebted to
his excellency James Monroe Governor of Virginia
in the sum of Twenty Dollars each to be levied of

their respective Goods and Chattles Lands and Tenaments and for the use of the Commuth to be Rendered upon condition that if he the said Charles Thompson shall be of Good behavior for one year from this day then the above recogz to be Void

Ketchum & Co vs Losey & Co on a Delivy bond Notice proved and Judgm

A. Koontz exon vs Phelps exon &c. . . . same

A. Hunt vs Woods &c . . . . . same

~~L. Losey vs M. Kinsey &c . . . . same~~

M. Kinsey vs Losey &c . . . . . same

G. Rice vs Carthrea &c . . . . . same

A. Bywaters vs Tetters &c . . . . same

A. Gevin vs Pounderter &c . . . . . same

L. Rice . . vs Woolf &c. same as to Hudlow.

Ordered that the Sheriff Summon all the acting Magistrates in this County to appear here at the Nexth Court in order to take into their Consideration, the leying a Sess of Money for building a bridge across the North River at or near Robert Grattans, and for other Purposes

Ordered that the Court be adjourned until to Morrow Morng 10 o'Clock

E. J. Harrison

Thursday to wit

At a court continued and held for the County of Rockingham the 21st day of February 1811.

Present

Ezel Harrison. Asher Waterman Assts
Rutherford and Peachy Harrison ..... Js Gs Justices

Rice v Hamilton dismd agreed.

Shuler v Miller M Est set aside J G & Sfm and Costs

King v Kuyendall M Est set aside J G & Sfm and Costs

Mesick v Nelson for Offrs Judgt set aside Judgt & Sfm and Costs

Baker v Heatly for Offrs Judgt set aside Judgt for the Sc. & Sfm and Costs

Fenwicks adms v Weirs adms M Est set aside Covenants Judgt & Sfm and Costs

Weir adms v

Perkey v Nelson for Offrs Judgt set aside Judgt & Sfm and Costs

Harnsberger v Eyman for Offrs Judgt set aside Judgt and Sfm and Costs

Rice v Eyman ... (two suits) ... same

Graham v Carthrew Offrs Judgt set aside Judgt for Sc. & Sfm and Costs

Spangler v Mesick Daniel Rogers Sp Bail Offrs Judgt set aside Judgt & Sfm and Costs

Present George Dove Gent

Shipman v. Gelmud On the Motion of the Defendant
by it is ordered that the Injunction awarded the Plaintiff
to stay further proceedings on a Judgment Recovered by the
said Defendant against the said Plaintiff, be dissolved, and
the same is hereby accordingly dissolved.

Comth v. Court Jury Sworn to try the Issue to wit
Robert Dunlap, Peter Brown, Jacob Neely, Peter
Wheltmore, Volentine Miller, Jacob Ammon,
John Carthrea Jr John Effinger, Jacob Rohr,
Permenus Woods and John Barlow, & Mathew Watson
whereupon by Consent Jacob Rohr one of the Jurors
was withdrawn, and the rest of the Jurors discharged
and the Cause is Continued untill the Next Term

//

Comth v. Dunlap Jury Sworn to try the Issue
to wit the same Jury as in the Commonwealth v. Court,
whereupon Jacob Rohr one of the Jurors was
withdrawn and the rest of the Jurors discharged
and the Cause is Continued untill the Next Court.

Pierce v. Robertson on the Motion of the Plaintiff It is
ordered that a Scire fas. do Issue against the administrators
of the said Robertson dec'd. to shew Cause why the said Scire
should not stand against them, returnable to the May Court
Next

Martin Burkholder who was this day Summoned to attend as a Juror, was solemnly called but came Not. It is ordered that for such his Contempt he make his fine, viz the payment of $6 unless good Cause be shewn for such his Non attendance during the present term.

Spangler vs Simon Plea Ward and Judgmt confessed as per Specialty with Interest and Costs Sci. fa. equity

Adam vs Sala . . . . . same

Forebaugh vs Smith &c . . . . . same

~~Harrison vs Bell~~
Harrison vs Bear . . . . . same

Harrison vs Bear . . . . . same

~~Samuel vs Lukenbaugh~~

Hackleperson vs Moore &c . . . . . same

~~Harrison vs Burgh~~

M'Williams vs Hamilton . . . . . same

Nesbit vs Root . . . . . same

Koontz vs Rea &c . . . . . same

~~Carpenter vs Losh &c~~

Carpenter vs Losh &c . . . . . same

Hammer vs Wren . . . . . same

Hammer vs Wren . . . . . same

Herring vs Rankin &c . . . . . same

Herring vs Rankin &c . . . . . same

Campbell vs Gunnel &c . . . . . same

Engle vs Rice &c . . . . . same

O. 26
I.B 18
Z 18
O. 18.

Harrison etux v. Burgess Archebald Rutherford, Sfbail, plea by Security withdrawn, and payment by the principal & Issue, plea warr & Judgt Confess as per Specialty with Interest and Costs (saving equity

Donaghue etux v. Arnold, on a Scire fas plea warr and Judgt. revived,

Carpenter v. Lieut Joseph Bywaters Sfbail, plea by Security Set aside, and payment by the Principal, and Issue, plea warr & Judgt. Confess saving equity—

Griffiths etux v. Erskine and Curtis. In chancery on the Motion of the Complainants by their attorney and it appearing to the Court that the Defendant Erskine, is no Inhabitant of this Commonwealth, It is ordered that the other Defendant Curtis be restrained from paying, Conveying away, or secreting, the Debts by him owing to, or the effects in his hands, of the said Defendant Erskine, until the further order of this Court.

Counth v. Harshman &c. abates by Return

Counth v. Smith & Copland. Continued

Counth v. Mason abates by Return

Counth v. Smith. Continued

Counth v. Hudlow & Good. Order Information as to Hudlow, and New Summons awarded as to Good.

Lane v. Lieutenant Daniel Rogers Sfbail, plea by Security withdrawn, and payment by the Principal & Issue, and plea warr & Judgt Confess as per Specialty with Interest and Costs (saving equity)

Comm.th v Showalter by Consent of the attorny for the Comth and with the assent of the Court It is ordered that the Presentment be dismissed

Comm.th v Taylor The Jury Sworn in this Case on Yesterday appears in Court agreable to thier adjournment, and found the following Verdict we of the Jury find the Defendant Guilty of throwing dice for a sum, under twenty dollars in the Corner of a fence the property of a private Individual Near where they were a Shooting for a Beef, & the law be for the Commonth we find the Defr guilty, and for the Defendant we find for the Defendant, whereupon the Matter of law arriseing on the said Verdict being argued It is seemed to the Court that the Law is for the Commonwealth It is therefor considered by the Court that the Defendant make his fine with his Excellency James Monroe Governor of this Commonwealth and his Successor in the payment of $20. for the use of the Commonwealth besides the Cost of this prosecution, and It is ordered that a Capias do Issue against the said Defendant for the fine and Cost aforesaid, and to bring him before the Court on the first day of May Court Next then and there to be dealt with accordingly

Comm.th v Reid & Taylor abate as to Taylor, and the Defendant Reid appears in Court and plead Not Guilty & Issue, and thereupon came also a Jury to wit John Graham, John Pence, William Campbell, Isaac Bolling John Dalton, Jacob Lala, Christian Geakle, Joseph Nicks William Wendle, Robert Herring, Alexander McCartney & Thomas Sulavan, Verdict for Defendant Not Guilty

Aaron Poor vs Leghwarden dismd

Same vs Brown Costs

Same vs Tapp. New trial awarded

Murphy vs Ludwick dismd for want of Security for Costs.

On the Motion of Martin Burkholder who was this day sumd for non attendance as a Juror, and for Reasons appearing to the Court It is Ordd that the said fine be remitted.

Ordered that the court be adjourned until the 3d Tuesday in March Next

Ezekiel Harrison

At a court held for the County of Rockingham on Tuesday the 19th day of March 1811

Present

Ezekiel Harrison. George Huston
Joseph Baxter. Jacob Kyger. } Gent. Just.

A Deed from Christopher Dupoy to Henry Hauke proved by the Witnesses thereto & Ord.

On Motion of Samuel Sullenberger & Henry Welch administrators of the Estate of James Scott dec'd is granted them they having made oath and entered into and ack'd bond with security according to law, and it is ordered that Jacob Yost John Dolton Alexander M'Cartney & Frederick Shangler or any three of them being first sworn do appraise said Estate & make report.

Ordered that Peachey Harrison Henry Devich and Joseph Fawcett or any two of them do settle the Estate account of Jacob Good dec'd with the administrator —

A Deed from James Kyle & wife to Fredrick Kyle Ack'd & O R wife being privily Ex'd &c

Same from Philip Simonton & wife to Isaac Bolton — Same —

An Inventory & Appraisement of the Estate of John Wise dec'd Ref'd & O R

Same of Jonas Haines same order

A Deed from John Hupp & wife to Peter Grim dec'd Ack'd wife Ex'd & O R —

On Motion of James Quinn administration of the estate of Morris Morris dec'd is granted him he having made oath & entered into and ack'd bond with security according to law —

The Last Will & Testament of John Kyser dec'd was presented in Court & proved by the oaths of Conrad Mericky & Christopher Mericky & ordered to be recorded & on Motion of Christian Stroke the Executor therein named who made oath and entered into & ack'd bond with security according to law a certificate is granted him for obtaining a probate thereof in due form And it is ordered that William Pence Michael Shuler John Kiston and Henry Long or any three of them being first sworn do appraise Dec'd Decedents estate —

An Inventory & Appr't & Sale Bill of Eliz'a Shenk dec'd Ref'd & O R —

The last Will & Testament of Jacob Ludwick dec'd in the German language was presented in Court & proved by the oaths of Martin Garber Peter Sowerwine & Peter Wilt &

the translation thereof proved by the oaths of Martin Garber & Jacob Rife & ordered to be recorded - Ex on motion of Jacob Good one of the Executors named therein who entered into and ackd bond with security according to law. certificate is granted him for obtaining a probate thereof in due form —

The last Will & Testament of Samuel Erwin dec was presented in Court & proved by the oaths of William Erwin & Benjamin Berry witnesses thereto & ordered to be recordd And on Motion of Robert Erwin & William Erwin Exors therein named who made oath and entered into and ackd bond with security according to law certificate is granted them for obtaining a probate thereof in due form, and it is ordered that Robert Magill Jacob Erwin George Cogler & Henry Hansbarger or any three of them being first sworn do appraise said estate —

Ordered that Abraham Peters be appointed Overseer of the road, in the room of John Mood, leading from Harrisonburg to Newmarket, beginning at the Parson Field, and from thence to Jos. Huffs that all the male [redacted] laboring tithables within three miles on each side of said road be allotted to him for his guang to work thereon and keep the same in good repair —

Ordered that William Bowers be appointed Overseer of the road leading from Lewis Linkles mill to the great road leading from Harrisonburg to Newmarket near Hoofs, and that Henry Phillips

Phillimon Ward, Peter Rinus, Phillip Carey John Layton James Layton And. Byrd And. Campbell Phebe Moore's hands, Thos. Moore Jr Henry Hoof Henry Miley Abm. Peters Colm Peters & Geo Hoof be appointed to him as his gang to work thereon & keep the same in good repair

Ordered that Michael Manly be appointed Overseer of that part of the road leading from Nancemunds to Keagletown, that lies between the parson Fields & the forks of the road at the white house, it being a part of Zach. Hoof present bounds, & that all the male tithables on each side of the road within the distance of the limit prescribed to said Hoof be allotted to him as his gang to work thereon & keep the same in good repair

Overseers of the poor v John Sellars on a recognizance as the reputed father of a base born child of Susannah Highnecker the said Defd appeared in Court in discharge of his recognizance and being heard the Court upon consideration thereof are of opinion that he is the father of said child and do order that he be bound in a recognizance with security for the support of said child in the sum of £42 payable to his excellency Jams Monroe Governor of Virginia & his successors to be paid to the Overseers of the poor of the said County in the following manner to wit six pounds within two months hereafter six pounds on the 19th day of January next and six pounds annually thereafter until the whole sum be paid to indemnify the parish for the support of said child and that he stand committed until he give such security. Whereupon the said John Sellars together with Henry Miller entered into a recognizance agreeable to the above Order

Ordered that Christian Strode be appointed Guardian for Elizabeth Eve, Mary, Sally, Reuben & John Hyson orphans of John Hyson who entered into bond & security as the Law directs

On the Motion of the Executors of Peter Higgins dec^d It is ordered that Ezekiel Harrison Thomas Moor & Andrew Bird or any two of them (They being the former Commissioners) do reexamine the accounts & make a further & finial settlement of the estate accounts of D^r Higgins dec^d

On the motion of Jane Beard widow of James Beard dec^d It is ordered that George Huston, Samuel Lynn, John Baker & Martin Whitmore or any three of them being first sworn do assign & lay off to her her dower in the lands of which the said James Beard died seized — and make report to the Court —

Ordered that George Huston Henry Sipe & John Shaffer or any two of them do settle the estat account of David Smith dec^d with his administratrix.

An Inventory and a/pt of David Smith dec^d rec^d & Ordered to be recorded.

On the Motion of Peter Roler It is Ordered that the surveyor of this County make an Inclusive survey of all the lands of the said Peter lying in the county of Rockingham as he may direct It appearing that notice of this Motion has been given as the law directs.

The last Will & Testament of Robert Rutherford dec^d was presented in court and proved by the oaths of George Huston Daniel Smith and John Hall witnesses thereto and ordered to be recorded And on the motion of Archibald Rutherford the Executor named in said will who made oath and entered into and ack^d bond

with security according to law a certificate is granted him for obtaining a probate thereof in due form And it is ordered that George Peters Joseph Thornton Henry Zeltwiler & Jacob Rohr or any three of them being first sworn do appraise said estate and make report &c

Ordered that Lepee Magill be exempted from the payt of County & Parish Levies he being Deaf & Dumb.

Ordered that Jacob Spader be appointed Overseer of the road from the Church run to Mill creek in the room of John Zeltwiler and that the usual Tithables attend him &c

It appearing to the Court that Peter Miller dec.d departed this life more than three months ago and intestate as it is believed & no person applying for administration of his estate It is ordered that the Sheriff of this County do take said estate into his possession and make sale thereof giving nine months credit the proceeds whereof to be disposed of acording to Law -

The Sale Bill & Inventory of Debts &c of Michael Baker dec.d rec.d and ordered to be recorded.

An Inventory & Appt. of Jacob Philips dec.d rec.d and ordered to be recorded.

Sale Bill of same. same order

An Inty & Appt of Peter Wortz. same Order

Same. of William Robertson same order.

A Deed from William Dile & Wife to Adam Once & others Ack.d Wife ex.d & O R.

Same from Robert Harrison to John Brock proved by the oaths of Joseph Fawcett Elliott Rutherford & Gordon M Williams witnesses thereto & O R

A Deed from Joseph Bilhuimer & wife to John Smith. Ackd wife Exd & O R.

Same from Valentine Bolton & Wife to Isaac Bolton ackd by said Valentine and Ordered to be recorded.

An Instrument of writing between James Jr Mackall & James Burgess proved by the oaths of John Clark James Kelly & John Dundore & Ordd to be recorded.

A Deed from Francis Kirtley to Jacob Bean further & fully proved by the oath of Joseph Mauzy and ordered to be recd.

On Motion of St Clair Kirtley high Sheriff of this County William Scott & John Bywaters were admitted as deputy Sheriffs of this County they having taken the oaths prescribed by Law.

Ordered that Mary Dundore be appointed Guardian of Mary Dundore & Rebecca Dundore orphans of Christley Dundore decd in the room of John Brock. whereupon the said Mary entered into and acknowled bond with security as the Law directs.

John Brock one of the securities for Mary Dundore & John Dundore admrs of Christley Dundore decd having made application to the Court for a summons against the said Mary to give him counter security the said Mary Dundore appeared in Court and entered into and acknowled bond with security according to Law

(fee assigned the Exors)

Spangler - vs. Ryan & al. on D Bond Notice prov'd & Ord

Same. vs. Same - on D Bond. same order.

Overseers of the poor vs Charles L Mount & al on D Bond. Notice prov'd & Ord

On Petition of Stephen Conrad. Vothers for an alteration of the road from Henry Moyers Mill to Daniel Harshmans. It is ordered that Martin Kite Daniel Harshman Henry Bear & Henry Miller or any three of them being first sworn do view the said way, as the new way proposed & make report to the Court of the conveniencies & inconveniencies attending both ways as also through whose lands the new way proposed will run and make report to the Court &c.

On the Motion of James Burgess who owns the land on both sides of the South river at the place where he proposes erecting a Dam for the purpose of working a Water Grist Mill, the bed of the said river at the place where said Dam is proposed to be erected belonging to the said James Burgess & to the Common &c. It is ordered that a Writ of ad quod Dammum be awarded him to be executed on the 12th day of April — next —

On Petition of Jacob Miller & others for an alteration of the road from Conrad Hausbargers Mill to Humes. Run and to remove obstruction on a part thereof It is ordered that John Sellars Michael Reichart Daniel Sellars & John Frye sen. or any three of them being first sworn do view the said road & make report to the Court of the Conveniences and inconveniencies attending as well the old way as the new way proposed as also through whose lands the new way proposed will run.

On Petition of Reubin Harrison for an alteration of the road from the top of the 2d hill near Harrisonburg to the mouth of John Graham lane It is ordered that John Graham John Sheltman & Dorman Copland being first sworn do view the propos'd alteration & make report to the Court of the Conveniencies & Inconveniencies attending it as well the old as the new way & make report to the Court

Ordered that the Overseers of the poor bind Michael Snyder orphan of Jacob Snyder dec'd to Adam Fisher to learn him the trade of a hatter the said Fisher agreeing to pay him fifteen Dollars at freedom dues and that the Overseers of the poor ascertain his age.—

Ordered that Robert Hook be recommended to his Excellency the Governor as a fit & proper person to

Absent Ezekial Harrison & Jacob Kyger Gent

present Reuben Harrison & George Dove Gent

The Court doth recommend to his excellency the Governor the following gentlemen as fit & proper persons to be commissioned as officers in the first Battalion of the 58th Regt

Robert Hook Captain in the room of James Brown removed

Jacob Hook Ensign in the room of Robert Hook promoted ~~Ephraim Hansbarger Capt~~

Ephraim Hansbarger Capt in the room of William Harrison removed

Luke Rice Lieutenant in the room of James Stephenson removed

John Lightner ensign in the room of Luke Rice promoted—

Sct by both Mo 25 March 1811.

Ordered that the Overseers of the poor bind Elizabeth Caldwell, a base born child of Margarets Caldwells, six years old the 5th day of Feby. last, to Rolandine Roland, & that the said Roland pay her Fifteen Dollars on Freedom dues

bd. to

The Court doth recommend to his excellency the Governor the following Gentlemen as fit & proper persons to be commissioned as Officers of the 1st Battalion of the 116 Regt. Viz

Sett. post 25 March 1811.

*

Capto. Archibald Rutherford Major in the first Battalion in the room of Majr. Wm. Koontz promoted

James Craig Capt. in the room of Capt. Archd. Rutherford promoted

Peter Spimbee Lieutenant in the room of Lieut. Craig promoted

John F Eppinger Ensign in the room of Peter Spimbee promoted

William Keagle Ensign in the room of Peter Koontz, who refused to qualify

Samuel Moffett Lieutenant in the room of Henry Phillips, who refused to qualify

Andrew Bird Jr. Ensign in the room of Lieut. Moffett promoted

John Loher Lieutenant in the room of Jacob Pickering who refused to qualify

Philip Koontz Ensign in the room of John Loher promoted

2nd Battalion of the 116th Regiment

Thomas Hopkins Capt. in the room of David Hanton removed

William Liles Lieutenant in the room of Thos. Hopkins promoted

William Hopkins ~~Lieutenant~~ Ensign in the room of Wm. Liles promoted

Aaron Dove Capt. in the room of Jacob Baker removed

Abram Baker Lieutenant in the room of Aaron Dove promoted

Gabrial Custer Ensign in the room of Abram Baker promoted

The Report being returned into Court on the petition of Reuben Harrison, ~~&~~ or a proposed alteration in a road ~~&~~ It is ordered that the same be established agreable to said report.

Ord. that this Court be adjourned untill Court in Course.

Joseph Baxter

Tuesday the 16th April 1811.

At a court held for the County of Rockingham the 16th ~~March~~ April 1811.

Present

Ezek Harrison, Joseph Baxter, Peter Harrison, Thomas Moore & Gelis Fenly Esqrs.

+ a Ordered from Garrey Custo Keith a Sherriff Lager for

+ a Ordered from Burris to Weir a Sherriff Lager for

Mary Howard orphan of Christopher Howard dec'd. Came into Court and Made choice of John Howard as her Guardian who entered into bond with Security as the Law directs.

Mary Neto orphan of John Neto dec'd Came into Court and made choice of John C. Effinger as her Guardian who entered bond with Security as the Law directs.

Susanna Price orphan of Zachariah Price dec'd Came into Court and Made choice of Jacob Ewer dec'd ~~Came into Court and Made choice~~ as her Guardian who enters into bond with Security as the Law Directs

Deed from Berry to Good acknowledged & R.

On the Motion of Margaret Kyser, Widow of John Kyser dec'd. It is Ordered that Joseph Manzy, Jacob Kyser, William Perrie and Michael Shular or any three of them being first sworn do lay off the said Margaret right of Dower in her said husbands lands and make report to the Court.

dec'd W. Perrie

Ordered that the Court be adjourned until to Morrow Morning 10 o'clock.

J. C. Harrison

Tuesday

At a Court Continued and held for the County of Rockingham the 17 April 1811.

Present

Ezel Harrison, Charles Lewis, Walter Davis & Archibald Rutherford & J. Justis

Ordered that the Tavern Rates fixed for this County at June Court 1807 be Continued.

New and Repair of an alteration in the road from Moyers Mill to Daniel Harshman, was returned into Court by the Viewrs agreable to the Petition of Stephen Conrad & which alteration is ordered to be established agreable to the said Report, and it is ordered that the overseer of the old way with his hands open the said New way, ~~agreeable to the said Report~~, and work thereon and Keep the same in good repair

Ordered that Jacob Kyger, Robert Grattan, & Reuben Harrison Jr or any two of them to examine state and Settle the estate accounts of William Herring dec'd with the administrator, and make report to the Court

Present Asher Waltsman.

Sally Perkey orphan of John Perkey dec'd came into Court and made choice of Garrus Hooks as her Guardian who entered into bond with Security, as the Law dirs

~~And ordered for~~
And ordered from Perer to Miller acknowledged

Two Deeds from Miller Exr to Connor acknow
ledged & wife acknowledgt taken & Cert

Adam upon the Prayer examination of Eagle & wife
of Peter Eagle to a Deed made to Shanks Returned
Certified & Recd

Ordered that the Sheriff summon all the acting
Magistrates in this County to appear here on the
third Tuesday in May Next in order to take into
their consideration the appointment of a Attorney to
prosecute in behalf of the Commth in the said County
in the room of Daniel Smith esquire Resigned

A Deed from Connor Exr to Burkholder acknowledg
& wife acknowledgt taken & Cert

Ordered that Charles Lewis, George Newton & Sinclair
Kelly or any two of them do examine, state and
settle the estate & account of George Blow dec'd
with the administrator thereof & make report to the
Court

George Sites Junr Complainant

Reuben Harrison
Guardian of the heirs of
Thomas Harrison and of
John Meserve . . . Defendants

This cause came on to be heard
this 17 day of April 1811 upon the bill and answers
of the Defendants, and was argued by Counsel, Whereupon
It is adjudged ordered and decreed that the said
Reuben Harrison as Guardian of the heirs of Thomas
Harrison deceased, convey by Deed of Bargain & Sale
and with a Special Warranty, to the Complainant

the house and Lott in the said bill Mentioned and that the said John Messick do also by Deed of Bargain & Sale, and Special Warranty Convey to said Complainant all his right Title to the said house and Lott in the said bill Mentioned and that the parties do each pay their own Costs expenses in this —

An Inventory & appraisement bill of the estate of William Reese dec. was Returned & Rd

Nelson adms

Sagler } The Defendant was brought into Court by a Warrant from a Majistrate, and (the Plaintiffs attorny having Confess a Notice) the said Defendant delivered up a Schedule of his estate, and took the oath of an insolvent debtor and was discharged according to Law, is ordered to be discharged Shepherd & Gelmore Or and Injunction dismissed no Cause being shewn for Continuing the same as an Injunction with Damages for Costs

Ordered that Walter Davis, Jonathan Shepherd, and Davis Davis or any two of them do make a further Settlement of the estate of Silas Dark deceased with the executors thereof and make Report to the Court

Ordered that the Court be adjourned untill the 3d Tuesday in May Next

Jno D Franklin

At a Court Call[d] and held at the Court house of Rockingham the 17th day of May 1811. for the examination of John (a free Negro) Charged with ~~Felony~~ Petet Larceny.

Present

Abram Shanklin, Ezekiel Harrison, Joseph Bartis
Archibald Rutherford and Peachy Harrison. Esq. Justices.

The said Prisoner was brought into Court, and was Charged with the Lacny, plead Not Guilty, and Thereupon Sundry Witness were Sworn to wit, John Gordon, and Milly a free Negro, and Henry Gelmore who was Sworn and Charged, as the law directs, and were examined, touching the said Offence, upon Consideration whereof the Court are of the Opinion that he is Not Guilty, of the said Offence, and it is ordered that he be discharged.

and the Court arose. Ab[m] Shanklin

Tuesday to wit

At a Court held for the County of Rockingham the 21st day of May 1811.

Present.

Ezekiel Harrison. Archibald Rutherford
Giles Tarly and. John Ewen. . . Esq Justices

Ordered that the rules be held in the Clerks office on the 22nd day of this Instant and on the days after in June and July Next as the law directs

Deed from Shanks Ex[rs] to Brannum a Sworn and Ack[d]

Deed Harpine Ex[rs] to Brannum a Sworn. Ack[d] by all the parties, and acknowledg[d] by Margaret Pennewath, She being first privily exam[d] and the Consumption of the Negro Susanna Serfass and Elizabeth Moyer Stand over

A Deed from Mallow Lee to Doerry &c acknowledged
wife acknowledgt taken &Ctd

A Deed of Release from Newton to Plumb acknowledgd
&Ctd

A Deed from Doerry &c to Mallow acknowledgd wife
acknowledgt taken &Ctd

A Deed from Detweiler &c to Detweiler acknowledgd by
John Lefler Exr, wife acknowledgt taken &C Certified

A Deed from Jacob Rush Exr to John Rush acknow
ledgd wife acknowledgd taken &C and to be certified
to Alleghany County

A Deed from John Rush Exr to Jacob Rush acknow
ledgd wife acknowledgt taken &Ctd

A Deed from B. Rice to Edward Rice proved by
the oaths of John Rice and Benjamin Rice &
ordered to be Recorded

A Deed from Ewen to Funk proved by the oaths of
Geln Fenly and Abner Swayne &C Recorded

A Deed from same to A. Funk proved by the oaths
of Geln Fenly and Abner Swayne &C Recorded

A Deed from Lincoln Exr to Brunk acknowledgd
&Ctd

A Deed from Carpenter to Rice . . . . same

A Power of Atty from John Loffler &c to B. Offner Esqr
et alia Esqrs of Shire Contained

A Deed from Bader Exr to Bowman acknowledgt
wife acknowledgt taken &Ctd

Adms from Chambers to Francis acknowledged ufes
acknowledgt taken &c.

On the Motion of John Pine Jr. It is ordered that a
Licence be Granted him to Keep an ordinary at his house
in this County for one year from the first day of this Instant
he having paid $12.50 on his entering into bond with John Pine Jr his security
in the Clerks office.

Aaron Thomas the same with Henry J Gamble his
security. paid $12.50

Peter Nicholas the same with Henry J Gamble
his security. paid $12.50

On the Motion of Henry Sipe & Mary Saylor adminis-
tration of the estate of Welsey Saylor dec? is Granted them
they having with security entered into bond, and made
oath thereto as the Law Directs and It is ordered that
Abraham Deal, Martin Whitmore, George Rowdebush
and Oliver M Causland or any three of them being
first sworn do appraise the estate of said Saylor & make
report to the Court.

Adms from Plemmons to. Teasel Receivd a Schedule &
acknowledgt taken &c.

Grand Jury sworn to wit Benjamin Harrison Jr Christopher
Comer, John Sipe Solomon Perky, Samuel Lyn Henry
Eyman, George Compton, William Sites, George Saffley,
Sarah Shipman, Daniel Linkle, Andrew Bear, William
Fowler, Henry Sipe, & John Barter who William Beard
Recvd their charge, and retire from the bar to consult on their
presentments and after some time returned into Court and made
the following we present the overseers of the road &c &c
and nothing further appearing It is ordd that the said

Grand Jury be discharged and that process issue on the said Presentments against the said Defendants returnable as the Law directs

The last will and Testament of Fanny Grove dec'd was presented in Court and was proved by the Witness thereto subscribed and on the Motion Joseph Bantz the Executor therein named, who entered into bond with Security and made oath thereto as the Law directs. A certificate is Granted him for obtaining Probate in due form. and It is ordered Thomas Gordon, Wm Crawford, John Hopkins and Saml Bowman or any three of them being first sworn do appraise the estate of the said Grove and make report to the Court.

On the Motion of Jacob Veggans, It is ordered that a license be Granted him to Keep a Tavern at his house in this County for one year from 1st day of this Instant, on his entering into bond with John Veggans his Security in the Clerks office he having paid to the Clerk $12.50.

Jane Ireland. the same with William Shuttleworth her Security paid $12.50

Powers of attorney from Sets to Scott proved the oaths of Samuel McWilliams and Joseph Cranmer &c.

Deed from Butt &c to Boles further acknowledged by Elizabeth Kessinger she being first privily examined &c.

On the Motion of Tobias V. McGahey, It is ordered that a license be Granted him to Keep a Tavern at his house in this County for one year from 1st day of this Instant, on his entering into bond with Henry Glanville he having paid $12.50 his Security in the Clerks office

Present.

Layton Yancey, Asher Waterman, Joseph Baxter, Charles Lewis, George Newton, Peachey Harrison, Jonathan Shepman, Jacob Ryser.

Absent Ezekiel Harrison.

Miller vs Dever Joseph Douglass Sheriff offers Inquiry set aside & cause paid by the Plaintiff

Deed from Cravens &c to Mitchell Proved by the oaths of Henry E Dever, George Newton & Joseph Thornton. Ordered

Rager vs Ettinger Ezekiel Harrison Sheriff offers Inquiry set aside paid by the Plaintiff

White vs Noah on the Writ of Ap. agreed.

Deed from Lanahan &c to Jo. Cravens Proved by the oaths of George Newton Henry E Dever and Joseph Thornton as to James Cravens & Joseph Knapp and acknowledged by Dennis Lanahan, William Cravens. Ordered

Deed of release from Yancey to Sepe acknowledged

The Court proceeded to the election of an attorney to prosecute for the County in this County in the Room of Daniel Smith resigned, Whereupon Robert Gray esq. was duly elected who took the oaths of Office as the Law directs.

The last will and Testament of Samuel Miller and was presented in Court and proved by the oaths of the Witnesses thereto Ordered to be Recorded.

Ordered that all the acting Magistrats in this County to appear here at the next Court in order to take into their consideration the Laying of the County Levy for the year 1811. and for the purpose of examining the Sheriffs list of delinquents &c

Comth v W. Taylor the Defendant who was brought into Court in a Capias, and together with John Rader his Security severally acknowledged themselves to be indebted unto his excellency George W. Smith Lieutenant Governor of the Commonwealth of Virginia now executing the function of Governor, of ~~this Empire~~ and to his Successors in the office of Governor, in the sum of $100 each to be levied of their respective goods and Chattels lands and Tenaments and for the use of the Comth to be Rendered upon this Condition Nevertheless that the said William Taylor shall be of Good behaviour for twelve Months from this day, then the above recogz to be Void else to remain in full force and virtue.

Keith v Parry. John Carthrae for Sheriff offers Security set aside prayd & Fine and continued

Comth v Trout Jury sworn to try the Issue to wit John Carthrae, Ezekel Harrison, Hugh Brock, John Shaver Michael Root, Jacob Koogler, George Arguelreight, Jacob Kiger, Charles Carthrae Casper Stoutlemire, John Graham and Benjamin Berry. Verdict that the Defendant is Guilty Therefore It is Considered by the Court that the Defendant make his fine with his excellency Geo. W. Smith Lieutenant Governor &c of the Commwth by the payment of $20. for the use of the Commwth. besides the Costs of the prosecution, and It is ordered that a capias &c Issue agst the said Defendant for the said fine & Costs, and also over to bring him before the Court on the first day of the next Term there and there to be dealt with accordingly.

Comwth v Dunlap Jury sworn to try the Issue to wit the same Jury as in the Commonwealth v Trout. Verdict that the Defendant is Guilty. Therefore It is

126 Considered by the court that the Defendant make his fine with his excellency George W. Smith Lieutenant Governor of the Commonwealth by the payment of $20 for the use of the Courth, besides the costs of this prosecution and it is ordered that a capias do issue ags the said Defdt for the said fine and costs, and moreover to bring him before this Court on the first day of the next term there and there to be dealt with & accordingly——

Rush v Cathrea dismd agreed.

Ordered that Sally Abery Daughter of Samuel Abery aged 5 years the 20th ~~instant~~ day of May 1811. be bound by the overseer of the poor to Peter Thomas to ~~keep his trade~~ as the Law directs, who is to receive for her freedom dues $15

Weiser admr v Frame &c on a Delivy bond. Notice proved and Judgmt.

Weiser admr v Frame &c on a Delivy bond. Notice proved and Judgmt.

Weiser . . v Frame &c . . . . . same

ADeed from Furth to Lincoln acknowledged &R

ADeed from Ashmead to Lester proved by the oaths of George Dove and Geln Furby, which with the Commission of his wife returned certified are ordered to be Recorded

ADeed from Beard Lester to Showalter proved by the oaths of George Dove and Geln Furby, which with the Commission of his wife acknowledged &R

ADeed Trust from Showalter &c to Bader proved by the oaths of George Dove and Geln Furby, as to Showalter, which with the Commission of his wife relinquishment returned certified are ordered to be recorded

Crumpton v Rice Williams Beard Sheriff office Judgmt set aside payd &c ~~costs~~

Comth v Smiley N. G & Spec Jury Sworn to try the Spec to wit John Smith, Benjamin Vanpelt, John Justices, Richard Vaughn, Michael Deck, John Farlow Jacob Deal, John Smith, Abraham Deal, William Justices, George Fetzwaters, & James Page Verdict Deft Guilty and assessed $10. Dollars.

Comth v Smith by consent of the attorney for the Comth and with the assent of the Court ordered

Comth v Dudlow. Continued as to Dudlow and Not Sci'tur as to Good returnable to the Next Court

Comth v Kyle Continued

Adms from Dunkerson to Harrison Sworn by the oath of Witness thereto ORR

Overseers Poor v Brown Continued

Same v Lapsley . . . Continued.

Same v Thompson . . . Continued

Comth v Copland N G & Spec Jury Sworn to try the Spec to wit Morris Newby, Parmenus Woods Philip Getts, Jacob Neisly, Thomas Gilmore, Joseph Blair, Christian Kriger, George Airey, Lewis Keller, Henry Marshburger, William Taylor, and John Shultz Verdict defendant Not Guilty

Magill v Foley Isaiah Shipman Sheriff Office Judgment set aside as to the bail payment and Spec Continued

Kephengus admr v Fox &c John Carothers Jr & Barto Fox.

Leonard v Smith &c George Dove Sheriff Office Judgment set aside as to the bail

And that the court be adjourned until to morrow morning 10 oclock

Jno. Harrison

Wednesday to wit

At a court continued and held for the County of Rockingham the 22nd day of May 1811.

Present.

Archibald Rutherford, George Dove, Jacob Kyser & Jonathan Shepherd . . . Js. Justices.

A Deed from Tetard to Grieve acknowledged & R.

Shoemaker & Sulenberger & Dan'l Bagen Sp. bail offer Judgt set aside pays & Sp. Continued

Dellard & Mathews offer Judgt set aside pays & Sp. Continued

Harry & Freeholder Dan'l Bagen Sp. bail offer Judgt. set aside pays & Sp. Continued

Peyser adms & Strine &c. Dan'l Bagen Sp. bail . . same

Kratzer & Heilby. Joseph Bywaters Sp. bail . . . same

Abraham & Smith Daniel Bagen Sp. bail . . same

Lewtzer exrs & Bougher Offer Judgt set aside pays for bail & Sp. Continued

Smith & Ryan & Harrison Joseph Bywaters Sp. bail offer Judgt set aside pays & Sp. Continued

Heishe & Secum & Carthrae Dan'l Bagen Sp. bail . . . same

Kerby & Wason. Daniel Bagen Sp. bail . . . same

Fawcett v Jenkins &c Danl Rager Sfbail offer Judgt set aside payt & Stay of Costs

same v M Jenkins &c same

Lewis v Smith Offer Judgt set aside payt for the bail & Stay of Costs

Kepenger adm v Carthrae &c Danl Rager Sfbail offer Judgt set aside payt & Stay of Costs

same v Ramus Rawlins offer Judgt set aside payt for bail & Stay of Costs

Roadcap v Walker offer Judgt set aside ~~pay~~ & and dismiss agnt

Chandler v Rudolph Danl Rager Sfbail offer Judgt set aside as to the bail

On the Motion of Henry Overly It is ordered that a license be Granted him to Keep a tavern at his house in this County for one year from 1st day of this Instant. he having paid to the Clk $12.50 & he having in this meeting ent into bond with Henry J Grant & his security in the Clerks Office

Jacob Kyger the same with Saml McMeans his security paid $12.50 Cts

On the Motion of Daniel Boughner security for Samuel Nesley Surviving executor of Laurance Seelzer decd. It is ordered that the said Samuel be summoned to appear at ~~the~~ ~~Next~~ August Court Next to give him Counter Security.

Ordered from Mr Jones Mr Jones to Settle further proved by the oath of Frederick Dove & Certified.

Rice v Sheridan continued

Boswell v Pierce. Continued for the Plff.

Adm'rs of Wood Carter to Kennedy fully proved, in the County Court of Wood & Certified &c.

Riggans sworn v Harris dismiss'd agreed.

On the Motion of James Duff It is ordered that Alexius be Granted him to Keep a Tavern at his house in this County for one year commencing the first day of this Instant, he having paid to Clerk $12.50 & on his entering into bond with Daniel Smith his Security in the Clerks Office

William McMahan ..... same with Henry J Gambrill his Security. paid $12.50

Dennis Carnahan ... same with Henry J Gambrill his Security. pd $12.50

Joseph Graham ... same with John Graham his Security. paid $12.50.

Present Asher Waterman,
Absent George Dowe.

Skelly v Dowe M Ct and de NG & Issue and Jury sworn to try the Issue to wit Henry Overly, Martin Cramer, Henry Whisler, Thomas Sullivan, Morris Hinckley, William Sprinkle, Andrew Miller, John Ferrell, Hugh Richards, Daniel Miller, John Lawson, & Hugh Smiley, Verdict for the Plff for $100 Damages and Judgment [illegible] Motion for new trial of this cause the following Bill of exceptions was taken Skelly v Dowe &c [illegible]

Bear v Williams M'Estaride N A & Spec and. the said Plff being Call. not appearing ~~Recovered~~ It is Considered by the court that Suit be dismiss? at the Cost of the said Plaintiff.

Baxter v Smith Continued for Plaintiff

Penn adms v Howard ESQR. On the Motion of the Plaintiffs an Injunction is Granted her to stay all further proceeding on a Judgment Recovered by the said Defendt agst the Joseph Baxter late high Sheriff to who administration of the said Williams Penn estate was Committed untell the further order of this Court.

M. Lorey v Thomas Lorey adms on a Note for Money paid by the Plaintiff to Thomas M'Kinley as Security for the said Thomas Lorey dec? Noted acknowledged by the Defts and Judgt for £33.1.2½ with Interest from 19 March 1811 till paid & Costs

Penn v Harry Frederick Spangler Sp Bail M'Estaride N A & Spec Scire Facias

Pefer v Pickering Continued for Defendant

Herring v Kyser. Cont? for Plaintiff

Evans v M'Mahan Continued

Sheetz v Falls Jury Sworn to enquire of the damages to wit. Geog Greiw, David Lenicker John Feelh, Adam Albright Volentine Miller, John Jenkens, Gad Gilmore Abraham Layman, Joshua Cattering Hugh Burns, John Miller, & Joseph Rogers. Verdict for Plff for $30 Damages with Interest from 1st April 1809 till paid & Judgt

C Otheson v Carthrew & Continued

C Taylor &c v Newton Continued for Defts Plaintiff

C Vanbarger v Burns Continued for Defts

Sutherland v Erskine & Custer Order Publication as to the Defendant Erskine, Returnable to October Next. to be published in one of the News Papers published in Staunton as the Law directs

2 copies C Griffith exrs v The same . . . . . same Order.

C Woods v Nebes Continued

Parrott v Mericks Jury sworn to try the Issue to wit George Grim, David Lincoln, John Fulk, Adam Albright Volentine Miller, John Jenkins, Gad Gilmore Abraham Layman, Joshua Catting, Hugh Burns, John Miller & Joseph Rogers. Verdict for £50 with Interest from 1st April 1809 the said Defendt Damages and Costs

D Jno. M'Mahan v N. M'Mahan Daniel Bagen Gilbert Plea by the bail set aside, payment by the principal & Issue Jury sworn to try the Issue to wit George Grim, David Lincoln, John Fulk, Adam Albright, Volentine Miller John Jenkins, Gad Gilmore, Abraham Layman, Joshua Catting, Hugh Burns, John Mills, and Joseph Rogers. Verdict for the Plff for Debt in the Writ mentioned & Damages.

C Stultz v Dove the Defendant prays an appeal to the first day of the next Superior Court to be held for the County of Rockingham which is Granted him (on his entering into bond & George Dove who is considered by the Court as a responsible person) Giving bond with Henry J Gantt his Security in the penalty of $300. Condition as the Law directs during the present term,

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock Ash Waterman

Thursday the 23d day of May 1811.

Present

Asher Waterman, Joseph Bartis, George Dove & Jonathan Shipman ..... Esqrs Justices

Peter Love &c
vs
William Dillen } In Chancery

This cause came on to be heard this 23d day of May 1811 upon the bill exhibited and the order of publication and it appearing to the Satisfaction of the court that the order has been duly published and the Defendant not having entered his appearance agreable to law it is therefore ordered adjudged and decreed that the said Defendant do convey to the Plaintiff by Deed of Bargain & Sale with a General Warranty the lands in the said bill Mentioned, and that the complainte Recover against the said Defendant his Costs by him about his suit in that expended

Clerk vs Robertson admr. plea of fully administered plead. and Issue and Continued

Barnett vs Nelson &c Joseph Bywaters Ephraim W Cobb and Covenants performed, Gen replication & Issue & Continued

Coutts vs Fell &c The attorney for the Commonwealth not being willing further to prosecute this suit it with consent of the Court ordered to be dismissed

Weir admr vs Fawcett &c plea non. ass. and Judgment Confess as per Specialty with Interest and Costs saving Equity

Grove v Woods Continued for Plff.

Curry adm v Sufferens W E set aside N A & Issue, and dismd No affirmation & Judgm for Defendant.

Whisler v Funk Cond Defft.

Smiley v Amon & Continued for Plff.

Weiss adm v Lane & plea wave & Judgm Confess as per Specialty with Interest and Costs (saving equity)

Harshbarger v Eyman &c. . . . . same

Rice . . v Eyman . . . . . same

Rice . . v Eyman . . . . . same

Rice . . v Parry . . . . . same

Graham v Carthrea . . . . . same

McMahan v Hemphill dismd agreed at Defts Costs

Costs taxed

Byrnes v Telkes & The Defendant by leave of the Court filed a Special plea, and Issue and Jury Sworn to try the Issue to wit William Wendle, Joseph Thomas, John Jenkins, George Seits, William Sprinkle, Peter Sprinkle, David Davis, Michael Newman, Julius Fostis, George Westenbaker, Frank Kyle and Jacob Rohr, whereupon by consent Peter Sprinkle one of the Jurors is withdrawn and the rest of the Jurors from rendering there Verdict and discharged and the Cause is Continued.

Costs taxed

Holmes v Miller Continued.

Deighn v Stultz & Continued.

Howdenhall v Miller W E set aside, N. A & N. A within five years before the bringing of the Suit, and Issue to wit William Wendle, Joseph Thomas, John Jenkins, George Seits William Sprinkle, Peter Sprinkle, David Davis, Michael

Newman Julian Foster, George Wertenbaker, Fredk Kyle, & Jacob Rohr, Verdict for Defendant and Judgment

Present Walter Davis Absent Asher Waterman.

~~Present Walter Davis, Absent Asher Waterman~~

Byrnes v Felker by consent of the parties the order continuing this this day made is set aside, and thereupon a Jury was sworn to try the Issue to wit. Alexander McKinzey, Jesse Bolling, William Campbell, Morris Nimshey, John Dalton, John Graham, Reuben Thomas, John Funk, Peter Zetty, Henry C Dever, John F. Effinger Maurice Rowdenbell. Verdict for the Plff for the Debt in the Declaration Mentioned with Interest from 16th March 1808 till paid & Judgment

Present Andrew Shanklin & Archibald Rutherford
Absent Joseph Boggs & Jonathan Sherman

Felker v Miller By consent of the parties, the order Continuing this Cause made to day is set aside and thereupon a Jury was sworn to try the Issue to wit William Wendle, Joseph Shomore, John Jenkins, George Peter Wendle, William Sprinkle, Peter Sprinkle, David Davis Michael Newman, Julian Foster George Wertenbaker Fredk Kyle & Jacob Rohr, Verdict for Defendant & Judgm. Memo on the trial of this Cause the following bill of exceptions was taken Felker v Miller &c which were signed Sealed as the law directs & ordered to be made a part of the Record

Mott v Harrison Continued

Rea v Harrison Continued.

Rosenbarger v Byrd. Continued

Rashford v Perrie continued

Gelmour v Stathy continued

Roof v Nelb dismd. agreed

Gairs v Hamilton continued for deft.

Harrison v Bear continued

Bright v Krieg exrs continued

Krieg v Krieg exrs. continued

Studer v Shank continued

Mofsett v Nicks & plea wand & Judgt as per bond with Interest and Costs (Savely & Equity)

Miller v Cummins continued

Keto v Raper continued

Bakas v Slathy &c continued

Funkhouser exrs v Weis & ors continued.

Perley v Neto exrs plea wand and Judgt. Confessd for the Debt in the Declaration with Int & Costs

Bear v Neto exrs . . . . . Same

Present Joseph Baker Gentn

On the Motion of Benjamin F. Salvage It is ordered to be Certified that he is a person of honest Demeanor, and is upwards of Twenty one years of age, and has resided in this County for the last twelve Months.

Kerby v Mason ~~and the~~ By Consent the order of yesterday ~~being~~ the Office Judgment in this Suit, ~~is rescinded~~, so far as it Relates to the said Defendant, to be rescinded but not as to his appearance bail ~~be discharged~~.

Ordered that the Court be adjourned until to Court in Course.

And Hawkins

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of June 1811.

Present

Charles Lewis, Archibald Rutherford Giles & Gabriel Gustine Esqrs. Justices

Jacob Wyson, Gent.

A Deed from Gaar & wife to Miller acknowledged in the County of Fairfield and State of Ohio, & ordered to be recorded.

A Settlement of the estate of Thomas Fulton dec'd.

A Deed from Cutler to Hathway Cutler acknowledged & ord. to be recorded.

A Deed from Fulweiler &c to Fulweiler acknowledged by Keller & wife, wife acknowledged latan and by Jacob Fulweiler & Daniel to be certified.

A Deed from Burkholder & wife to Burkholder acknowledged by wife acknowledged latin & ord. to be recorded.

A Deed from same to P. Burkholder . . . same

A Deed from same to Insell . . . . same

A Deed from same to Insell . . . . same

A Deed from same to Bader . . . . same

A Deed from Miller & wife to Miller . . . same

A Deed from Parrott & wife to Parrott &c acknowledged in Shenando, & ordered to be recorded

A Deed from Waggoner & wife to Neglus acknowledged & ord. to be recorded

A Deed from Houtsman & wife to M'Williams acknowledged & ord. to be recorded

Present Ezekl. Harrison.

A Deed from Harrison Exr to Kelly acknowledgt
wife acknowledgt taken & Ctfd

A Deed from Grove Exr to Woods, wife acknowledgt
taken, and certified & Ctfd
commission of his

A Deed from Butt Exr to Yocist acknowledg wife
acknowledgt taken & Ctfd

A Deed from Harrison Exr to Shaver acknowlegt
in the County of Christian & State of Kentucky & Ctfd

A Deed from Ch. Wheigel Exr to Utter proved by
the oaths of Joseph Mauzy, Fabian A McGahey and
Sand Sulentarger, wife acknowlegt taken & Ctfd

A Deed from the same to Balser . . . . same

A Letter of the estate of David Smith did return
& Ctfd

A Deed from Pellard Exr to Brew, wife acknowlegt
taken & Dan to the Ctfd

A Deed from Grein Exr to Pellard acknowlegt
wife acknowlegt taken & Ctfd

A Deed from Byerly Exr to Garber, acknowlegt wife
acknowlegt taken & Ctfd

A Deed from Shanklin Exr to Herring, proved by Asher
Waterman & Peachy Harrison, which with the commission
and privy examination of his wife returned certified & Ctfd

A Deed from Blosser Exr to Leonard acknowlegt wife
acknowlegt taken & Ctfd

An appraisement bill of the estate of Nancy Campbell
dec returned & Ctfd

On the Petition of Adam Bloss &c for a View of a way for a Road leading from David Mays quarter along an old road down Naked Creek to the River Road by Meyers Mill It is ordered that Jacob Bear, Jacob Miller, Henry Miller, and Daniel Harshman or any three of them being first Sworn do View the said way and make report of the Conveniens and inconveniens attending the same to this Court

A Deed from Thomas Lee to Shewalter further proved by Gordon McWilliams Ordered to be Certified

A Deed from Benjamin Beeson Sen to Reuben Sully acknowledged by him in Court, was ordered to be Recorded

A View and Report of an alteration of a Road agreable to the Petition of Georg Moss was returned into Court with the report of the Viewers, which is ordered to be established agreable to the said Report, upon him the said Petitioner opening the said New way, and puting the same in as good repair as the old road is and that the Overseer thereof Work thereon and Keep the same in good repair

On the Motion of Daniel Summers and for Reasons appearing to the Court It is ordered that he be exempted from the payment of Revenue, Tax, County & Parish Levies.

Reuben Harrison Commissioner returned an Account into Court for his Services amounting to 90 Dollars which was examd and allowed by the Court Ordered to be Certified

Gabriel Lyerly the same amounting to 90 Dollars

Ordered that Charles Lewis Joseph Maxey and Tobias B. McGahy or any two of them to examine state and settle the estate accounts of Jacob Arguright dec'd with the administrator and make report thereof to the Court

Ordered that Watts Davis, William S. Herring and Andrew Shandley or any two of them do examine state and settle the estate accounts of Goldlove Pipes dec'd with the administrator thereof and make report to the Court

~~Ordered that the overseers~~

Ordered that the sheriff take into his possession the estate of Elizabeth Fuller dec'd and administer the same agreeable to the will of the said Fuller (the executor therein named having refused to take upon himself the execution thereof) and make sale of the said estate giving Nine Months Credit taking bond and security from the purchaser or purchasers thereof and make report to the Court it appearing to the Court that the said Elizabeth has been dead upwards three Months.

An appraisement bill of the estate of George Kessell dec'd ~~and made report to the Court~~ was returned & R

A sale bill of the estate of George Kessell returned & R

Ordered that the overseers of the poor bind Elizabeth Daggy poor child of Daggy aged eleven years the 26th day of april last to Henry Early as the law directs.

Ordered that Henry Sepe be appointed Guardian for Polly ~~Lolly~~ Saylor an infant under the age of 14 years (orphan of Wooly Saylor) who entered into and acknowledged bond with security as the law directs

Ordered that Benj Berry Jr be appointed Guardian for Peter Taylor, and Susanna Taylor orphans of Christian Taylor dec. infants under 14 years of age who entered into bond with Security, as the law directs

Present Ashes Waterman

Commonth v Williams Blain, on a Recognizance for a breach of the peace on the Complaint of Benjamin Berry, the said Defendant appeared in Court in discharge of his Recognizance, and the Court having heard the testimony, and argument of Counsel, are of the opinion that he give Security for his good behaviour for one year from this day in the sum of $50 and one Security in the sum of $50, Whereupon the said Williams Blain, with Williams Blain for his Security appeared in Court and acknowledged themselves to owe and be indebted to his excellency George W. Smith Lieutenant Governor of the Commonwealth of Virginia now executing the office of Governor, and his successors in the sum of $50 each, to be levied of their respective goods and chattels land and tenaments and for the use of the Commonwealth to be rendered upon Condition that if the said Williams Blain shall be of good behavior towards all the good Citizens of this Comth for one year from this day, and more particularly towards the said Berry then the above recog to be Void & else to remain in full force and Vertue

The Court proceed to lay the County Levy for the year 1811 (Commencing at December Court 1810) a Statement whereof is as follows to wit.

(Ap. Paid to Sheff)

| | | |
|---|---|---|
| To the attorney for the Commonwealth for one year ending at December Court Next | | $100.00 |
| " Sheriff for his Public Serves | | 25.00 |
| " Samuel M Williams Clerk for his public serves | | 25.00 |
| " Henry Gambell (hereby appointed to Keep the Court house, for one year to December Court Next | | 25.00 |
| " Henry Gambell for paper furnished for the use of the County for one year | | 5.00 |
| " Archibald Rutherford & John Brock Commissioners to make the last payment for the plantation purchased for the use of the poor | | 600.00 |
| " Phebe Moore for work done on the road | | 4.00 |
| " Peter Beish for | ditto | 1.25 |
| " John Whitwood for | ditto | 1,50 |
| " William Neto for | ditto | 1,50 |
| " John Snapp for | ditto | 2.00 |
| Adam Rader for | ditto | 1.67 |
| Conrod Rader for | ditto | 5,00 |
| Benjamin Berry for | ditto | 3.36 |
| Jacob Bellheimer for | ditto | 1.50 |
| William Hopkins for | ditto | 2.00 |
| Joseph Garber for | ditto | 1.00 |
| John Mew for | ditto | 1.66 |
| David Presell for | ditto | 2.00 |
| Lewis Driver for | ditto | 2.50 |
| Jacob Reckewood for | ditto | 2.50 |
| | | $813.44 |

| | | |
|---|---|---|
| Amount Brought forward | | $813.44 |
| To George Lowe Lower for Work on the road | | 1.25 |
| " Samuel Moffett for | ditto | 1.25 |
| " Peter Crew for | ditto | 1.25 |
| Mathias Doubt for | ditto | 1.83 |
| Jacob Whetmore for | Ditto | 1.83 |
| Phebe Moore for | Ditto | 1.67 |
| Joseph Aldopher for | ditto | 1.83 |
| John Snapp Jr for | ditto | 2.00 |
| Jacob Perley Jr for | ditto | 4.00 |
| Martin Whetmore for | ditto | 2.00 |
| Henry Sepe for | ditto | .83 |
| Abraham Deal for | Ditto | 2.00 |
| John Snapp Jr for | Ditto | 2.33 |
| Abraham Deal for | Ditto | 2.33 |
| Ditto for | Ditto | 2.00 |
| John Snapp Jr | Ditto | 2.75 |
| Levi Darrow for | Ditto | 2.00 |
| Catharine Sepe for | Ditto | 1.33 |
| Lewis Fiddle for | Ditto | 2.50 |
| George Hoop for | Ditto | 2.00 |
| Andrew Byrd for | Ditto | 2.50 |
| Christian Sockesman for | ditto | 2.50 |
| Jacob D. Williamson for | Ditto | 1.66 |
| William West for | Ditto | 2.50 |
| | | $861.32 |

| | | | |
|---|---|---|---|
| Amount brought forward | | | $861.52 |
| To John Snapp Jr for work on road | | | 2.00 |
| " John Snapp Jr for | ditto | | 2.25 |
| " Stephen Losh for | ditto | | 2.25. |
| Josiah Harrison sen. for | ditto | | 3.75. |
| John Snapp Jr. for | ditto | | 2.00 |
| Stephen Losh for | ditto | | 2.00 |
| Samuel Rader for | Ditto | | 5.00 |
| Abraham Herring for | Ditto | | 4.50 |
| David Lincoln for | Ditto | | 2.50 |
| James Magell for | Ditto | | 2.00 |
| Peter Eylar for | Ditto | | 2.00 |
| Henry Sipe for | Ditto | | 2,00 |
| Philip Parrott for one old wolf | | | 6.00 |
| Adam Land for two old ditto | | | 12,00 |
| John Hopkins for one old Wolf scalp | | | 6.00 |
| David Wallace as per account for furnishing fire wood for the Jail to this day | | | $ 50.26. |
| | | | $968.13 |
| Sheriffs Commission and disbursem | | | 214.02 |
| | | | $1182 15 |
| By 3195 Tithables @ 37 cents | | | $1182.15. |

Ordered that the sheriff collect from each tithable person in this County 37 cents there being in Number 3195.

Ordered that John Snapp Jr be appointed Overseer of that part of the road from the Forks on the West side of Cedar Run to Mr Kerrenrangers in the room of John Newton and that the usual Tithables appointed to work on the said road be allotted for his gang &c

A Deed from Thomas Lee to Coogler acknowledged was Acknowledged & Ordered to be recorded

On the Motion of Daniel Handsberry, who produced a Recommendation of his Ordination, and of his being in regular communion with the Methodist Episcopal Church, and he having entered into Bond with Security, and took the oath of fidelity to the Commonwealth, a Festimonial is Granted him for Celebrating the Rights of Matrimony, according to the forms of the said Church

Ordered that the Sheriff Summon all the acting Magistrate in this County to appear here at the next Court for the purpose of Recommending Meleted Officers and Recommending of New Magistrate

Daniel Rangen & Richard P Fletcher Deputies for Asher Waterman, ~~and Saunders Beatty~~, Returned there Delinquents and insolvents in the Revenue, County and Parish Levy for the year 1809 & 1810 which was examined and allowed by the Court they having made oath thereto as the Law directs

Joseph Bywaters Deputy Sheriff for Ashe Waterman ~~and Senator Berry~~, returned his list of delinquents in the Revenue tax County and Parish levy for the year 1809 & 1810 which was examined and allowed by the Court, he having made oath thereto as the law directs.

A Deed from Jacob Huber to Barbara Huber acknowledged in the state of Pennsylvania, and Certified 1806

Ordered that Henry Gambold be appointed to settle with the former Sheriff, and make a report to the court.

Ordered that the Court be adjourned until the Third Tuesday in July Next

Wm. Harrison

Tuesday ~~the~~ to wit

At a court held for the County of Rockingham the 16th day of July 1811 Present.

Ezekiel Harrison, Joseph Bartee, Geles Terly & E. G. Gentry George Dove . . . . . .

A Deed from James Morrison to Jacob Woolf for land lying in Pennsylvania, was proved by the oaths of Gordon McWilliams & Henry Shultz two the witness thereto Ordered to be certified.

A Bill of sale from Daniel Robertson to Jacob Lincoln proved by the oaths of Hannah Lincoln Rebecca Lincoln and Elener Bryan 2 Wit

X Deed from Miller Dix to Jos. Mauzy acknowledged & recorded &c. 10th

Deed from Henry Moyer to Caspar Moyer acknowledged & recorded 10th

Ordered that Daniel Ragen Deputy Sheriff pay unto Daniel Smith esqr the sum of £100 that being the sum which appears to be due him for one years Sallary as attorney for the Commonwealth (during) whilst his continuance in that office out of the Depositums due in his hands as per account this day settled.

Deed of Release from Margaret Jones executrix of Gabriel Jones dec'd to John Peter esqr acknowledged by John Harvie attorney in fact 10th

Deed of Release from Margaret Jones executrix of Gabriel Jones dec'd to Robert White, proved by the witness thereto & ordered to be certified

Inf. Sent to Exam.

Deed of Release from Jones extrix to Phelps, acknowledged by John Harvie attorney in fact for the said extrix & ordered to be certified

Ditto.

Deed from Francescoes &c to Sipe, acknowledged in the State of Pennsylvania & duly certified 10th Inst.

Ordered that Jacob Rife Guardian for Jacob Carr have leave to bind his said ward to Samuel Bowman to learn the trade of ~~Wagon Maker~~ a Miller, or such other trade as he shall think proper, under such conditions as he shall think best

Ordered that the Overseers of the poor bind Joshua Wright poor child of Samuel Wright dec'd aged about 16 yrs on the 16th of Septr next to Henry Early to learn the trade of a Waggon Maker, who agrees to pay to the said apprentice £15. for freedom dues.

Rebeccah Vann orphan of Samuel Vann dec'd came into Court and made choice of Jos Inglish as her Guardian who entered into bond with Security as the Law directs

Abraham Strickler, Elliott Rutherford & Henry Gilmore

are respectively reappointed Constables in the Districts heretofore appointed for the said County of Rockingham, who severally took the Oaths of Office as prescribed by Law and entered into bond with Security accordingly

Ordered that John Baxter be appointed Overseer of the road in the room of Roger Mallowny and that the usual Constables appointed to work on the said road be allotted for his Gang to work thereon and Keep the same in Good repair

On the Motion of Aaron Kea an Injunction is Granted him to stay all further proceeding on a Fieri facias and execution, received by William Turnbull in the County Court of Rockingham, against him entitled the further order of this Court on his entering into bond with Security and filing a Relation of Errors at the Law Term

Ordered from Burgess &c to Penn a Surveyor of the

Ordered from Fulwiler's to Penn . . . same

Ordered that Henry Funk be appointed Overseer of the road beginning at Christian Allbaughs Smiths Shop and from there to where it intersects the Mountain road and that all the hands within two Miles on the east side of the said road, and down to Whistles Fulling Mill, be allotted for his Gang to open unto thereon and Keep the same in Good repair

Ord Allen from Matthews to Harrison a Sarvelyer
Cost.

Ordered that Daniel Rager Deputy Sheriff, pay unto Henry J Gambill the sum of Seventeen Dollars 25 Cents out of the Money in his hands due the County for Surety Bonds Books & Bonds furnished for the use of the County, and that he also pay unto the said Gambill ~~out of the same~~ the sum of $10 that being the sum allowed him for settling the accounts of the late Sheriffs of this County agreable to an Order of the last Court.

Henry J Gambill who was by an order of the last Court appointed to settle with the late Sheriffs for any Money in their hands, this day returned an account shewing a balance due the County for Surety public Monies to this day of $354 07 Cents which was examined and allowed by the Court and ordered to be entered of Record.

On the motion of Susanna Lock & Stephen Lock ~~and~~ administrators of the estate of Adam Lock dec'd is granted them they having entered into bond with Security and made oath thereto as the Law directs and it is ordered that John Armentrout Philip Armentrout Jr. Peter Armentrout & Philip Armentrout Jr or any 3 of them do appraise the estate of the said Adam and make report to the Court

On the Motion of the executors of Christopher Howard dec'd It is ordered that Asher Waterman, David Kyle & Henry Welch or any 2 of them do examine state ~~and settle~~ and settle the estate accounts of

~~John Howe~~ said C. Howard dec'd and make report to the Court.

Carpenter to Lash &c on a Delay bond Note proved and Judgm.

Rice to Newton &c . . . . . same

Carpenter to Lash &c . . . . . same

Koontz to Rice &c . . . . . same

On the Motion of William M'Mahan an Injunction is Granted him to stay all further proceedings on a Judgment recovered by John M'Mahan for use of William Adams in the County Court of Rockingham, until the further order of this Court. on his entering into bond with Security, and file a Writ of error

Ordered that the bounds of David Brumfield and Richard Vaughn as Constables be altered, and that the said David Brumfield and Richard Vaughn be appointed Constables thereof, who entered into bond with Security as the Law directs

On the Motion of Henry Harnsberger and for reasons appearing to the Court It is ordered to be certified to the Register of the Land office that, Mary, Betsy, Adam, Eve, Jacob, Barbara & Polly Peter are the Children and heirs of Goddone Peter deceased.—

Ordered that Mary Lambert be Summoned to appear here at the next Court, to shew Cause why her Children should not be taken away from from him, and be bound out by the Overseers of the poor it being suggested to the Court that she is not in Circumstances to raise and educate them in a decent manner

Ordered that the Overseers of the poor bind Westly Calhoon orphan of Andrew Calhoon, dec'd. aged 15 years the 7 of ~~last~~ May 1811 and ~~who was so~~ to James Anderson to learn the trade of a Joiner, as the Law directs, and it is ordered that the former order directing him to be bound to Abraham Whitmore be rescinded the said Whitmore appearing in Court and consenting to the same.

Ordered that the Overseers of the Poor take into their care the Children of John McKee dec'd and procure for them proper places, and cause them to be bound out as the Law directs. and make report to the Court.

Ordered that James Brooks be Summoned to appear here at the Next Court to shew cause why Charles Ryly who was bound to him by the Overseers of the poor, should not be taken away from him and be bound ~~and~~ to some one else, it being suggested to the Court that he is ill Treated

On the motion of ~~Samuel Miller Jr.~~ administration of the estate of his father Samuel Miller dec'd is Granted him (with the ~~his~~ will annexed) who with Security entered into

Ordered that Sinclair Kerby, Charles Lewis & Taylor Yancey be Recommended to his Excellency the Governor, as proper and fit persons to be Commissioned as Sheriff for the ensuing Year,

Sent by Clerk to Richmond

Ordered that the Court be Adjourned until the third Tuesday in August Next. W. Harrison

Tuesday to wit, at a court held for the County of Rockingham the 20th day of August 1801.

Present

Ezekiel Harrison, John Erwin, Joseph Bartlett and Thomas Moore. Gentlemen

O ✓ Deed from Reuben Thornhill & wife to P. Z. Harrison acknowledged, wife's acknowledgment taken for land lying in the County of Jefferson and State of Kentucky & Deed to be certified

Ordered that the rules be held in the Clerks office on Thursday the 27th day of this instant and on the day after the third Tuesday in September next as the law directs.

X ✓ # Deed from Erwin Lee to Hoover acknowledged wife's acknowledgment taken & OR

✓ # Deed from the same to same . . . . . same

Deed from Black &c to Bowman fully proved by the oath of John Rader, Francis Black, & Jacob Rife & Order to be certified

X ✓ Deed from Samuel M'Williams & wife to Jeremiah Warren for land lying in the County of Allemangahalea, acknowledged wife's taken & certified

O ✓ # Deed from Snyder Lee to Miller acknowledged wife's acknowledgment taken & OR

X ✓ # Deed from Driver Lee to Rife . . . . . same

X ✓ # Deed from Brockhart Lee to Driver . . . same

X ✓ # Deed from Peters Lee to Brockhart . . . same

X ✓ # Deed from same to . . same . . . . same

A Deed from Ewin Dent to W. Miller acknowledged
wife acknowledgt taken & Ord

A Deed from Butts Exrs to Boles proved by Robert
Grantham, Solom Huffman & John Showalter, and
acknowledgt by his wife & Ord

A Deed from Henry Cook exr & Widow to Stoutenour
proved by the oaths of Peter Bolinger, John Huber &
Joseph Mauzy. & Ord

A Deed from Mefferd Exrs to George Mefferd acknow
ledgd ~~and recorded~~ & Record

A Deed from Harrison Exrs to Mefferd. . . same

A Deed from Joseph Bellheimer Exr to M Gahey acknowledgd, wife acknowledgt taken & Ord

A Deed from Peter Runkle to Frederick Mechaib
and (now in the possession of Daniel Stoutenour) proved
by the oath of John Frye & Ord

A Deed from Ewin Exr to Newman acknowledgd
wife acknowledgt taken & Ord

A Deed from Woods Exrs to Craige . . . same

Grand Jury sworn to wit
Oliver McCausland, ~~Jno~~ (Foreman) Jacob Bear
Samuel Harrison, William Pence Jacob Perkey,
Peter Sprinkle, John Cook, John Hoover Jacob Freize,
Christian Seitz, John Rush, James Beard, Thomas
Hopkins, Jacob Rife, Jacob Chrisman, William
Fowler & Jonathan Taylor, who received their charge &
retired from the bar to consult on their presentments
and after some time returned into Court and made

the following, an Indictment for Cowan a true bill, and an Indictment for Carthrae a true bill, and the prisoner be and Nothing further appearing, It is ordered that the Grand Jury be discharged and that proceedings on the said Indictments and presentments be continued here at the Next Court.

Ordered that the overseers of Poor bind Edith Phelps base born child of Grace Phelps age aged about 8 years old to Serve Servitude Next to William Foley as the Law directs

Ann Daultrey orphan of Mathew Daultrey and came into Court and made choice of David Taylor as her Guardian who entered into bond with Security as the Law directs

Replevin Sum for Crompton William Lewis S.B for G. Crompton offers Leger & avers Property

Dismissed now Howard Lee to Roebuck acknowledged Verses Attachment taken &c

Leonard for Trust Jacob Erbaugh S.B offers Leger & avers Property Harlan

Leonard for Pr Jacob Erbaugh S.B.

Ordered that Giles Furby George Dove and Joseph Knotts Jr or any two of them do examine state and settle the estate account of Michael Baker dec'd and make report to the Court

The last will and Testament of Thomas Dorman dec'd was presented in Court and was proved by the oaths of Mathias Arrow & Charles Burton &c and on the Motion of the executor and executrix therein named, who entered into bond with Security, and made oath thereto as the Law directs Certificate is Granted them for obtaining Probate in due Form. and It is ordered that John Carthrae James

3d Ordered that Sinclair Kirtly, Jacob Bear & Henry Miller or any two of them do examine state and settle the estate accounts of Mary Effert dec'd with the administrator and make report to the Court

4th Selby v Foley, Peter Leonard Gilbert offer Surety set aside as to the appearance bail

5th Comth v Henry Gilmore on Recogniz. for breach of the peace on the complaint of Barbara Gilmore his wife, the said Defendant appears in Court in discharge of his recogz, and the Court having heard the Testimony, and the argument of Counsel, It is Ordered that he be bound to his good behaviour for one year from this day, and that he enter into a recogz himself in the sum of $100, and one security in the sum of $100 or two security in the sum of $50 each and that he stand committed until he give such security. Whereupon the said Henry Gilmore, with Philip Peter and Adam Nowderbelt his security appeared in Court and severally acknowledged themselves to owe and be indebted to his excellency George W. Smith Lieutenant Governor of Virginia now exercising the office of Governor and his successors in office in the sum of $200 that is to say the said Henry in the sum of $100 and his said security in the sum of $50 each to be levied of their respective Goods and Chattels &c Yet upon this condition that the said Henry Gilmore shall be of Good behaviour towards all the Good Citizens of this Commonwealth for one year from this day and more particularly towards the said Barbara Gilmore &c

Kruig v Doy John Koontz Gilbail

Perry Perkey and William Lewis, who are hereby constituted in the office of Constables appeared in Court and with Security entered into bond, Conditioned as the Law directs, and took the several oaths prescribed by Law

Perkey v Grim Voluntine Miller Gilbail, office Judgment set aside payt. Confirmed

Graham v Grim Voluntine Miller Gilbail office Judgment set aside payt & Issue Confirmed.

Ordered that Joseph Cravens be appointed Guardian for William, Peggy, & Jane Miller Children of Samuel Miller dec'd who are under 14 years of age who entered into bond with Security as the Law directs

Ordered that the Court be adjourned until to Morrow Morning 9 o'Clock

Wm. Harrison

Wednesday the 28th

At a Court continued and held for the County of Rockingham the 27th August 1811.

Present.

Ezekiel Harrison, Joseph Bartee, Charles Lewis & George Newton

E. G. Gaskins

Ordered that Layton Yancey, Joseph Mauzy, & Daniel Bowyer or any two of them do examine state and settle the estate accounts of Peter Sellars dec'd with the executors thereof and make Report to this Court

Smith v David Kyle. order the Information be set

Commth v Good &c ~~Recog~~ Continued ~~returnable to~~ Next Term

Commth v Dis'ngd by order of the attorney for the Commth

Commth v Erwin New Suits returnable to the Next Term

Evans Pors v Brown Continued

Same v Tapp Continued

Same v Thompson Continued

Same v Jas Brooks abates by Return

D Boughes v Nickey, upon a petition for Counter Security the rule made at the May term last having been regularly executed Counsel having been heard in behalf of the executor in opposition to this decree, It is ~~ordered~~ adjudged & decreed by the Court that Samuel Nickey Surviving executor of Laurana Switzer decd do at the Next term give to the Petn in this Motion Satisfactory Counter Security in such sum as the Court may then appoint & in case of failure, It is further ~~ordered~~ decreed and ordered that the said executor do immediately thereafter deliver up to the Pltff in this Motion the estate of Laurana Switzer decd in his hands upon the said Daniel Boughes entering into bond & Security to administer the same according to Law and that a copy of this decree be served upon the Deft.

On the Motion of Sinclair Kerby Sheriff Thomas C. Fletcher is appointed his Deputy and sworn accordingly

Commth v Ferris parties heard and dismissed.

Clepard v Brew Kemp Garnis Sphoel and Defendant Defendant up by his bail Judgm confessed as per Specialty with Interest Costs.

Smith v Snap parties heard and Defendant fined $2.50 cents for Keeping the road in repair & Costs

Smith v Norman Defft Call'd not appearing fined 5/ for being armed & Costs

Smith v Garber heard and dismissed

Present Jonathan Shepman, & Peachy Harrison,
Absent George Newton & Joseph Barton

John Taylor &c. Defendants
" John Newton " Servant. } On a Writ of Enquiry

Jury Sworn to try the Issue to wit Zachariah Joy. John Smith, (Taylor) John Norman, William Phelps John Graham Jr. John Blosser, Jeremiah Warren, James Quinn, George Compton, Abr. Dorman Lofland William Beard & Solomon Matheny. whereupon by consent the Jury is adjourned untill to Morrow Morning 9 O'Clock,

Hansbarger v Burns (Continued)

A Deed from Brouse &c to S. Stenkle proved by the oaths of Christian Adams Jacob Adams, & David Stenkle & Ordered to be Recorded

Kite v Raper By consent, Commission is awarded each party to take depositions in this Cause Debenspee, on Giving reasonable Notice of the time and place of taking the same

Morris adm v Wallace &c on a Delvy bond Note proved & Judgm.

Mossock v Steelo &c on a Delvy bond Note proved as to Steelo & Note acknowledged as to Steelo & Judgm as to Foster

Perkins exon v Reno &c on Dely bond Notice proved & Judgment

Ordered that the Court be adjourned until to Morrow Morng 9 o'Clock

Ezk. Harrison

Thursday to wit

At a Court continued and held for the County of Rockingham the 29th August 1811.

Present

Ezekiel Harrison, Charles Lewis Peachy, Harrison & Jonathon Shipwright . . . . . & C. Justices

Morgan v Hawkins v Kesler Office Judgm set aside and dismiss agreed

Freeze v Holliday &c . . . . . same

Steers v Shank dismissed by order of Plffs attorny and Judgm for costs

Hawbarger v Bear dismissed agreed.

Lewis v Smith dismissed. agreed

Dever v Phelps Office Judgm ~~dismissed~~ set aside and dismissed by order of Plffs attorny

Morris adm v Herring &c Henry Gambill Spl bail Office Judgm set aside pays &c Continued.

Present Thomas Moore

Crump & Co vs Rice, plea warn & Judgmt Confessed as per Specialty with Interest & Costs (saving equity)

Shoemaker vs Sulzbarger &c . . . . . same

Dillard vs Mathews . . . . . same

Parry . . vs Freeholders &c . . . . . same

Peyser adms vs Stine &c . . . . . same

Fawcett . . vs Jenkins &c . . . . . same

Fawcett . . vs W. Jenkins &c . . . . . same

Keplinger adms vs Carthrea &c . . . . . same

Keplinger adms vs Ranken &c . . . . . same

Mellus . vs Dever . . . . . same

Kerby . . vs Parry . . . . . same

Nicholl & Co vs Carthrea . . . . . same

Smith . . . vs Ryan & Harrison . . . . . same

Abraham vs Smith . . . . . same

Magill . . . vs Foley . . . . . same

McDowell vs Wisly . . . . . same

John Taylor &c vs John Preston on Writ of Right. The Jury impannelled and sworn in this cause on Yesterday, appeared in Court agreeable to their adjournment having heard the ~~Arguments and~~ Testimony and Argument of Counsel, and Retired from the bar to consult on their Verdict and not agreeing were adjourned until to Morrow Morning 9 Oclock

Riggans ats vs Woods Offic Judgt set aside and dismd by order of Plfts Attorny

Spangler vs Miller David Wallace Spl Bail Offic Judgt set aside payt Continued

Evans vs Sulenbarger, Daniel Rager, Joseph Fawcett, William Sprinkle, Henry Welch & Samuel M Williams Spl Bail. Offic Judgt set aside payt Continued

Mougar vs Sulenbarger, Danl Rager, Joseph Fawcett, William Sprinkle, Henry Welch & Saml M Williams Spl Bail Offic Judgt set aside payt Continued

Ordered that the Court be Adjourned until to Morrow Morning 8 o'clock Ezk Harrison

Friday 23d to met.

At a Court Continued and held for the County of Rockingham the 23d day of August 1811.

Present

Ezekiel Harrison, Charles Lewis, Peachy Harrison & Thomas Moore . . . . E G Gentlg

Henry Whisler vs John Funk. By consent of the parties by their attorneys. It is Ordered that all Differences between them in this suit is Referd. to Ezekiel Harrison & George Dove, whose award, or the award of them umpire in case of disagreement is to be made the Judgt of the Court.

Rice vs Sheridan dismd by order Plfts attorny & Judgt for Defendants Costs

Mathews vs Paul. By consent all matters in dispute between them in this suit is Referd to the final determina of Richard Patton, David Golliday & Archibald Rutherford

whose awards is to be made the Judges of this Court and It is ordered that the order heretofore made referring this Cause, be rescinded

~~Boyle~~

Boswell vs Pence Jury Sworn to try the Issue to wit Kemp Garris, Jos. Shores, Thomas Gilmore, Isaac Keys Charles Clark, John ~~Lucas~~ Greenway, Frederick Kyle, Bathurst ~~Greenway~~ Saunders, Jacob Leggett, Robert Kerring Arnold Bracken & William Dunlap Verdict for the Plff for £13 11/9 & Damages with Interest from 15 September 1808 & costs paid Bullens Mem. on the trial of this Cause the following exception was taken Boswell vs Pence &c which was signed Sealed & the Law Court.

Boland vs Deeff Ellicott Rutherford Spl Bail W.E. set aside Covenant not broken & Issue Continued

Allen from Party to Kenney, Acknowledges & Records

Hoggan ~~Grant~~ vs Neale, Lucas S. Foster Spl Bail Office Judgm set aside payment Continued

Taylors &c vs Preston on a Writ of Writ the Jury Impannelled and Sworn in this Cause, appeared in Court agreeable to their adjournment whereupon by consent Solomon Mathews one of the said Jurors is withdrawn, and the rest of the Jury are discharged and the Cause is Continued, and by consent, It is ordered that the Surveyor of this County do go upon the land in Controversy, and make any other Surveys that either party shall require and return a fair plat and report thereof to the Court.

Isaac Baker orphan of Michael Baker dec. came into Court and made choice of John Baker as his Guardian, and the said John Baker is also appointed Guardian for Joseph Baker an Infant, and heir of said

Michael Baker dec^d who enters into bond with Security as the Law dirts

Watts v Mathews Office Judgm^t set aside paym^t for the Security Ffine & Costs

Skelly v Dove M E set aside N. A & Ffine & Costs.

Moyer v Eyman Office Judgm^t set aside paym^t for the appearance bail Ffine & Costs

Campbell v Crouse M E set aside N. A & Ffine and Costs

Present Andrew Shanklin, Asher Waterman, & George Newton ....

Absent Charles Lewis, Peachy Harrison & Thomas Ashbourne

Fawcett v Messrs & Joseph Bywaters S.ffbail Office Judgm^t set aside as to the bail

Arguebright v Thomas & Joseph Bywaters S.ffbail Office Judgm^t set aside as to the bail

Campbell v Messrs & Joseph Bywaters S.ffbail office Judgm^t set aside as to the bail

James Campbell
v
Andrew Smith } In Chancery.

This cause came on finally to be heard by Consent this 23^d day of August 1811. upon the bill, answer and examination of Witnesses and was argued by Counsel upon Consideration whereof It is adjudged, ordered and decreed that the Injunction be perpetuated for to the whole amount of the Judgm^t at Law (except Eight Dollars) and that the Complainant do recover against the said Defendant his Costs in defending the said suit at law, and his Costs by him about his injunction in this behalf expended.

Brown &c v. Watson exrs on the Motion of the Plaintiff by his attorny It is ordered that the execution issued in this case be quashed, it appearing to the court that the execution was erroneous in this, that it was directed to be levied of the goods and chattles of Jams. Watson dec'd in the hands of Mathew Watson his executor, whereas it ought have been levied of the proper goods and chattles of the said Mathew Watson.

Rea v Lacey continued

Ebenezer Harrison
v
Cornelius Callahan & al Chancery

This cause came on finally to be heard by consent this 23d day of August 1811. upon the bill, answer and examination of Witnesses, and was argued by Counsel, upon consideration whereof It is adjudged, ordered and decreed that the Injunction be dissolved, and that the Defendant recover against the said Complainant his costs by him about his Defence in that behalf expended.

costs taxed

Ordered that the court be adjourned until the 3d Tuesday in ~~March~~ September next

Jno Franklin

At a Court of Oyer & Terminer held at the Court House of Rockingham County on Monday the 2d day of September 1811. for the trial of Dick a ~~Negro~~ Negro Man Slave the Property of Samuel Miller Charged with feloniously stealing from Peter Thompson one Round about Jacket and a pair of shoes and also for stealing from Michael Zimmerman one ~~Pair~~ pair black Velvet Pantaloons

Present the Honorable Archibald Mather Jno & Peter Hog Harrison Gaines
Waterman Exrs Jacob Murphy, Asher

Present.

Andrew Shanklin, Ezekl Harrison, Asher Waterman
Archebald Rutherford & Peachy Harrison . . . J.G. Justices

Whereupon on the Motion of the prisoner by his attorney and for appearing to the Court. It is ordered that the Court be adjourned untill to Saturday the 6th day of this instant at 11 Oclock A.M. and the said Negroe is remanded to Jail,

And Shanklin

Tuesday to wit

At a Court held for the County of Rockingham the 17 September 1811.

Present.

Ezekiel Harrison, Joseph Bartlett, Arch Rutherford & J.G. Justices
and George Newton

Deed from Coleman &c to Waterman, acknowledged in the
R. Deeds Bg. 193 by the parties in the City of New York, which with the Patent
Pat. Bg. 87 thereto annexed is ordered to be Recorded

Deed from Asher Waterman by Timothy Green his attorney
Lewis. Certfs in fact to Ann Williams, acknowledged by the said Timothy
in City of New York & Certified &c

Deed from same to Stephen Gould . . . . . same

Deed from Stephen Gould &c to Ann Williams acknow-
ledged by the parties in the City of New York, & Certified &c
Ordered to be Recorded

Deed from Forsythe &c to Bear acknowledged by
the parties in Bath County & State of Kentucky & Certified &c

A Sale bill of estate of John Shulas dec'd &c

A Sellers of the estate of John Shulas dec'd &c

Deed from Showalter &c to Seitz acknowledged in the
County of Rockingham & Certified &c

O.F. Deed Release from G. M. Williams to Seth acknowledgt &c

Deed from Trout Exr to Trout acknowledgt misc acknowledgt taken &c

Deed from same Exr to Quick . . . same

Deed from Seith Exr to Reahefer . . . same

Deed from Ryan exon to Coffman acknowledgt &c

Deed from Thomas to Showalter acknowledgt &c

O.F. Deed Trust from Carell to Rader for David & John Coffman ~~&c~~ proved by 3 Witnesses &c

Deed from Showalter Exr to Long acknowledgt misc acknowledgt taken &c

Deed from Merchant Exr to Mellebarger . . same

Deed from ~~Rust Exr to~~ Kyger Exr to Rust . . same

Deed from Rauch Exr to Zeringer . . . same

Deed from Showalter Exr to Shirk . . . same

O.F. Deed Trust from Rust to Perky, for Kyger acknowledge misc acknowledgt taken &c

Deed from Harrison exon to Strayer acknowledgt &c

Deed from same to John Koontz . . . same

Deed from same to P. Zetty . . . same

Deed from same to Brock . . . same

Deed from Lokes to Henry Cowan proved by 3 Witnesses
Deed from same to Rosenbarger . . . . . same
Deed from same to Roop . . . . . same
Bill of sale from Young to Ryno acknowledged

Rachel Fry orphan of Henry Fry came into court and made choice of Isaac Ashbaugh as her Guardian who entered into bond with security as the Law directs

Deed Grant from Hammer to Garey in trust for Kerby acknowledged by said Hammer

Betsey Howard orphan of Christopher Howard did come into court and made choice of Nicholas Armstrong as her Guardian who entered into bond with security as the Law directs

Deed from Berry Rex to Good acknowledged, wife acknowledged taken

Ordered that Jacob Perky Jr be appointed overseer of the road in the room of John Ryan, and that he with the hands heretofore appointed to work on the road, work thereon and keep the same in Good repair

Ordered that Anthony Miller be appointed Overseer of that part of the road ~~in the room of~~ from North forks of Shannandoah River to Isaac Thomas in room of Jacob Brents, and that he with the hands heretofore appointed to work on the said road work thereon &c

Ordered that Philip Huffey be appointed overseer of the road in the room of David Brookhart, and that he with the Tithables hereafter appointed to work on the said road be allotted for his Gang &c

On the Motion of Joseph Byerly, It is ordered that who and is desirous of purchasing a Water Grist Mill owns the land on the South side of the North River of Shenandoah and the land on the opposite side against which he will abut his dam belonging to George Coogler, and the right to the bed of the said River belonging to himself or belonging to himself or to the Commonwealth (and Notice of this Motion being given to said Coogler) It is ordered that a Writ of Ad quod damnum be awarded him, to be directed to the Sheriff of this County, and to be executed on the 21st day of Instant returnable to November court next.

A Deed from Harrison &c to Cook acknowledged &c

Ordered that Charles Lewis, George Hunter and Fabius M Gahey, or any two of them to examine state and settle the estate accounts of Catharine Perrie dec'd with the executors, and that the same do examine state and settle the estate accounts of Sarah Perley with the executor, and make reports thereof to the Court

A Settlement of the estate of Christopher Howard dec'd &c

A Deed from Miller &c to Whitmore acknowledged. Proofs & Commissioner taken &c

A Deed from same to Swoope . . . . . same

~~A Deed from Samuel & Campbell & Same~~

Deed of Relinquishment from Margaret Roalston wife of Benja Roalston to John Smith acknowledgt taken OR

Deed from Elizabeth Lee to Wm acknowledgt taken OR

Deed from same to M'Cullock . . . . same

Sevelair Hartly produced in court a commission wherein he is continued in the office of Sheriff for two years from the date of his qualification, who thereupon entered into bond with Security for the collection of the Public Revenue tax for the County of Rockingham for the year 1812 which was acknowledgd OR

Jonathan Preston Orphan of George Preston dec'd came into court and made choice of Archibald Rutherford as his Guardian who entered into bond with Security according to Law

Ordered that Henry Funk be appointed overseer of the road beginning at Christian ~~Fleet~~ Allenbough's Smiths shop, and from thence to where it intersects the Mountain road in room of said C. Allenbough and that the useable tithables, and the tithables within two Miles on the east side of the said road and down to Whistles Fulling Mill be allotted for his Gang &c and that the order made appointing him at July court last be revoked

Also an Report of an alteration in the road leading from Brocks Gap and to New Market, where it crosses the branch between Michael Hollenger & David Miller, which is in the words following Agreeable &c which alteration is ordered to be established agreeable to the said report &c

Deed from Miller Lee to Anderson acknowledgt same acknowledgt taken OR

The last will and Testament of Elizabeth Russell dec^d was presented in Court and proved by the oaths of Philip Roony & Grace Losley & ORD, and on the Motion of Jonathan Losley one of the executors therein named who made oath thereto, and with security entered into bond and acknowledged bond, as the Law directs. a Certificate is Granted him for obtaining a probate in due form.

Present Andrew Shanklen

Overseers Poor

Jesse Lincoln & Son are cogn^d as the reputed father of a bare born child of ~~Defendants~~ Parthania ^ Roads cap^t the said Defendant appeared in Court and agreed to enter into a recogn^z for the support of the said Bastard Child, in the sum of £42, payable to the overseers of the poor of the Parish and County of Rockingham in the following Manner, that is to say, the sum of $20 within two Months from this day, and then $20 annually from that day until the said sum of £42 pounds be paid unto the said Parish whereupon the said Jesse Lincoln, with John Ritchy and Lucas S. Foster his securities appeared in Court and acknowledged themselves to owe and be indebted unto his excellency George W Smith esqr Lieut^d Governor, now exercising the functions of Governor of Virginia and his Successors ~~to pay~~ in the said Sum of £42, payable in Manner and form as a bove Mentioned and that he pay the Costs &c

A Deed from Lafayette &c to St Culp acknowledged

Ref^d ~~acknowledged~~ later ORD

A Deed of Trust from A. Culp Sen to Harrison in Trust for Jacob Safrigner, acknowledged by said Culp his wife acknowledged later, and acknowledged by said Harrison ORR

John Wayt
William Roberson

On the Motion of the Plff by his attorney and it appearing to the Court that the Defendant has acquired property since he took the oath of an insolvent Debtor, It is ordered that the Plff have execution against the estate of the said Defendt returnable as the Law Directs

Overseers Poor
vs
Davis

On a Recpt as the reputed father of a base born child of Betty Thompson, on the Motion of the Defendt by his attorney and for Reasons appearing to the Court it is ordered that the said Recpt be quashed

A Settlement of the estate of William Herring dec. returned ORR

Isaac Miller & James Miller orphans of Samuel Miller dec. came into Court and made choice of Joseph Meadows as their Guardian who entered into bond with Security as the Law Directs

On the Motion of Jacob C. Erwin & Andrew Erwin for an Exclusive Survey of three Lots lying and being in the said County of Rockingham, and it appearing to the Court that Notice of this Motion has been duly advertised at the Court House of the said County, and Notice being given to the several Proprietors of the Land adjoining the said Petitioners Lands It is ordered that the Surveyor of the said County do go upon the Land, and make a Plan exclusive Survey of the said Lands, and return

a fair plat and report of the same to the Court and It is ordered that the Sheriff of the said County do then and there attend him and remain for if any should be offered.

Ordered that Reuben Harrison and Abraham Smith be appointed Commissioners of the Revenue tax for the County of Rockingham for the ~~year 1812~~, ensuing year, ~~and that they~~ upon their entering into bond with and qualifying security, ~~&c~~ as the Law directs.

Ordered that George Lennard Overseer of a part of the Road leading from Brocks Gap to New Market (by Ezekiel Harrisons) do with the Tithables heretofore appointed for his Gang open that part of the said Road near Christian Ferris Plantation agreeable to the report of the Viewers of the said Road and work thereon and keep the same in good repair

Harrison & Allman
v
Sarah Oxley Widow and the Heirs of Thomas Oxley dcd by ~~them~~ Danl Magew their Guardian

In Chancy

This cause came on to be heard this 17 day of September 1811 on the bill answer exhibits and the argument of Counsel and the Court having considered the same they do order adjudge and decree that said Sarah Oxley (she having ~~confessed~~ by her answer confessed herself willing to convey) do convey to the said John Harrison and Benja Allman all her interest and title in the Lands mentioned in the said bill and that the said Danl Magew as Guardian

of Archibald, John Darby, Thomas, David, Peggy & William Losey Children and heirs of Thomas Losey dec'd do convey by deed of Bargain & Sale with a Special warranty to the said Plaintiff the said Land in the bill mentioned, and it is further ordered and decreed that the Injunction awarded in this cause be perpetuated as to £94 11/8 and the cost of prosecuting the said Injunction, and that the said Injunction be dissolved as to the said balance.

Ordered from Losey &c to Harrison &c acknowledged by Daniel Hagin Guardian for Thomas Losey heir &c

On the Motion of Alexander Miller administration of all and singular the Goods and Chattles of Samuel Miller dec'd (with his last will annexed) is Granted him he having made oath thereto, and with security entered into bond conditioned as the Law directs and it is ordered that Daniel Pearson John Overman, Abram Whitmore and Joseph Vernon or any three of them do appraise the estate of the said deceased and make report to the Court

Ordered that Peter Bright be appointed overseer of that part of the road in the room of Samuel Miller dec'd and that all the Tithables within one Mile on each side of the said road be appointed for his Gang to open work thereon and Keep the same in Good repair

Ordered that the Court be adjourned until to Court in Course.

And Thursday

At a Court of Oyer & Terminer held at the Court house of Rockingham for the trial of Dick a Negro man Slave the property of Samuel Miller charged with feloniously Stealing from Josiah Thompson one ~~pair~~ round about Jacket and one pair of Linen Shoes, and ~~also for Stealing from the said Prisoner one pair black Velvet Pantaloons~~

the 5th October 1811

Present

Andrew Shanklin, John Erwin, Asher Waterman
Archibald Rutherford & Peachy Harrison J.G. Justices

The said Prisoner was led to the bar, in Custody of the Jailor and being ~~arraign~~ charged with the felony aforesaid plead Not Guilty, whereupon Josiah Thompson, Michael Zimmerman was sworn and examined touching the said offence, and the said Prisoner being heard in his defence, the Court upon consideration whereof are of the opinion that he is Guilty of Petty Larceny, and do order that he be taken to the public Whipping post and receive ~~Thirty~~ fifteen Lashes on his bare back, and restore the property taken, and that sheriff execute this Order immediately.

and the Court arose

And Shanklin

At a Court of Oyer & Terminer held at the Court house of Rockingham for the trial of Dick a Negro man Slave the property of Samuel Miller charged with feloniously Stealing from Michael Zimmerman one black pair of Pantaloons.

5 day October 1811

Present

Andrew Shanklin, John Erwin, Asher Waterman
Archd Rutherford Peachy Harrison . . . . J.G. Justices

The said Prisoner was led to the bar, in Custody of the Jailor and being charged with the felony aforesaid

plead Not Guilty, whereupon, Mr. Saml Gerrines Christian Every. was Sworn and examind touching the said offence and the said prisoner being heard in his defence, the court upon Consideration of the Circumstance of the case, are of the Opinion that he is Guilty of Petty ~~Larceny and~~, and that he receive fifteen Lashes on his bare back at the Public Whipping post now the prisoner and that the sheriff execute this order ensuing forth with

Saml Shanklin

and the Court arose

Tuesday to wit

At a Court held for the County of Rockingham the 15th day of October 1811.

Present

Ezekiel Harrison, Joseph Baxter, Archibald Smith, Bartholomew Yancey & Charles Lewis & Peachy Harrison Esqrs Justices

Ordered that the Rules be held in the Clerks office on Thursday the 17th day of this Instant, and on the day after the third Tuesday in November, December, & January next as the Law directs.

Allen from J. Shrawyer Sur to Weiser, acknowledgt was acknowledged to Court

Grand Jury Sworn to wit.

George Gelmbard, foreman, John Grady, John Lesage, Charles Carthrae Peter Thomas, John Perce, Jacob Kyger, Jacob Kesling Christian Detmore, Jacob Shanks, William Sprinkle, Martin Cromer, Mark Newland, John Krotzer, John Ritchey and John Rush, who rec'd their charge, and retired from the bar to consult of their presentments, and after some time returned into Court, and upon their oaths do make the following presentments, an Indictm[illegible] Daniel Ettinger a true bill, & Indictm[illegible] Abram Emmert not a true bill, and we present no other nothing further appearing the said Grand was dischd. and it is ordered that Sheriff be allowed to Retain to Febry Court next

A Power of attorny from M. Goins to Charles Lewis was proved by Richard Austin & Jams McDaniel ordered to be Recorded

A Report of the Dower of Margart. Kyser return'd

A Deed from Jacob Woolf Excrs to Saml Glyn acknowledged was acknowledged & ordered to be certified to Pennsylvania.

A Deed from Carpenter & Penn to Penn Gov. acknowledged & ord'd

Ordered that the sheriff pay unto Philip Parrott four dollars, and to Adam Lamb $8. and to John Hopkins 4 dollars, out of the depositum in his hands, it being for a Descrecy in their allowance for Wolf scalps made in the last County Levy.

Ordered that Aquilla Bennet Carter Esqr to Keep a tavern at his house in this County untill the 1st day of May Next he having paid to the Clerk of this Court $6.76 cents. on his entering into bond with D. Gamble his Security in the Clerks Office

A Deed from Brewer Lee to Wright acknowledged was acknowledged & ord'd

Ordered Poor & Minick, the Defendants appeared in Court in discharge of his Recogz and the Court having hear the evidence of the parties, It is ordered that the said Recogz be discharged

Deed & Wooden Ax attachment Continued

Order from Smith Exr to Knepp proved by Ezel Harrison & John Harrison & Ordered to be Recorded

Order from Woody to John Phelps acknowledged &c

Order from John Harrison Exr of Benja Tallman dec'd to Knepp acknowledged by Harrison & Tallman, and by said Tallman wife &c

Order from Losey heir &c to Harrison Tallman further proved by Ezel Harrison as to Sarah Losey & Ordered to be certified

Ordered that the Sheriff pay unto Mark Newland $5.75 cents out of the Depositum in his hands, for Glass, furnished for the Court House, and Glazing the Windows thereof as per account Rendered

John Ott orphan of Jacob Ott dec'd came into Court and made choice of Reuben Newman as his Guardian, who entered into bond, with Security as the Law directs

The last will and Testament of Robert Negan dec'd was proved in Court and proved by the oaths of Mathias Eby and William Ewin Witness to be Recorded, and on the Motion of John & Jacob Negan the Executors therein named who gave bond with Security, and took the oaths prescribed by Law, a certificate is Granted them for obtaining a probate in due form and this ordered that Charles Beard Reuben Harrison, John Krotzer & Richd Rager or any three of them being first sworn do appraise the estate of Robert Negan dec'd and make report to the Court

Commth v Ludlow & Good. disms.

Commth v Ervin. dismd—

Commth v. Rolls dismd.

Commth v. R. Harrison dismd.

Commth v Cowan. Capias awarded returnable to ~~February court Next~~ February court Next.

Burns v Stanaly, William Rains Security for Costs and all offrs fees

Cravens v Leary. Joseph Newton Sheriff bail

Ordered that the Sheriff summons all the acting Majestrates in this county to appear here at the Next Court in order to take into their consideration the Recommendation of Militia offrs.

Burns v Stanaly & Southan, James Perry, John Lawson Sheriff bail ~~and the Defendants Detained by them or bail~~

Commth v Cowan N. G & Ofrs to wit William Campbell, Michael Deck, William Fowler, Solomon Mathias John Lincoln, Abraham Bowen, David Lincoln, Philip Fenbough, Benjamin Vanpelt Andrew Rudlow, Michael Bellheimer, & Jacob Eversole, Verdict that the Defendant is Guilty and assesses ~~$5~~ Damages and Costs. for $1.00 & costs

Bright v Kings adms continued for Defendant.

Kings v Kings adms It appearing to the Court that the Plff is Married, It is ordered that this suit do abate.

Comm'th v Bright Deft call'd and not appearing.
It is ordered that he make his fine in the sum of $2.50.
for swearing 3 profain oaths, and pay the Costs.

Comm'th v Doyle continued

Comm'th v Cathcart N.G. & Ffrs and continued.

Comm'th v Charles Campbell & Francis Clark, Defts call'd
and order Information be filed, whereupon the Attorney for the
Comm'th filed his information, and the said Defendants appeared
and pleaded N.G. & Ffrs. Jacob Ettinger, Morris Dewitt
William Sandy, Benjamin Berry, Samuel Miller
Daniel Ettinger, John Cowan, Jacob Pickering Peter
Ettinger, John Graham, John Ryan, and George Penn
Verdict that the Defendants Guilty, and amerce'd $6 each
and Judgment.

Mace v Ansell An attachment, the Constable returned
on the attachment, executed in the hands of Benja Mifford
and summoned him as a Garnishee, who appeared in Court
and being sworn, Declared he has in his hands no property
belonging to the Defendant ~~and that he~~ nor does he owe
him any thing,, and the said Defendant being call'd It is
considered by the court that the Deft recover $14.16 Cents
with Costs from 29th day of April 1811. and Costs.

Ordered that the court be adjourned until to morrow
morning 10 o'Clock.

Saml Sandy

Wednesday the 16th of October 1811.

Present

John Ewen, Asher, Waterman, Charles
Lewis & George Preston . . . . . & G Gentry.

Comth v. John Lincoln Defft Calld not appearing order
the attachment issue on Information & Sum, and abate as to
Kelly

Comth v Stoll Spitzer & P. Rains, Defts Calld not appearing.
Order Information be filed

Overseers Poor v J. Brown
Same . . v Lafty. } Continued until Next
Same . . v Lambert } Term

Leonard v Trustees &c. Office Judgment set aside payment
& Stay and Continued

Lauty v Stultz
Same v Same & Daniel Ragen Spl bail. office
Judgmt set aside payt & Stay and Continued

Cocanour v Devisees of W.A &c Daniel Ragen Spl bail for
M.Cabe office Judgt set aside payt & Stay & Continued

Coffman v Messrs &c Daniel Ragen Spl bail
office Judgt set aside upon the appearance

Same
Coffman v Thomas &c. . . . . Same

Baxter v Smith Jury Sworn to try the Issue to wit
Daniel Mathews, Richard Boze, Mathew Watson, George
Compton, Daniel Boughner, John Fenton, Frederick Kyle
John Sheetz, Hugh Rathford, William Williams, Elisha
Messrs & John Parry. Verdict for the Plff for the Debt
in the Declaration mentioned, and 1 Cent Damages, Stay
Defts Judgt for Costs & Execution of the Judgt. and the same

the court is not advised what Error to reverse on the said Verdict, the same is continued until the next term

Perrin v Darby Continued
Present George Dove J.

Taylor &c v Hunter By consent of the parties by their attorneys this cause is ordered remanded to the Superior Court of the said County, which is ordered to be Certified

Herring v Kyser Jury sworn to try the Issue to wit
Dfts Jurors Daniel Mathews, Richard Boze, Mathew Watson, George Compton, Daniel Boughey, John Ferrell, Frederick Kyle, John Sheetz, Hugh Rachford, William Williams, Ethelred Messick and John Peary. Verdict for Defendant & Judgment.

Deed of Release from Blair to John Peter exrs acknowledged

Rice v Eyman &c on a Delivered Note pleads Judgt

Dyer v Miller &c ..... same

Hopkins v Miller &c ..... same

Rice v Eyman &c ..... same

Harshbarger v Eyman &c ..... same

Peter exrs v Rice &c ..... same

Peter exrs v Carlton &c Continued

Evans v McMahan dismissed by order Plffs attorney

Harshbarger v Burris Motion to set aside N.A. & Issue Continued for Defendant and by consent a commission is awarded

the Plff to examine and take the deposition of Ephraim Hansbarger a Witness in this cause on giving the Defts reasonable notice of the time and place of taking the same

Woods v Huber M'C set aside N.C & Issue and continued for Defendant

Grove v Woods Jury Sworn to try the Issue to wit Henry Lefe, Philip Fisbough, Alexander Miller, William Jenkins, David Cunningin, Peter Bright Peter Harry, Abraham Bowers, Christian Krotzer Samuel Bowman, Daniel Kyser & William Campbell Verdict for the Plff for £104.4/6 with Interest from the 10th June 1810 Int paid & Judgment

Peffer v Pickering Jury Sworn to try the Issue to wit The same Jury as in Grove v Goods, Verdict for the Plaintiff, whereupon the Jury was adjourned until to Morrow Morning 10 O'Clock

Salvage v Nicks &c Office Judgment set aside payt Sheriff & Issue and continued

Hansbarger v Catling &c . . . . . same

Hansbarger v Nicks &c . . . . . same

Myers adm v M'Scott. By consent of the parties by there attorneys It is ordered that a commission be awarded the Plff to examine and take the deposition of William Harper and William Thornton Witnesses residing in the District of Columbia, which Deposition may be taken by any two Magistrates in the said District, who will certify themselves to be such on Giving the

Comp pd

Defendant Reasonable Notice of the time and place of taking the said Depositions

D. Deed from Clark to Bolling proved by the witness thereto 606

Dever vs Wooden On an attachment

C. The Constable having returned on the attach. executed on 23 bushs of bush Wheat One old bed and bedstead one pot and one drawing Knife, and the said Defendant being call'd and not appearing to reply the same, It is considered by the court that the Plff recover agst the said Defendant $50 with Interest from the 1st day of Janry 1812, and Costs. and It is ordered that the sheriff make sale of the said attach. property giving Credit for the same to the said 1st day of Janry 1812, taking bond or bonds from the purchaser or purchasers thereof which bond or bonds are to be assigned to the said Plaintiff, and that he have execution for the residue if any &c

P.

Daniel Boughes vs Samuel Nickey. Samuel Nickey having been served with the decree of this court made at August term last and having failed to comply therewith by giving Counter Security. It is adjudged ordered and decreed that the said Nickey do forthwith deliver up to the said Daniel Boughes all the estate Rights and Credits in his hands belonging to Laurance Switzer decd and pay the costs of this Motion, and It is further ordered that the said Danl Boughes be appointed admr with the will annexed of Laurance Switzer decd whereupon the said Daniel Boughes with Jacob Kyser his Security entered into bond & Security according to law—who took the oath of an executor accordingly, a Certificate is Granted him for obtaining a probate in due form.

Ordered that Robert Pettifield, Andrew Fuller William Patrick and Jacob Parker or any three of them ~~be appointed Notice and settle the estate accounts of Lauram~~ be first sworn as appraisers the estate of Lauram Swelzer decd. and make report to the Court.

Ney v Moore & Dan'l Ragen Spl Bail Offers Judgm set aside & cept & Stand Continued

Swenk v Shaenbarger The Defendant appears in Court in Custody of the Jailor, and confess a Judgment for the Debt in the Declaration Mentioned and Costs

Present A Rutherford

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock

A Rutherford

Thursday the 17th day of October 1811

Present

Joseph Baxter, Peachy Harrison, George Dove & Jonathan Sherman

S G. Justice

A Deed from Joseph Douglass to Jonathan Sherman & Daniel Smith In Trust for John Smith executor of Silas Hart dec'd was proved in Court and acknowledged by the parties Ord

Whisler v Funk Continued for award.

Kite v Rapier dismissed agreed

Vaughn v Slutz & John Koontz Spl bail, Pl Continued Devisavit vel non, and Issue and Oyer ~~for~~ and Continued

~~Gephart~~ Slutz Continued for Defendant

D Smitzer extr v Boughter dismissed.

P Pirkey v Grim plea wand & Jugm confessd as per specialty
saving equity with Interest & Costs (saving equity)

D Keplinger admr v Fox &c. . . . . same

D Morgan v Deets . . . . . same

D Moyer v Eyman . . . . . same

D Evans v Sulenbarger . . . . . same

D Leonard v Funk . . . . . same

D Morgan v Sulenbarger . . . . . same

D Morris admr v Derrig . . . . . same

D Spangler v Miller . . . . . same

D Smily v Simons &c Continued

D Mott v Harris plea wand & Jugm confessd as per bond
with Int & Costs saving equity

D Rea v Harrison Continued

D Rosenbarger v Byrd Continued

D Packford v Perew. W & set aside N.A & Issue and Continued
Jury sworn to try the Issue to wit Volentine Bolton Stephen
Losh, Peter Effinger, Aaron Thomas, Richard Hughes, Morris
Derrig, John Jinkins, Jam Kyle, Daniel Ettinger, Francis
Martin, Joseph Blair, and Philip Stutz. Verdict for the Defen-
dant and the Plff moved the court for a New trial, which is
Granted him on his paying the costs of this Term and the cause
is Continued, to which opinion of the court the Plff by his attorney excepted
which exceptions were signed sealed and delivered as the Law directs.

D Knobzers v Stutz plea wand & Jugment confessd as per note
with Interest & Costs (saving equity)

D Hoover v Brew dismissed by order Plffs attorney.

Peper v Pechering the Jury not agreeable to their Agreement and Verdict for the Plff for $70 Damages and Judgment

Clerk v Robertson &c. Jury Sworn to try the Issue to wit Volentine Bolton, Stephen Loeb, Peter Effinger, Abm ~~Solomon~~ Richard Hughes, Morris Derrickson, John Jenkins, Garret Kyle, Daniel Ettinger, Frederick Martin, Joseph Blair & Philip Stultz. Verdict for the Plff for ~~$36 with Interest from the 8th January 1810~~ and Costs and 1 cent Damages & Judgment

Harrison v Bear Continued

Garis v Barnetson &c Jury Sworn to try the Issue to wit Volentine Bolton, Stephen Loeb Peter Effinger, Abm ~~Thomas~~ Solomon, Richard Hughes, Morris Derrickson, John Jenkins Garret Kyle Daniel Ettinger, Frederick Martin, Joseph Blair, & Philip Stultz ~~to try the Issue~~ Verdict for Defendant & Judgt.

Comm'th v Charles Weaver, on a presentment for being drunk. the Defendant appeared in Court and confessed a Judgt. for 83 cents, being the fine, for said Offence and Judgt for Costs.

Comm'th v C. Weaver on a presentment for swearing four profane oaths the Defendant appeared in Court and confessed a Judgt for $3.34 cents being the fine for the said offence, and Judgt for said fine and Costs

Miller v Commrs Abraham Bower Gilbert McC set aside Ntg & Issue and Continued for Defendant.

Bates v Stultz & Continued for Plff

Funkhouser exrs v Weis adm Continued

Hamilton v Nicks. Plea ward & Judgm confessd as per Specialty with Int & Costs saving equity

Boles v Stoutsenberg Certiorari

Print W. Davis

Cravens v Evans. Jury sworn to enquire of the damages to which the same Jury as in ~~the~~ Cause v Hamilton Verdict for the Pltff for £30.19/ Damages with Costs from 5th Novr 1810 with Stay of Judgt

Harrison v King Certiorari

Ragen v Ettinger & Jury sworn to try the Issue to which Volentine Bolton, Septimus Losh, Peter Effinger, Aaron Solomon, Richard Hughes, Morris Hershy, John Justices Isaac Kyle, Charles Weaver, Frederick Martin, Joseph Blair & Philip Stultz Verdict for the Pltff for ~~£30.19/~~ Debt & Interest from the ~~time~~ mentioned in the Declaration ~~to date~~ Damages ~~with Interest from time~~ ~~to the payment of £30.19/~~ subject to a Credit of £8.17/6 and Judgment

Betsey Kelly orphan of Abram Kelly decd came into Court and made Choice of Archibald Rutherford as her Guardian who entered into Bond with Security as the Law directs.

Spangler v Messick Plea ward and Judgment confessed as per Specialty with Interest & Costs (saving equity)

Power of Attorney from Margaret Hamilton to Abram Hamilton acknowledged before two Justices of the Peace for the County of Clark and State of Kentucky and Certified

Deed from A Hamilton Exr and George Hamilton Exr to John Watterman acknowledged by the said Abraham & George, and ~~H~~ by the said Abraham Wife, she being first privily examd

Ordered that the Court be adjourned until the third Tuesday in November Next.

Joseph Baxter

At a Court Call'd and held at the Court House of Rockingham the 15 day of November 1811 for the trial and examination of William Taylor Charged with Felony Present

Marin Chanklin, John Ewin, Asher Waterman and Archibald Rutherford ..... J. P. Justices

The said Prisoner was led to the bear in Custody of the Jailor and being Charged with the said felony plead not Guilty, whereupon divers Witness were Sworn and examyd touching the said offence the Court upon Consideration are of the opinion that he is Guilty of the said offence and it is ordain that the said Prisoner be remanded to the Jail of the said County and there to be safely kept until discharged by due Course of Law

Be it Remembered that on the said 15th day of November 1811 the said Willis Swanson, Perry Martin, Jacob Koontz John Jenkins, William Jenkins, John Graham and James Page personally appeard in Court and Severally acknowledged themselves to owe and be indebted to his excellency George W. Smith Lieutenant Governor of Virginia now exercising the function of Governor and his Successors in Office, in the sum of One Hundred Dollars each to be Levied of their respective Goods and Chattles lands and Tenements and for the use of the Commonwealth to be Rendered. Yet upon this Condition Nevertheless that if they the said Willis Swanson, Perry Martin Jacob Koontz, John Jenkins, William Jenkins, John Graham and James Page shall Severally make their personally appear and before the Judge of the Superior Court to be held for the said

County on the first day of the next term, and shall not depart the said Court untill dismissed by Law then this recog^z to be Void else to remain in full force

and the court adjourned. And Hankley

Tuesday the 19th

At a Court held for the County of Rockingham the 19th day of November 1811.

Present

Andrew Hamblen, Joseph Bartee, Ezekiel Harrison and John Ewing . . . . . Esq^rs.

A Deed from William Coleman & Co to Waterman acknowledged in the City of New York, and duly certified for and to be Recorded

An appraisment bill of estate of Fanny Lyons dec^d

A Deed in trust from Stanaly & to Daniel Boughn for John Lawson as proved by the oath of James Madden, & of Madden of John Bugby & Ack

A Deed from Evans &c to Scott acknowledged & Ack

A Deed from Vanbarger &c to Vanbargen acknowledged & recorded acknowledgment taken & Ack

A Deed from Evans & to William Woods for land lying in Hardy County was proved by the oath of Abraham Painter John Neigh and Kemp Evans & to Charles Thompson Elizth Scott Ruth Thompson Sally Thompson Alexander Davis & Eliza Thompson & Ordered to be certified

Deed from Jno Evans &c to Moore for land lying in Shenandoah was proved by the oaths of Kemp Evans John Ney and Absolem Painter, as to Mihab Evans Charles Thompson, Ruth Thompson, Sally Thompson Alexander Painter & Eliza Thompson & Ordered to be recd

Deed from Caldwell &c to Scherer acknowledged & ~~&c~~ was acknowledged & ordered to certify to Pendleton County.

On the Motion Joseph Krotzer Jr. administrator of the estate of Anthony Krotzer dec'd is Granted him he having entered into bond with security, and made oath thereto as the Law directs and it is ordered that Jacob Chrisman, David Coffman, Abraham Bowman & Jacob Curtis or any three of them do ~~&c~~ appraise the estate of said Krotzer dec'd and make Report to the Court

Deed from John Eppert &c to C. Eppert acknowledged in the County Court of Rockbridge &c

Deed from same to same . . . . . same

On the Motion Benjamin Yount &c who is desirous of building a Dam across Linvells Creek for the purpose of Working a Carding Machine, the land on both sides belonging to themselves. It is ordered that all & singular the Inquisition Damages be awarded them to be executed the Sheriff of this County and to be executed on the 29 day of Instant returnable to the next Court

Deed from Newton to Brooke proved by the Witness thereto &c

Deed from Crow exor to Peery proved by the oaths of Danl Roalston, John Peery & Jacob Roalston &Ack

Deed from the same to Roalston proved by the witness thereto &Ack

Deed from M Williams Exr to Roalston acknowledged & Ack

Deed from Nicholas Exr to Peery the same

Deed from Lincoln Exr to Burnside & acknowledged by an Attorney to be certified

Deed from same to Peery . . . . . same

Deed from Lincoln Exr to Funk acknowledged & Ack

Deed from same to Eater . . . . . same

Deed from same to Whisler . . . . . same

Deed from same to Hartman . . . . . same

Deed from Expert Exr to Runcher, acknowledged in Rockbridge County Court Certified & Recorded

On the Motion Joseph Bowman who owns the lands on both sides of Linvills Creek, and is desirous of building a Water Grist Mill the bed whereof belongs to himself or to the Court. It is ordered that a Writ of Adquod damnum be awarded him to be directed to the Sheriff and to be executed on the 29 day of this Instant returnable to the Next Court

Deed from Hartman to Miller acknowledged & Ack

A Commission & Privy examination of Lydia Tallman wife of B. Tallman to a Deed Tallman &c to Wiseman recd & certified & Ack

A Deed from Ames to Partman acknowledged & R

A Deed from Ames to Falls . . . . . same

A Deed from Mackey &c to Gunn &c acknowledged in Pennsylvania & certified & Recorded

Ordered that the Overseers of the Poor bind Jacob Collins (a Mulatto boy) aged 15 years the 15 day of October last to William Bryan to be learned the trade of a Ship Master, who is to give to the said boy $20. at freedom due

Ordered that the Overseers poor bind Sally Mason a poor child of William Mason, (seven years old last August) to Jacob Trumbo, who is to have $15 dollars at freedom due

Ordered that the Overseers of Poor bind Elizabeth Crooks poor child of Susanna Crooks (aged 6 years old the 9th of February last) to Conrod Miller who is to have $15. at freedom due

Ordered that Geles Fenly, Jacob Rife and John Lincoln or any two of them do examine state and settle the estate accounts of Isaac Barnard dec'd with the administrator thereof and make report to the Court

A Settlement of the estate of Jacob Arguelight dec'd returned & R

A Deed from Gunn &c to Bryan acknowledged by Morton Gunn & R

A Deed from Fogus to Swanson proved by the oaths of Geo. W. Kemper, Georg Kiger and Jacob Becar & ack

A Deed from Kelly Rue to Turner acknowledged & ack

A Deed from Strickler Lee to Alger acknowledged & ack

On the Petition of Abraham Paintes & Michael Routh for a view to alter the road leading from Brocks Gap to New market so fair as it runs on their own lands. It is ordered that Jacob Miller, Michael Newman, Henry Slaph and George Rader or any 3 of them being first sworn do View the said alteration, as also the old way, and make report of the conveniencies and inconveniencies attending the same, thereto the Court.

A View and report of an alteration of the road leading by Conrads Rader & Adam Fultz's lands, agreeable to the Petition of the said Rader and Fultz, whereupon It is ordered that the alteration proposed by the Petition, ~~and~~ be established agreeable to the said report but is further ordered that the old road is not to be stopped untile the said New way is opened and put in good repair by the said Petitioners

A Deed from Bathea to Lively acknowledged & ack

A View and report of a New road from Metz's Quarter down Naked Creek to the old road near Moyers Mill being returned into Court by the Viewers, whereupon It is ordered that the said road be established agreeable to the said report. and It is ordered that John Mauchey be appointed overseer of the said road. and

that all the Male tithables within two Miles on each side of the said road be allotted him for his gang to open the said road, and work thereon and Keep the same in Good repair

New and report of an alteration in the Road commonly Call'd Gattons old Road made agreable to the Petition of George Brodaw &c was returned into Court whereupon It is ordered that the said alteration be established agreable to the said report, and It is further ordered that the said ~~alteration~~ old Road is not to be shut up untele the said New Way is opened and put in Good repair.

On the Petition of David Poulton for a Grand inquest Survey of 48 acres a part of his land lying in this County whereof ~~being~~ having been given to the several ~~proprietors~~ proprietor whose lands adjoins the said Poultons, and no objections being made, It is ordered that the Surveyor of the County do go upon the Land and survey the same according to Law and his title ~~Lets~~ papers. and the Sheriff is hereby directed to attend the same and return a fare

~~Order for~~

Overseers Poor vs Jacob Rumble. in an Recogz. as the reputed father of a bare born child of Sarah Hartman the said Defendant appeared in Court in discharge of his Recogz. whereupon It is ordered that the said Defendant do pay to the overseers of the poor of the County of Rockingham the sum of £12 for the support of the said child to be paid in the following Manner that is to say £20 on or before the 25 day of December next and then £20 Dollars a

from this day until the whole sum be paid up
or otherwise indemnify the said Parish, and that he
Moreover enter into & acknowledge with good Security agree-
able to the above order, and stand Committed until he
give such Security whereupon the said Jacob Rumble with
John Frye his Security appeared in Court and acknowledged
themselves to owe and be indebted unto his excellency Geo
W. Smith esq Lieutenant Governor of Virginia now
exercising the office of Governor and his Successors
in the Sum of £42 pounds each ~~payable to the following~~
~~Viz: to say £20 payable on the 25 day of~~
~~December next and then £20 annually from this~~
~~day until the whole sum be paid up~~ to be levied
of their respective goods and Chattels Lands and
Tenements and for the use of the Overseers to be Applied
Yet upon this Condition that if the said
Jacob Rumble shall pay to the Overseers of the
poor the said Sum of £20 on the 25 day of Dec.
next and then £20 annually from this day
until the said
Sum be paid up then this recognizance

G Cooke exon v Conner & Al a Debt bond &c paid
Budgs

G Keplinger adm v Carthrae &c . . . same

G Morgan Jas &c v Carthrae &c . . . same

G Crump Geo v Rice &c . . . same

G Long v Conner &c . . . same

G Nuckols & Sowers v Carthrae &c . . . same

G Stevens v Jones &c . . . same

The Commissioners appointed to lay off and Divide the Lands of Gawen Hamilton deceased, between the heirs of the said Hamilton deceased returned their reports into Court which Several reports are ordered to be Recorded.

Ordered that Henry Early be appointed overseer of the road in the room of Aaron Solomon, leading from the forks of the road beyond George Cleins to the forks of the road at or near Joseph Groves Blacksmiths shop; and that the tithables hereto fore appointed to work on the said be allotted for his Gang &c

Ordered from Burkholder Ux to Burkholder acknowledgt ruled acknowledgt taken &c

Ordered from the same to Martin Burkholder same

Smith & Harrison &c on a Note on Delyt bond Note from Judgt.

Byerly vs Coogler Issue Writ of Adjourned Damages awarded the said Plff at September Court last being returned into Court with the enquest of the Jury thereon, It is ordered that a Sci fa issue be awarded against the said George Coogler returnable here at the next term to shew cause why the said Writ should not be established agreeable to the said enquest

Jesse Clagett Kerby Sheriff of this County Returned an account for his Public Services up to this present Court, which was exd & allowed by the Court Ordered to be certified

Samuel M Williams Clerk of this court returned an account for his Public Services to this present term which was exam^d and allowed by the Court and ord^d to be certified

Charles Mathias

Weir adm^r of Fawcett &c vs a Delcy bail Notice prem^s & Judgm^t

Will from Peter executor to Nicholas acknowledged by Lewis, and proved by the oaths of John Carthew Jr. and John Carthew (his son) as to William Peter & Ord^d to be Record^d

Corrith vs Johnson on affidavit for a breach of the peace on the complaint of Volentine Bolton, parties heard and Recognizance dis^d at the said prosecutors Costs

David Wallace Jailor of this County returned an account of his Public Services, which was exam^d and allowed by the Court & Ord^d to be certified

Ord^d that Daniel Rogers Deputy Sheriff pay unto David Wallace the sum of $10.66 Cents for sundry work done to the Jail, as per account rendered out of the deposites for the year 1809 & 1810

The Court proceeded to Recommend the following Gentlemen as proper and fit persons to be commissioned as officers in the 1st & 2^d Battalions of the 116^th Regt.

Herring vs Woods & Henderson on an Injunction dismissed agreed

Present George Dent & Archibald Witherspoon, Absent Andrew Chandler & Ezekiel Harrison

Ord & delivd to Mathews.

The Court proceeded to Recommend Officers in the ~~116th~~ 58th & 116 Regements of the Militia in Rockingham County as Followeth.

In 58th Regement & first Battalion

* William Beard Major ~~vacated~~ in the Room of Daniel Harrison Removed

Ammon Davidson Captain in room of William Beard Promoted

John Austin Lieutenant in room of said A. Davidson

Jacob Keplinger ensign in the room of Dolland Ferguson (over age).

Isaiah Shipman ensign in the room of Ephraim Hansbarger, ~~removed~~ Removed out of the bounds of the Company.

Reuben Harrison Captain in the room of Ephraim Hopkins Removed out of the State.

Nathan Chandler Lieutenant in the room of William S. Herring Removed to Kentucky —

~~Charles Carlisle~~

James Hooks Lieutenant (in the Light Infantry Company) in room of Henry Perkey Resigned

Charles Carlisle ensign in room of said Hooks Promoted

Luke Rice Captain (of light Infantry company) in room of Jacob Finkle removed.

John Lightner Lieutenant in the room of said Luke Rice Promoted

Eugenea Erwin ensign in the room of said John Lightner.

Henry Persley Capt in room of Jacob Nicholas resigned

Peter Bolinger Lieutenant in room of said Persley Promoted

Jacob Persley ensign in room of said Bolinger Promoted

John Mallow ensign (in Rifle Company) in the room of Robert Kerstner removed.

John Boughner Lieutenant in the room of Adam Harnberger Promoted

John Miller Ensign in the room of John Boughner promoted

William Persey Captain in room of George Graves resigned

Samuel Metz ensign in the room of

In first Battalion 116th Regiment.

Samuel Moffet Capt in room of Ezek Harrison removed

Isaac Thomas Lieutenant in room of said Moffets promoted

John Miller ensign

Dorman Lofland Capt in room of Zebulon Harrison resigned

John Bright Jr Lieutenant in the room of said D. Lofland

John Shultz Jr ensign.

Henry Welch Capt (Light Infantry Company) in room of David Wallace resigned

Jacob Koontz Lieutenant in room of said H. Welch

John Graham Jr ensign in room of said Koontz

## Second Battalion

Abraham Bowen Lieutenant in room of Benjamin Bryan removed

William Taylor ensign in room of said Bowen

Richard Carrier ensign in the room of Abram Painter refused to serve

John M'Laughlin Lieutenant in room of William Sitz who refused to serve

Jacob Roalston ensign of Williams Battalion who refused to serve

On the Motion of Henry Miller (Farmer) and for reasons appearing to the Court it is ordered that he be exempted from the payment of Revenue, County & Parish Levys.

On the Motion of Alexander Herring Surveyor of this County. It is ordered that he have leave of absence from this County until the 1st February Next.

And that the Court be adjourned until Court in Course

John Erwin

Tuesday to wit

At a Court held for the County of Rockingham the 17th day of December 1811

Present.

Andrew Shanklin, John Erwin, Joseph Baxter and Walter Davis . . . . Gent.s Justices

A Deed from N. Donaghe exr to Whitmore proved by the Witnesses thereto & O R

The Last will and Testament of Sarah Hoghead dec.d was presented in Court and was proved by the oaths of Aquila Gordon and Nancy B. Davis and ordered to be Recorded, and on the Motion of Walter Davis the executor therein named who entered into bond with Security and made oath thereto as the Law direct, a certificate is Granted him for obtaining Probate in due form. and It is ordered that Andrew Erwin James Magill, Jacob C. Erwin and James Davis or any three of them being first sworn do appraise the estate of the said Hoghead and make report to the Court

A Deed from Wenter to Moyers proved by the oaths of Daniel Bryan, Joseph Fancelo and Isaac Kyle and ordered to be Recorded

A Deed from Newman Exr to Graham acknowledged in open Court & O R

The Last will and Testament of Isaac Depproy dec.d was presented in Court, and proved by the oaths of the

Wetherspoon Clerk of Record and on the Motion of John Depoy, the executor therein named who entered into bond with Security, and made oath thereto according to Law directs a certificate is Granted him for obtaining a probate in due form, and It is ordered that John Howard, David Harrison, Volentine Woolf & Philip Armstrong or any 3 of them being first Sworn do appraise the estate of the said Isaac and make report to the Court

Deed from Parry to Mason acknowledged & Recorded

Settlement of the estate of Catharine Penn dec'd Ret'd & Ord

Deed from Hartman Lutz to Brunk acknowledged & ordered to be recorded

View and report of an alteration in the road leading from Conrad Vanbarger's Mill to Mann River, which is in the words Pursuant to &c. Whereupon It is ordered that the said alteration be established agreeable to the said report, and It is further ordered that the old way is not to be stopped untill the said New Way is opened and put in good repair

On the Motion of Zachariah Noy, It is ordered that an injunction is awarded him to stay all further proceedings on a Judgment and execution recovered by Catharine King against the said Noy, in this County Court of Rockingham, on his entering into bond with Security and filing a Release of errors. and also paying to the Sheriff all commissions and fees, for taking & forthcoming bond &c

Byerly v Coogler on attit adquod - Damnum
by Court continued until Next Term.

Ordered that John McCoy a free man of Colour
be Summoned to appear here at the Next Court, to
shew cause if any he can why his children should
not be taken away from him and be bound out
it being suggested to the Court that he is not in
Circumstances to raise them in a proper manner

Graham v Carthrea &c on a Dely bond bond noted
pronounced and Judgment

Order from Light Esr to Stover a Scrowledged insp
a Scrowledgm taken &c

Ordered that Jacob Engle be appointed overseer of
the road in the room of John Sellers, and that all
the tithables appointed to work on the said road be
attached for his Gang to open work thereon and Keep
the same in good repair

Order from William S. Herring to W. Davis
proved by the oath of James Blair &c and to be Certified

Order from Graves Esr to Rader a Scrowledged
insp a Scrowledgm taken &c

Ordered that Peter Bright be appointed overseer
of the road leading from the Meeting house (called
the New Erection) and from thence passing James
Harrison Mill to the sign post opposite Reuben
Harrison New Mill in the room of Saml Miller
decd and that the tithables heretofore appointed to
work on the said road be appointed for his gang to

Adms pow Smith to Leitch proved by the oaths of Jam Magill John Barkas, and William Crawford &c

Adms pow Thomas Lux to Beady acknowledged & wits acknowledgm taken &c

Ordered that Jacob Argenbright be appointed overseer of the road in the room of Christian Kyger, and that the tithables be appointed to work on the said road be allotted for his gang to work thereon and keep the same in good repair

A Power of attorny from Jam Blain to James Blain Jr proved by the oaths of Gordon M Williams and Joseph Eversole &c

Ordered that the overseers Poor bind Charles Riley (son of Mary Riley) supposed to be about 16 years of age to Jacob Eckart to learn the trade of a Tailor who is to give $12 for freedom dues.

On the Motion of Hannah M Coy a free Negroe It is ordered that the Clerk furnish her with a copy of the Register of her freedom

Ordered that Adam Fawcett be appointed overseer of the road in the room of Phelps Bear, and that the tithables heretofore appointed to work on the said road be allotted for his gang to work thereon &c

Fawcett v John Jenkins &c on a Dely bond & the pltf proved and Judgm

A. Fawcett v William Jenkins &c . . . . same

Overseers Poor v Lambert Continued

~~An appraisement bill of Christian Latsfs dec'd returned~~ ~~OR~~

A Sale bill of the estate of Christian Latsfs dec'd returned OR

A Deed from Waterman Ker to Conrod acknowledged in open Court acknowledged OR

Ordered that the Overseers of Poor bind Letha Collens a Mulatto poor child of Mary Collens, aged 10 years the 14 day May last to Andrew Shanklen, who agrees to give her $20 per annum

A Settlement of the estate of Godlove Peifer dec'd returned Ordered to be Recorded

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

Andw Shanklin

Wednesday the 18th of December 1811.

Present

Andrew Shanklen, Ezekiel Harrison Layton Yancey, Charles Lewis and Walter Davis & G. Justices

An appraisement bill of the estate of Samuel Erwin dec'd returned & Recorded

A Deed from J. Herring to Bathewel & David Herring was presented in Court and proved by the oath of Walter Davis Ordered to be Certified.

Rea v Gary Ker Continued

Carpenter v Blair &c Continued

Neph v Neph adms Continued

Hamilton v Paul . . Continued

Brown Ex v M. Turnbull. On the Motion of the Defendants to Dissolve the injunction awarded the Plff to stay all further proceedings on a Judgment recovered by the Defendant against the Complainant, in this Court which Motion was argued by Counsel, Whereupon it is ordered that the said Injunction be dissolved, and the same is hereby accordingly dissolved

Newton v Morgan Continued

Remmerson v Loftus adms Continued

Present

George Newton Absent Andrew Shanklen & Walter Davis & Walter Davis

Abner Brown Abraham Hamilton Ex to Waterman
Actn of Slander &c

Kelly v Deck &c and

Deck v Kelly . . In Chancery Continued and

By consent It is ordered that the survey of the County do go upon the land in controversy, and survey the same as either party shall require, and return a fair plat and reports to the Court

Sherman v Emmerson and William Herring adms.
This cause came on to be heard this 18 day of December 1811 upon the bill, the answers of the several Defendants together with the exhibits, and the amended answer of William Herring, and was argued by Counsel, It is the opinion of the Court that the said John Emmerson

deceased has never paid or settled with the Complainant for the Debt Mentioned in the bill, and exhibited in the answer of the Defendant William Herring, Whereupon It is adjudged Ordered and decreed that the Complainant Recover of the said Defendants forty seven dollars with Interest at 5 per cent from the 1st day of January 1794. the paid and his Costs by him about his suit in that behalf expended, the aforesaid sum of $47 being the amount due after allowing to the said John Irwin Deputy Sheriff his Commission for Collection

Deed from Joseph Hamilton exor to Waterman
proved by the oaths of Jas Gilmore, Jeremiah Sullivan and Dennis Lanahan as to Henry Smith, and was acknowledged by George Hamilton the other executor and ordered to Record.

Present Asher Waterman,
Absent Layton Yancey and Walter Dun and George Huston.

Deed Hamilton exors to Hayes exor
This Cause came on to be heard this 18 day of December 1811 upon the bill, answer, exhibits, and was argued by Counsel, upon Consideration whereof, It is Ordered that the suit be dismissed and that the Defendant Recover against the said Complainant his Costs by him about his defence in this behalf expended

Grey vs Campbell &c It appearing to the Court that Gavin Hamilton a Defendant in this Cause is dead It is ordered that the suit do abate as to him

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

W. Harrison

Thursday the 19th day of December 1811.

Present

Ezekiel Harrison, Joseph Bowman, Layton Yancey & G. Justice
Joseph Banks & Charles Lewis

Joseph Bowman Writ of Adjud. Damnum Continued

Benjamin Bennett Writ of Adjud. Damnum Continued

William Gregg

v. In Chancery

George Campbell &c

This cause came on to be heard this 19th day of December 1811 on the bill, answers exhibits &c and was argued by Counsel and it appearing to the court that the said Gregg has fully paid to Thomas Campbell the father of the said George Campbell the full consideration for the 150 acres of land in the bill Mentioned and it not appearing to the Court that the said Ann Campbell has in any Manner Relinquished her right of Dower in the said Land, It is therefore ordered adjudged and decreed by the Court that the said George Campbell by Daniel Harrison his Guardian Convey by Deed of Bargain & Sale with Special Warranty to the said William Gregg the said 150 acres of Land in the bill Mentioned Subject however to the Widows Dower, and it is further adjudged and decreed by the court that the said bill be dismissed as to the said Ann Campbell, and that she recover her costs, expended in defending the said suit, and It is further adjudged ordered and decreed that the Complaint ~~recover of and~~ against the said Daniel Harrison Guardian of the said George Campbell pay to the said Complaint his costs by him about his suit &c

Present Asher Waterman, Jonathan Shipman
Abner Laytow Gaskey.

Jacob Moyer executor
vs
Daniel Price exrs and } In Chancery
Solomon Matheny

This Cause came on to be heard this 19th day of December 1811 upon the bill, answer of the Defendants, exhibits and Depositions, and was argued by Counsel, whereupon it is the opinion of the court from the evidence in this cause that Daniel Price, in his lifetime, purchased the articles in the account referred to in the bill, from the Complainants testator, and that the Credit having been given to him by the Complainants testator he is bound to pay for them, - the court is further of opinion that if any agency existed between the Defendants it is not proved to have been known to the Complainants testator, and of course he is not bound thereby, Wherefore this adjudged, ordered and decreed that the Complainant Recover of George Price the executor of Daniel Price dec'd (against whom this suit was revived by Consent) the sum of $82.17 Cents with Interest at 5 per cent from the 7th day of March 1784 till paid, and his costs by him about his suit in this behalf expended, and It is further ordered that the bill be dismissed as to the other Defendant Matheny

Michael Moyers &c
vs
Jacob Moyer &c } In Chancery.

Mark Alder one of the Plffs in this cause being dead, It is ordered that this suit do abate as to him,

On the Motion of John Negroes a free man of Colour who as is Represented to the court is about to apply to the General Assembly for the purpose of obtaining leave

Copy Del to J. C. A. &c

to remain in this State, It is ordered to be certified that from his General Character & Orderly ~~conduct~~ industrious habits the Court are induced to believe he might with great propriety, be permitted to enjoy his freedom in this Commonwealth without incurring the penalties of the Law in opposition thereto

Ordered that the Court be adjourned until to Morrow Morning 9 O'Clock

Ezkl Harrison

Friday the 20th day of December 1811

Present.

Andrew Shankler, Layton Yancey
Ezekiel Harrison, Jonathan Shipman & G Justices

Ordered that the Sheriff Summons all the acting Magistrates in this County to appear here at January Court next, in Order to take into there Consideration the Recommendation of New Magistrates.

C.P.

David Roads v Lewis Stephens.

This Cause came on to be heard this 20 day of December 1811. on the bill and answer and was argued by Counsel, whereupon It is ordered adjudged and decreed that the bill be dismissed and that the Defendant Recover against the Complainant his Costs.

C

Austin v Mongar. By Consent of the parties, It is ordered that a Commission be awarded the parties to examine and take the Depositions of three Witnesses residing within the United States, and which Depositions may be taken by any two Magistrates residing in that State where the witnesses shall reside, who will certify themselves to be such on giving the adverse party Notice of the time and place of taking the same

C

Kreiss & Evans and
the same v Kreiss &c.

These Causes Came on to be heard this 20th day of December 1811 upon the bills, and answers of the parties, whereupon. It is ordered adjudged and decreed that the said bills be dismissed and that the Defendants recover against the said Complainants their Costs, by them in this behalf expended

Herndons & Branham. This Cause Came on to be heard this 20th day of December 1811 upon the bill and answer, upon consideration whereof It is ordered adjudged and decreed that the bill be dismissed and that the Defendant recover agst the said Complainants his Costs expended in Defending the said Suit

Present Asher Waterman & Charles Lewis
Absent Layton Yancey.

Moyers &c v Moyers &c

This Cause Came on to be heard this 20th day of December 1811 upon the bill, the answers of the Several Defendants together with the reports of the Commissioners as to the Values of the Land made on the 28 day of September 1805 and the reports of Master Commissioner Cravens made on the 18 day of February 1807. which has not been excepted to, & his additional report made on the 4th day of May 1807. Together with the exceptions thereto filed by the executors of Jacob Moyers deceased together with the exhibits and depositions, and was argued by Counsel, whereupon It is the opinion of the Court that the exceptions to the last report of Commissioner Cravens be Sustained, and that the report as to the Land and ~~the~~ Commissioner Cravens, report made on the 18th day of February 1807. be confirmed, and that the Defendant

Connor do forth with pay over £14,,18/10 the balance of the estate in his hands to the Commissioners hereafter appointed to be distributed according to the rights of the respective parties, the Court is further of the opinion that the Testator intended that the complainants should receive the amount of there proportions of the Valuation of the real estate, annually from his death and that he also contemplated and intended that the defendants his sons to whom he devised the real estate should have an opportunity by a liberal Credit upon the Valuation of the real estate to Relieve the Lands from the equitable liens held by the Legatees thereon for the purpose of securing the payment of there respective legacies - to effectuate this intention the Court is of opinion that the Defendants should have had ten years for the payment of the Valuation, from the first day of January 1798 ~~for~~ paying one tenth of the amount of the Valuation annually and being of opinion the fifteen years have elapsed from the death of the Testator without the Defendants having yet paid one tenth of the Valuation to the Complainants that yet the defendants might in effect to be entitled to the benefit of this rule, It is therefore adjudged Ordered and decreed that the Plaintiffs Recover of the said Defendants $3338.89 5/18 Cents that being due after deducting the widows dower the shares of the sons owning the Lands, with Interest on one ~~the~~ tenth ~~the~~ part thereof from the 1st day of January 1799 till paid, with Interest on another tenth from the 1st day January 1800 till paid, with Interest on another tenth from the 1st day of January 1801 till paid, with Interest on another tenth

from 1st day January 1802 till paid, with Interest on another tenth from 1st day January 1803 till paid, with Interest on another tenth from 1st day of January 1804. till paid, with Interest on another tenth from 1st day January 1805 till paid with interest on another tenth from 1st day January 1806 till paid, with Interest on another tenth from 1st day January 1807 till paid, and Interest on the remaining tenth from 1st day January 1808 till paid, that from a Calculation made and filed in this Cause, would make a gross sum of principal and interest due the Complainants on the first day of January 1808 of $4440. 24 cents to one tenth of which each of the complainants ~~were~~ were entitled, to which add $851. 40 cents the interest on the principal till the 1st day of april 1812, and it will make the aggregate sum of $5291. 64 cents. due at the last mentioned period, The Court doth therefore adjudge order and decree that the defendants do pay to the Complainants in proportion to the Valuation of the lands devised to them by Jacob Moyer as reported by the Commissioners in this Cause the above sum of $5291. 64 cents on the 1st day of april 1812 and in case of failure of any one of the Defendants to pay up their proportion of the Valuation, according to the aforesaid report, that Henry J Gamble, Joseph Mauzy and Joseph Fawcett or any two of them, who are hereby appointed Commissioners for that purpose, do forthwith proceed, to sell the lands devised by Jacob Moyer decd, to the Defendants, Philip, Jacob & Henry, that is the part or parts of such Defendant or defendants, as shall make default in payment as aforesaid, for the best price that can be gotten for the same in Cash, at Public

auction upon the premises, after having advertised the time ~~of sale~~ and place of sale, in some Newspaper published nearest the premises, for three weeks successively and at the front door of the Court House of Rockingham County, for a like period, and after having paid the expenses of the sale, the Money herein decreed to the several legatees together with the costs of this suit that they do forthwith pay over the balance to the Defendant or Defendants that may be entitled to receive the same; It is further ordered that the said Commissioner do make a report of there proceedings in the premises & to this Court in order to a final decree

Abner Charles Lewis
Jesse Bennett &c a Peter Hogs exrs &c.

This cause came on to be heard this 20th day of December 1811 upon the bill, the answer of the several Defendants, the depositions and exhibits, together with the report of Commissioner Graves relative to the administration account of Peter Hog deceased, and the exceptions filed thereto, & thereby submitting the whole cause to the determination of the Court, (by consent of Parties) except the question with respect to the liability of the executors for the balance of David Scotts Debt, together with the question as to her liability for interest on that debt from the time that the money came, or should have come to the hands of the executor Gabriel Jones, upon which subjects the executors of Gabriel Jones is by consent of parties, allowed further time to collect evidence, and this cause having been on all the

other points involved therein argued by Counsel, and maturely considered, It is the opinion of the Court that the exceptions filed by the Plaintiffs, to the Settlement made by Layton Harry and Francis Kerby, together with the first exception filed to the Report of Master Commissioner Craven be sustained, so far as to subject the executor of Hogg estate to the payment of interest at 5 per centum per annum, from the 20th day of April 1795 the period of the first Settlement £10.17.3½ Md. Currency paid, The Court is further of the opinion that Peter Hog deceased did intend by his will to bequeath, and that the will does convey to the Complainants equally to be divided, the whole of the Money Debts and personal estate of the said Peter Hog remaining at the death of his Widow, except Specific Legacies, and that they now are entitled to distribution of every part or parcel of the same, under the agreement and release executed by the Widow of Peter Hog. and referred to in the bill, except what is reserved thereby and the Court are further of the opinion that the Complainants at the death of the said Widow will be entitled to the property thus reserved with its increase It is therefore adjudged ordered and decreed that the Defendant Margaret Jones after having received, or having been tendered with bond with good security by the complainants, conditioned to indemnify the estate of the said Gabriel Jones deceased from any Liability in Consequence of any claim which may be hereafter set up against them by the heirs of Lord Fairfax on account of the Legacy left in his will, and paid over to the Representatives of Peter Hog. by Gabriel Jones one of the executors of said Lord Fairfax, do

forthwith pay to the complainants £510,,17/3½ with Interest as aforesaid, from the 20th of April 1795 the plaintiffs together with the costs of this suit. It is further decreed and ordered that James Bell, Alexander Nelson, and William Poage, or any two of them be and they are hereby appointed Commissioners to make an equal distribution of the other personal estate of the said Peter Hog decd. except what the Widow has reserved for herself according to the principals of this decree, and that they make report of their proceedings in the premises to this Court in order for a final decree

Ordered that John Cook be appointed a commissioner, of the Rens Lick road over Swift Run gap, in the room of Benjamin Lewis, who appeared in Court and resigned that office

Ordered that the Court be adjourned until the 3d Tuesday in January next.

Andr Lewis

Tuesday to wit

At a Court held for the County of Rockingham the 21st January 1812

Present

Aquilla Chandler, John Ewing, Jonathan Shepherd & Thomas Moore Esqrs Justices

Allen Snow Easterly &c to Benoni Sanborn acknowledges in the Debt in Lieu. County & State of Tennessee and Certificate for

Turnbull & Rea &c on a Notice on a Delivery bond. Notice proved and Judgment against Rea only with Damages at the rate of 10 per cent on the whole amount of the said Delivery bond, from the 16th July 1811 to the 18th day of December 1811.

Allen Snow G. Day Jr Esq to Martin Whetmore. acknowledged by the parties in the County of Bos and State of Ohio, and so and the Record

An appraisement bill of the estate of Isaac Dispy dec'd returned for

Allen Snow Sage Esq to Beal and acknowledged, and same acknowledgt returned Certificate and OR

Allen Snow Hoyt Esq to Bean acknowledged same and letters for

Doe to Smith upon an Attachment (Jacob Koontz appeared in Court and acknowledged himself Security for the Costs and all officers fees) the Constable returned executed in the hands of John Carthrae Jr and summoned him as a Garnishee, who appeared in Court and being Sworn declares he is not indebted to the Plaintiff. It is therefore the opinion of the Court that the said Attachment be dismissed

Costs taxed for Defendt

An appraisment bill of the estate of Thomas Harmon dec returned &c

A Deed from Jos Lee to M Collister acknowledged &c

A Deed from the Jos Lee to Schellter acknowledged &c

Charles Leveb

On the Motion of Charles Leveb esqr who took the oaths prescribed by, he is admitted to practice as an attorny in this Court

Groves vs Woods &c On a Delvd bond Noted, proved as to Woods and Bowes & Judgm

Spangler vs Miller &c on a Delvy bond Noted, proved and Judgm

On the Motion of Henry J Gambill and for Reasons appearing to the court It is ordered that Daniel Ragen Deputy Sheriff pay unto said Henry J Gambill the sum of $25 for a franklin Stove furnished for the use of the Clerks office of this County.

Overseers Poor vs G. M Coy. the said Defendant being Summond to shew cause why his Children should be taken away, appeared in court and being heard. It is ordered by the court that his said Children be taken away from him and be bound out by the overseers of the Poor, whereupon It is ordered that the said Overseers poor bind George M Coy (a poor boy of George M Coy a free Negroe) to Joshua Peters to learn the trade of a Sadler, who agrees to pay the said boy 15 Dollars for freedom dues

Divers Poor v Whistles &c on a Notice &c Notice proved and Judgm for $80. with Interest on $20 Dollars from 1st November 1808. and Interest on $20 from 1st Nover 1809 and Interest on $20 from 1st Nover 1810 and Interest on $20 the balance from 1st Nover 1811 untill paid and Costs

for many due by assignment

On the Motion of George Leonard, [illegible] who owns the land on one side of the Road [illegible] to be a where of being in dispute on in the Commonwealth of the Shannandoah River, the land on the opposite side belonging to the heirs of Matthias Miller dec'd (Notice of this Motion having been given the said heirs) It is ordered that a Writ of Adquod Damnum be awarded him, to be directed to the Sheriff of the said County and returnable here at the March Court Next, and to be executed on the Second Monday in March Next.

On the Petition of Henry Neilly, for a View or and alteration in the road leading from Peter Roler Mills to John Snapp Mill so fair as it runs through his Barn Yard. It is ordered that Wolry Taylor Peter Roler George Slusher, and Robert Grattan or any three of them, being first sworn do View the said proposed alteration, as also the old road, and make report of the conveniences and inconveniences attending the same thereof to the Next Court

Ordered that the Sheriff Summons all the acting Magistrats in this County to appear here at March Court Next to take into their consideration the recommendation of Magistrats for the said County

On the Motion of Mathew Watson, It is ordered that leave be granted him to keep an ordinary at his house in this County until the 1st day of May Next. he having paid to the Clerk $3.64 cents and entering into bond with Simon Duff his Security in the Clerks office.

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

N. Fitzhugh

X

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of February 1812

Present:

Ezekiel Harrison, Joseph Baxter, John Ewers and ~~John Ewers~~ Jacob Kyser . . . . . Gentlemen

Deed from John Whistles to Whistles acknowledged & ord

Ordered that the Rule be held in the Clerks office on Thursday the 20th day of this Instant and on the days after the third Tuesday in March and April next as the Law directs.

Deed from Nichols Lee to Rader acknowledged which with the Privy examination of his wife relating certified are ordered

Deed from same to Norman . . . . same

Deed from same to Salvage . . . . same

Woodrichell & Mellis on the Motion of the Complainant an Injunction is awarded him to stay further proceedings on a Judgment Recovered by the ~~Defendant~~ Complainant agt the Defendant on his entering into bond with Security and filing a release of errors as the Law directs

Deed from G. Gelmen Lee to Burkholder acknowledged & ord

Deed from G. Gelmen Lee to Berry acknowledged & ordered

Deed from Gilmore &c to [illegible] acknowledged by Thomas Gilmore and wife, Gad Gilmore and wife, and by [illegible] Erwin [illegible] execrs acknowledgt taken, and by John Erwin attorney in fact for Edward Gilmore & Deed to Rec'd

Graham v. Calling Attach Nudlow Gilbert

Deed from Chandler Lee to George Cline acknowledged & acknowledgt taken & Rec'd

Grand Jury Sworn for the body of the County to wit George Gilmore (foreman) John Hoover, John Peery, Jacob Roudabush, Henry Eyman, Peter Oster, John Good, John McCauslan, Samuel Coffman, William Peters, Peter Hunter Robert Erwin, George Snodder, William Beard Jacob Kyger, John Grady & John J. Mackall, who were sworn, and heard their charge and retired from the bar to consult on their presentments, and after some time returned into Court and made the following to wit. We present the overseers of the Road &c and nothing further appearing this ordered that the Grand Jury be discharged and that process issue on the said Presentments returnable here to the next term,

Comth v P. Mann A. & F. issue and continued until [illegible] to morrow

Comth v Spitzer A & F issue and continued until to morrow

Comth v Lincoln order capias returnable as the Law directs.

John Krotzer and Frederick Spangler who was summoned to attend here this day as Grand Jurors, was solemnly called and not appearing It is ordered they make their fines with his excellency the Governor, in the payment of $8 each for the use of the Commth unless good cause be shewn for such their non attendance at or before the next Term

Thomas Moore &c. vs Dunkenson and wife, In Chancery
dismissed by order of the Plaintiffs attorney

On the Petition of Mathias Stover &c for a View of a Way
for a road beginning at the Main Keyells Town Road
on the Lands of said Stover and from thence to the said
Stovers Mills and from thence the Nearest and best way
to the Old Furnace, It is ordered that Thomas Bear
Zachariah Hoy, Jacob Roop and Peter Zilley or any
three of them being first Sworn do View the said Way
and make report of the Conveniens and inconveniens
attending the same to the Court.

Comth vs Daniel Kyle Continued

Clark vs Catling Marvin Newlon Special Bail Office
Judgt set aside Injt. & Issue and Continued

Brown &c vs Watson Williams Lewis Special Bail Office
Judgt set aside Neledebt and Issue & Continued

Comth vs Carthrea Continued for Defendant

Alexd Irwin Loftus &c to Effinger a Scire Facias by
Nathan Loftus in the County Court of Augusta, and by
Ralph Loftus (for himself) and also as attorney in fact
for Washington Loftus, and by John Geo. Loftus
Parties thereto &c

Alexd from same to Penn . . . . same order as
in the above &c

Wheeler vs Funk Judgment for award

Comth vs Carthrea on Presentment this day made the
Defendant appears in Court and Confess a Judgt for $250
Cost the fine for not Keeping the Road in Repair &c and
Costs

Comth v Ettinger Ag & Assn and Jury sworn to try the Issue. Hugh Rachford. Barnet Stoutenburgh, Oliver McCausland Andrew Byrd, Andrew McClelland Peter Fetty Michael Dech. William Wheeler, Jno Funk, Samuel Ferris John Blair & Solomon Mathias whereupon It is ordered that Solomon Mathias one of the said Jurors be withdrawn and the rest of the Jurors from rendering their Verdict are discharged and the Cause is ordered to be Continued

Comth v Grady David Rogers Sptbail. Office Judgt set aside Payt. & Issue and Continued

Ordered that the Overseers of the Poor bind Sally Crook base born Child of Betty Crook to Jacob Probst as the Law directs, the said Sally being one year old the last of April Next

On the Motion of Frederick Span and for reasons appearing to the Court It is ordered that Issue against him this day for non attendance as a Juror be rescinded

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

D. J. Harrison

## Wednesday the 19th day February 1812

At a Court continued and held for this Co

Present

Ezekiel Harrison, Joseph Bartis, Charles Lewis and George Dove . . . . . Js Justices

Burris v Hardaty &c Office Judgment set aside Pay. Payment & Issue and Continued

Ervin v Hall David Rogers Sptbail Office Judgment set aside Payt & Issue and Continued

Harris vs Rep Writ of Error Issued set aside / Recognizance for the appearance Dan Hyre and Collins

Foster vs Mesperch. The Defendant appeared in Court and confessed a Judgm for £17.10/ Damages & the Interest from 17th day of November 1810 Litt paid Costs

Comth vs Spitzer Jury sworn to try the Issue to wit, Henry Sipe, David Cummins, Abraham Bowers, John Graham, George Seitz, David Kyle, James Mesperch, James Sulser, Jacob Good, Jeremiah Kyle, Peter Bright & Ralph Rogers. Verdict Not Guilty & Judgm.

Comth vs Davis Jury sworn to try the Issue to wit Christian Krotzer, John Sheetz Jr, Leonard B Cooper, Samuel Berry, Alexander M Carney, Morris Mowrey Richard Waples, Andrew Byers, Nicholas Claypoole Hugh Rackford, Gordon Rogers & Hugh Burns. Verdict that the Defft Guilty Cumm ut $25 & Costs.

Person vs Harry Dorrow Leonard Spbail. in the room of Frederick Spangler L. C.

Comth vs Losley Recognt abates as to Recognt and Information awarded as to Losley —

Comth vs Davis & Harshbarger, Order Information as to Davis & Sum as to Harshbarger returnable to the Next term

Comth vs Berry & Kyser abates as to Berry and Order Information as to Kyser

Comth vs Morris and Goff. order Information be filed

Comth vs Person & Brown (Continued)

Same . . . vs Jaffry . . . Same

Same . . . vs Lambert . . . Same

William Williamson orphan of Thomas Williamson dec^d came into Court and made choice of Jacob Kyger as his Guardian who entered into bond with Security as the Law directs.

Jane Williamson orphan of Thomas Williamson dec^d came into Court, and made choice of William Beard as her Guardian, and It is ordered that the said William Beard be appointed Guardian for Elizabeth, Nancy and John Williamson orphans of said Thomas Williamson dec^d, who entered into bond with Security, as the Law directs

Pence vs Harry Jury sworn to try the Issue to wit — Henry Sipe, David Cummins, Abraham Bowers, John Graham, George Seitz, David Kyle James Mc^Cleland, James Sulser, Jacob Good, Jeremiah Kyle, Peter Bright, & Ralph Rogers. Verdict for the Plff for £140 19/6½ Damages with Interest from the 14 day April 1809 to said Judgment.

Homan vs Sperry. Kemp Garnishee. he having discharged

Hausbarger vs Burns Continued,

Graham vs Green plea non est Factum Confess^d as per Specialty with Interest and Costs (Saving Equity)

Waltes vs Mathews . . . . . same

Cocomans vs Nesbit &c . . . . . same

Leonard vs Funk &c . . . . . same

Lantz vs Stultz . . . . . same

Lantz vs Stultz . . . . . same

Salvage vs Nesbit &c . . . . . same

Hansbarger v Nelms &c Plea was Dilatory Confesses as per Specialty with Interest & Costs saving equity

Same v Callen . . . . . Same

Ney v Woods &c . . . . . Same

Hansbarger v Burns By Consent of the parties by their Attorneys It is Ordered that a Commission be awarded the Plaintiff to examine and take the Deposition of Ephraim Hansbarger a Witness Residing in the County of and State of Tennessee on his giving the Deft Reasonable Notice of the time and place of taking the same, and It is agreed that the said Depositions may be taken by any two of the Justices of the peace of the said County who will Certify themselves to be such,

Present Asher Waterman

Ordered that the Court be adjourned untill to Morrow 10 o'Clock

Joseph Baxter

Thursday the 20th day of February 1812

Present

Ezekiel Harrison, Asher Waterman, George Doan and Jonathan Shipman . . . . Esqrs Justices

Otterson v Carthrea &c Continued

Gilmore v Skelly . . . Continued

Woods v Huber Continued

Hughes v Skelly &c W. E. Standish Covenant Performed Genl Replication & Issue & Continued for Defendant

Smith v Arrow &c continued

Reed v Harrison Continued

Rosenbarger v Byrd. Ve set aside N.A. Issue and Jury.

John Hughes, Richard Curtis, David Roland, John Roland, Jarvis Duff, Thomas Wells, John Newfields, Peter Harry, Richard Hughes, Hugh Rankin, John Linsum, Verdict for the Plff for £13 Damages with Costs from 26th May 1810 till paid Subject however to the opinion of the Court on the Demurrer to the evidence this day filed in this cause, whereupon the Matter of Law arising upon the said Demurrer, being argued it seems to the Court that the Law is for the Defendant and Judgt for the Defendant

Rankin v Pence Jury sworn to try the Issue to wit John Hughes, Richard Curtis, Gabriel Curtis David Roland, John Roland, Lucas L. Foster, Thomas Lanahan Peter Harry, Richard Hughes, Andrew McClelland, John Linsum and Peter Effinger, Verdict for the Plff for £40 with 1/6 Damages. and on the Motion of the Plff ~~Deft~~ ~~Costs~~ ~~Deft entered~~ ~~entered awarded~~ the said Verdict is set aside and New Trial is awarded him to be had at the next Term on his paying the Costs of this Trial

Walter v Mathews by consent of the parties by their attorneys It is ordered that the Judgment rendered in this Cause on yesterday be set aside and the cause is Re-docketed and Continued

Walter v Mathews on the Motion of the Defendant by his attorney It is ordered that a Subpoena Duces Tecum be awarded to Ballard ~~to bring~~ to bring with him on the second day of May Court next an article of agreement between the said Mathews and Vernon

Ordered that the Court be adjourned until Court in Course

Jas. Harrison

Tuesday ~~the~~ 16th inst

At a Court held for the County of Rockingham the 17th day of March 1812

Present

Joseph Baxter, Walter Davis, Peachy Harrison & Thomas Moore

Ordered that an Election be held in the East District at the house of Adam Harnbarger, for the purpose of choosing three fit persons to act as Overseers of the Poor for the County of Rockingham in the said District on the ~~Fourth Saturday~~ in April Next and that George Lowe attend the said Election, also an Election be held in the North District on the same day for the same purpose at the house of Benjamin Salvage and that Jacob Rife attend the same, and also that an Election be held in the South District on the same day at the Court house of the said County for the same purpose and that Henry Glandon superintend the said Election, and it is ordered that the Sheriff give Public Notice to the freeholders and house Keepers in each of the said Districts of the time and place of holding the said Elections and that the said Superintendants make report of their proceedings to the Next Court.

Alexander Sutherland

To

John Erskine & Richard Custis } In Chancery

This cause came on to be heard this 17th day of March 1812 on the bill, the answer of the said Custis and the Exhibits, and was argued by Counsel and the Court having considered the same, It is ordered adjudged and decreed the said Erskine not having entered his

appearance agreable to law and the rules of this Court the said Bill be taken for confessed as to him) and It is further ordered adjudged and decreed that the said Curtis pay unto Henry J Gambill as Receiver on the 30th day of April 1812 the sum of Seventy three Dollars & 20 Cents with Lawful Interest thereon at 6 per cent from the 1st day of November 1808 tille paid, Together with the Plffs Costs expended in prosecuting the said Suit, that being apart of the Sum which the said Curtis by his answer acknowledges he will be unable to the said Erskins on the said 30th day of April 1812, which said Sum the said Gambill is to retain in his hands untill the Plffs give bond and security as the Court shall approve for abiding such further order as may be made for restoring the same to the absent Defendants upon his appearing and answering the said Bill—

Griffith Ctor
vs
Erskins & Curtis } In Chancery

This cause came on to be heard this 17 day of March 1812 on the bill, the answer of the Defendant Curtis, and exhibits and was argued by Counsel and the Court having considered the same, It is ordered adjudged and decreed that the said Erskins (not having entered his appearance agreable to Law and the rules of this Court the bill in this cause is taken for confessed as to the said Erskins, and It is further adjudged ordered and decreed that the said Curtis pay unto Henry J Gambill as Receiver on the 30th day of April 1812 ~~the~~ the sum of ~~$83.54~~ $61.77 Cents with legal Interest thereon from the 23rd day June 1806 tille paid, also $11.77 cents with Interest from 30th day april 1810 tille paid. Together with the Plffs Costs expended

in prosecuting the said Suit, that being apart of the Sum which the said Custis by his answer acknowledges he will be indebted to the said Estate on the day of April 1812 which Sum the said Gambill is to retain in his hands until the Plff to give such Security as the Court shall approve for abiding such further order as may be made for restoring the same to the absent Defendant upon his appearing and answering the said Bill

Baron Kew
v.
William Turnbull } In Chancy

The Complainant having shewn no cause for Continuing this Suit as an original Bill in Chancy On the motion of the Defendant by his attorny It is ordered that the said Bill be dismissed and that the Defendant recover against the said Complainant his Costs by him about his Defence in that behalf expended

An Appraisement Bill of the estate of John Kyser and Return 50 R

Sale Bill of the estate of John Kyser and Return 50 R

Deed from Lynn Lee to Carpenter acknowd pr mess acknowledgt Satisfied 50 R

Deed of Trust from Morgan to Deale proved by the oaths of the Witness as to Morgan and acknowledged by Deale 50 R

Deed from Burkholder Lee to Burkholder acknowledged mess acknowd Satisfied 50 R

Deed of Trust from Ryan to Denton in trust for
Doutt acknowledged by the party &RR

Deed from Fourbaugh &c to Doutt acknowledged wife
acknowledgment taken &RR

Sale bill of the estate of Isaac Depoy dec'd returned &RR

Sale bill of the estate of Mary Taylor dec'd &RR

Deed from Poland &c to Quick proved by the oaths
of Henry Gambill, Asa Waterman & Thomas Lewis Jr.
which with the commission & jury examination of this
writ returned are ordered to be Recorded

Deed from Gains &c to Gains acknowledged wife
acknowledgment taken &RR

Deed from Woods &c to Gambill . . . same

Deed from Woods &c to Gains . . . same

Deed from Quick &c to Earhart . . . same

Deed from William Woods &c to Hottle for land lying
in the County of Hardy, acknowledged wife acknowledgment
taken & certified

Deed from I. Hicks &c to Stuart proved by the
witness thereto, which with the commission & jury
examination of this writ returned certified &R

Deed from Hamilton &c to Krotzer proved by the oaths
of Joseph Denton & George Hamilton &RR

Deed from Sufferenus &c to Neigh acknowledged
wife acknowledgment taken &RR

Deed from Adolphus &c to Lewis . . . same

Betty Long orphan of Philip Long came into Court and made choice of John Thomas as her Guardian who entered into bond with Security as the Law directs

Deed from Hamtrack Lux to Shanks, acknowledged and ackowledgt entd & recorded

Deed from Quin to Clark acknowledged & Rect

Deed from Brock Lux to Neible acknowledged and ackowledgt entd & recorded

Deed from Beck Lux to Roughcoop . . . same

Deed from Woolf Lux to Kyle . . . . . same

The Last will and Testament of Thomas M'Kinley dec'd was presented in Court and proved by the oaths of William Bryan, Jesse Harrison, Henry Lyman & Rect and on the Motion of Margaret M'Kinley the executrix therein named who entered into bond with security, and took the oaths prescribed by Law, a certificate is Granted her for obtaining a probate in due form.

Deed from Carthrea Lux Emmet proved by the oaths of George Bourne, Josiah ~~Lux~~ Emmet & Rect

Deed from Woodly to Pickering proved by the oaths of Thomas Moore, Daniel Slaughter & Philip Koontz & Rect

Deed of Release from Daniel Smith to Finley acknowledged & Rect

O C Deed Bambarger Exr to Davis acknowledged insp. acknowledgt testa DBR

O.F. C Deed from Woolf & Lewis to Jones proved by the oaths of Richard Curtis and Geo W Kemper & DBRecorded

" Polly Smith orphan of Emanuel Smith dec came into Court and made choice of Daniel Holcombe as her Guardian, who entered into bond with Security as the Law directs

O.F. Cd Deed from Davis to Lewis proved by the oaths of the subscg witness DBR

O Cd Deed from Graham Exr to Lofland testa acknowledged insp. acknowledgt testa DBR

C Cd. Cert. of Deed C. Lewis exp. Deed of Conveyance from Exrs Charles Lewis and Benjamin Lewis for land lying in Bath County was acknowledged by the said Curtis & Kemper to be Certified.

Cd Comm Chas Yeates Fenly. Williams Bryan and Jacob Curtis or any two of them do examine state and Settle the estate accounts of Senior Robyns dec with the administrator & Make report to the Courts.

O Cd Deed from R. Harrison Exr to Ewen &c acknowledged & Recorded

O Cd Deed from Harrison to Hunt acknowledged DBR

O Deed from Woody to Woody acknowledged by Jno Harrison attorney for said Woody DBR

O Cd Deed from Whitmore Exr to Coffman acknowledged insp. acknowd testa DBR

Deed of Trust from Coffman &c to Harrison in trust for Whitmore acknowledged by the parties and ordered to be recorded

Report of the Commissioners appointed to lay off Susanna Bolin's Right of Dower in her late husband's Estate ordered to be recorded

Deed from Chs. Lewis & Eliz. Peal acknowledged and ordered to be recorded

Deed of trust from Peal to Gray in trust for Lewis proved by the oaths of George W. Harrison & Robert Woods and ordered to be recorded

Ordered that George Mefford be appointed overseer of that part of the road leading from Harrisonburg to Mt. Hope Mill, of which Reuben Harrison was overseer and that the tithables heretofore appointed to work on the said road be allotted for his Gang

The Last will and Testament of Frederick King dec'd was presented in Court and was proved by the witnesses thereto subscribed, whereupon Benjamin F. Salaray the executor therein named, refused to take upon himself the execution of the said Will, and on the Motion of Joseph Bywaters who made oath thereto entered into bond with Security & administration of the said estate with the said Will annexed is granted him, and it is ordered that John Rader, William Byan, Peter Oglesby and Michael Yount or any 3 of them being first sworn

as appraise the estate of the said Frederick King deceased and make report to the Court

Daniel Smith esquire came into Court and took the oath of Fidelity to the Commonwealth the oath of a Judge of the General Court the oath of a Judge of the Circuit Court, and the oath prescribed by the act intituled an act to suppress Duelling, in the form prescribed by Law, which is ordered to be certified.

Peter & Preston and Curtis, Order of Publication as the Law Directs to be Published in one of the News Papers published in Staunton.

Overseers Poor
to
James Fulton } on a Recognizance the Defendt.
father of a bare born } of Margaret Lamb
the said Defendant appears in Court in discharge of his Recognizance whereupon the Court having heard the Evidence - It is ordered that the said James Fulton do pay to the Overseers of the Poor of the Parish of and County of Augusta the sum of £42 to be paid in the following Manner to wit $20 within one one Month from this day and then $20 annually from that day until the said sum be paid, and that he enter into a Recogz with Good Security payable to his excellcy James Barbour Governor of the Commonwealth in the said sum, and that he stand Committed until he give

said Security, whereupon the said James Fulton with Henry S. Perky his Security appeared in Court and acknowleged themselves to owe and be indebted to the said Governor in the said sum of £42. to be ~~paid in the following Manner to wit £20 th on the first day of~~ ~~May £20 annually, untill the said sum be paid~~ to be levied of their respective Goods and Chattle Lands and Tenaments and on upon this Condition that if the said James Fulton and Henry S. Perky shall pay to the Overseers of the Poor of augusta the said sum of £20 within one Month from this day, and then £20 annually from that day, for the support of the said Child then this Negg to be Void &c

Ordered that Asher Waterman, Henry J. Gamble and John Gray or any two of them do examine state and settle the estate accounts of George Kepell decd with the admr and make report to the Court

O.F. Order from Sulenbarger Esq to Sett a Summons Judgt unless acknowlegt taken &c

Ordered that Jacob Rife, John Rife, and Geo Fry or any two of them do examine state and Settle the Guardean accounts of George Shutz who was Guardean to Nancy ~~Dever~~ Holsinger late Nancy Dever and make report to the Court

On the Petition of John & Amos Moore for a New of an alteration in the road leading from the New Market to Brocks Gap so fair as the same runs through there lands. It is ordered that John Moore, William Lewis, Samuel Moore and Jacob Earhart or any 3 of them being first sworn do View the said proposed alteration as also the old road as it now runs and make report to the Court of the Convenience and inconvenience attending the same, ~~which Court~~

Ordered that William Lotey be summoned to appear here on the Second day of April Court Next, to shew cause why Edith Philips his apprentice should not be taken away from him, it being suggested to the Court ~~that~~ by one of the Overseers of the Poor that the said William Loteys is an improper place for the said Child.

Ordered that William Beard be appointed a Committee to take care of the estate of David Beard ~~be~~ a person of unsound mind, on his entering into Bond with good Security in the sum of $1000. payable to the Justices now sitting Conformed as the Law directs, whereupon the said William Beard with James Beard his Security entered into Bond agreable to the above order.

J. Gallaw v Peter In Chancy.

It appearing to the Court that the said Defendant is Dead. It is ordered that a Subpoena Scire facias to issue against the Representatives of the said Peter to shew cause why the said suit should not stand and

No Servt against them, returnable here to May Court Next.

The Last Will and Testament of Jacob Longar dec'd was proved in Court and proved by the oath of John Pleher & the witness thereto & Ordered to be Recorded

Leonard vs Mellen heirs. The writ of Adgmt=Damages awarded the Plff at January Court last not having been executed. It is ordered that an Alias writ be awarded, the said Plff. to be entitled to the sheriff and to be executed on the Second Monday in June Next. Returnable here to June Next.

Present. Ezekiel Harrison. John Ewing, Charles Lewis Jonathan Chapman, Archibald Witherspoon. Jacob Kyger,

Carpenter vs Smith &c Continued

Conrad vs Mellen Continued.

Abram Pope vs Brown Continued

Same . . . vs Lapsley Continued

Same . . . vs Lambert Continued

Benja. Yeamans Writ of Adgmt Continued

Joseph Bowman . . . Ditto . . Continued

David Kyle & Petition to discontinue the Road, Continued

Berry vs Hamilton &c It appearing to the Court

that said Gawin Hamilton is dead. It is ordered that a Subpoena Scifas do Issue against the administrator of the said Hamilton, to shew cause why the said Suit should not stand and be Revived against the Defendants here to day Court thereof

Ordered that the following Persons be Recommended to his excellency the Governor, as proper and fit persons to be commissioned as Magistrates in and for the said County,

The Court doth Recommend to his excellency the Governor, Jacob C Erwin, John Dillard, Henry Welch, Jacob Bear, Joseph Craven & Joseph Mauzy. as proper and fit persons to be commissioned as Magistrates in and for the said County

R Dillard & C. Lewis ag.

Byrd v Cooper Continued

Ordered that the Court be adjourned until the 3rd Tuesday in April Next

E G. Harrison

Tuesday to Wit At a Court held for the County of Rockingham the 21st April 1812

John Erwin, Joseph Barton, Peachy Harrison & Thomas Moore. — & G. Justices

William Salisbury Produced in Court a Warrant & Pedlars Licence Granted by the County Court of Madison, which is Ordered to be Recorded.

Ordered from Court to Wednesday morning 10 OClk

At a Court Call[d] and held for the County of Rockingham on Monday the 6th day of April 1812 for the Trial and examination of James G. Page on Suspicion of ~~Felony~~, feloniously ~~Murder~~ Maiming of Samuel Cesomes,

Present.

John Ewin, Joseph Baxter, Peachy Harrison
Jacob Wyson, & Thomas Moore } G. Justices

The said James G. Page was brought to the bar in Custody of the Jailor, and plead Not Guilty, and thereupon several Witnesses were Sworn and examined touching the said Offence, to wit. James Duff.

~~Whereupon~~ and the said Prisoner being heard by his Attorney the Court upon consideration of the Circumstances of the case as it appears to them are of the opinion that he is — Guilty of the offence whereof he stands charged, but for the same is treate in the Next Superor court to be held for the said County, whereto he is remanded to the Jail of the said County there to remain untill discharged by Law.

Be it Remembered that on the 6th day of April 1812 James Duff and Samuel Cesomes personally appeared in Court and severally acknowledged themselves to owe and be indebted to his excellency James Barbour Governor of the Commonwealth of Virginia in the sum of one Hundred Dollars each to be levied of their respective goods and chattels lands and Tenements, and for the use of the said Commonwealth to be Rendered, upon this Condition Nevertheless that if they the said James Duff and Samuel Cesomes shall make their personal appear

on the first day of the Next Superior court to be held for the said County, then and there to give evidence on behalf of the Commonwealth against James G. Page charged with Maiming, and shall not depart the said Court unless discharged by Law then the above recognizance to be void &c

and the Court arose

John Ewin

Tuesday 4th inst

At a Court held for the county of Rockingham the 21 April 1812

Present.

John Ewin, Joseph Bartlett Peachy
Harrison & Thomas Moon . . . & J. Justices

William Salisbury produced in Court a Warrant of Relief Gratis granted him by the County court of Madison which is ordered to be Recorded

6 A Deed from Conrad Lee to Wright acknowledged & O.R.

6 A Deed from Carbaugh &c to Baker acknowledged by the Parties, & is ordered to be Recorded

10 A Deed from Gunn &c to Bryan fully acknowledged by Lehew Gunn & O.R.

A Deed from Tallman Lee to Koontz proved by the Witness thereto, which with the Privy examination of his wife is ordered to be Recorded

A Deed from M'Colleston to Ferguson proved by the Witness thereto & O.R.

Sarah Roberts orphan of Eleaz Roberts dec^d came into court and made choice of Peter Peck as her Guardian who entered into bond with Security as the Law directs

Ordered that the court be adjourned until to Morrow Morning 10 o'clock

Bear & Read Pl^ts on a Deby bond Note sued & Dismiss^d

Morris & Herring Pl^ts on Deby bond Note acknowledge as to Herring & Dismiss

Ordered that the court be adjourned until to Morrow morning 10 Clock

Ordered that Abraham Herring Surveyor of this County Purchase for the use of this Office, a Mill Chain

Ordered that the court be adjourned until to Morrow Morning 10 Clock.

John Scott

Wednesday to wit

At a court continued and held for the County of Rockingham the 22^d day of April 1812

Present

Peachy Gaines Esq^r
Abraham Shacklew, Joseph Baxter, Archibald Rutherford and Thomas Moore . . . Just^s

Two appraisement bills of the estate of Jacob Sowder dec^d returned & R

Two Sale bills of the estate of Jacob Sowder dec^d returned & R

A Sale bill of the estate of Ulrich Saylor dec^d Returned & R

An appraisment bill and sale bills of the estate of Saml Miller dec'd returned & Ord

On the Motion of the Rev. Ezra Graves who produces a Credential of his Regular ordination in the Methodist Episcopal Church, whereupon he entered into bond with Security, and took the oath prescribed by Law, a Testimonial is Granted him for celebrating the Rights of Matrimony according to the form and Ceremonies of the said Church

The last will and Testament of Frederick Hayne dec'd was produced in Court and was proved by the oaths of John Sellars & Michael Reinhart & Ord Recorded and on the Motion of John & Frederick Hayne Executors named in the said will, who with Security entered into and acknowledged bond, and made oath thereto as the law directs, a certificate is Granted them for obtaining a probate in due form, and it is ordered that William Perry, John Sellars, Henry Miller and Joseph Mauzy or any 3 of them being first sworn do appraise the said estate and make report to the Court

The last will and Testament of Jacob Sowers dec'd was produced in Court and was fully proved by the oath of John Butts and ordered to be Recorded

Ordered that the overseers of the Poor bind Betty McGonegal aged Nine years — December 1809. to John Early, as the Law directs

Ordered that Andrew Shanklen, Joseph Fawcett & Hugh Weir or any two of them do examine state and settle the estate & accounts of Jams Scott dec'd with the administrators and make report to the Court

Ordered that John Moon, Thomas Moon and Andrew Byrd or any 2 of them do examine state and settle the estate account of Peter Wertz dec'd and make report to the Court

Ordered that Geo. Fry, John Krotzer, and Jacob Custer or any two of them do examine state and settle the Guardian account of William Bryan & John Chrisman Guardian for the Children of James Williamson dec'd and make report to the Court

Ordered from Henry Price &c to Adam Price proved by the oaths of Jacob Miller & George Cooper as to the said Parties, and the examination and Privy examination of Sarah Moyer, Rebecca Rumbly, Sally Price, Ann Price Elizabeth Price and Sally Price, wife of the said several Parties. Rels. entered and Ordered to be Recd

Ordered from Shodden &c to Garber a Sci. fa. according to prayer of petition

Ordered from Pence &c to Miller . . . . same

Ordered from Wooden to Boyer &c proved by the oaths of the Witness thereto & Recorded

Ordered that Asher Waltman, George W. Harrison, W. D. Gamble or any two of them do examine state and settle the Guardian accounts of Samuel M. Williams who is Guardian for the Children and heirs of Mathew Harrison dec'd and make report to the Court

Alexander Sutherland
Ersteins and Custer } In Chancy

Richard Griffeths exrs
Ersteins & Custer } In Chancy

On the Motion of the Complainants by their attorney It is ordered that the said Complainants Give sufficient security in the sum of $200 each, in the Clerks office conditioned to abide such future order as may be made for refunding to the said Defendant Esthers the amount of decree by this Court to the said Complainants on the 19 day of March last in the said Suits, upon this the said Esthers appearing and answers the said bills, agreable to Law.

Ordered from Miller Hurt to Rader a Knowledge ~~of the Same Effect~~ and ordered to be Recorded

Ordered from M^r A Lee Clerk to Perkins a Knowledge with a Knowledge taken &c

A View and report of a Way for a Road made agreable to the Petition of Mathias Stovers &c leading to said Mathias Stovers Mill, was returned into Court, whereupon It is ordered that a Summons be awarded against the Several parties through whose land the said Road will pass, to appear here at Sum Court next to shew cause why the said Road should not be established agreable to the said Report &c

Perry J Gambill, who was appointed to Superintend an election for Overseers of the Poor for the South District in the County of Rockingham, Reported that no election was held whereupon the Court appointed, John Baxter Jeremiah Kyle, and Aaron Solomon Overseers for the said District, Jacob Conrad who was appointed to Superintend the election in the east district, Reported that Martin Kite, Benjamin Lewis and John Sellars, were duly elected, who are accordingly appointed, Jacob Rife who was appointed to superintend an election for the North district Reported that George Rader, John Shaver and George Dove, was duly elected who are hereby accordingly

appointed. and It is ordered that a Summons be awarded against the John Bates. Jeremiah Kyle, Aaron Solomon, Martin Kile, Benjamin Lewis, John Sellars, George Rader, George Done and John Shaver, to appear here at the Next Court then and there to take the oaths prescribed by Law.

Ordered that Peter Swoop Jr be appointed, Overseer of that part of the road leading from, Harrisonburg to Col. Harrisons, in the room of John Whetzel and It is ordered that the Tithables hereafter allotted to Work on the said road be appointed for his gang to open work thereon and Keep the same in good repair

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Deed from William Denton to Peter Denton proved by the oath of John Koontz one of the Witnesses thereto subscribed.

Overseers Poor vs Kepler on Recogg. Continued until the Next Term.

Ordered that all causes on the Docket set for trial at this court and which have not been called be continued -

~~Ordered that the rates~~

Ordered that the rates established, for the ordinary Keepers, in this County at June Court 1807 be Continued.

Present

Ezekiel Harrison.

Ordered that the Court be adjourned until the third Tuesday in May Next

J. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 19th day of May 1812.

Present.

Ezekiel Harrison, Joseph Bartlet, Thomas Moore, Jacob Kyser & Archibald Rutherford Gentlemen

Ordered that the Rules be held in the Clerks office on Thursday the 21st day of this Instant and on the days after the 3d Tuesday in June & July Next. as the Law directs

Deed from C. Miller Exr to Baker wherein acknowledgt taken and ord. to be certified

Deed from Shooltz Exr to Coffman acknowledged wherein acknowledgt taken &c.

Deed from Bowman Exr to Harshbarger . . . Same

Deed from Litzles Exr to Baker . . . . . Same

Deed from C. Miller Exr to G. Miller . . . . Same

Deed from Baker Exr to Kyger (In trust) for Litzles acknowledged by the parties wherein acknowledgt taken &c.

Deed from Jacob Brumback, Henry Brumback, Exrs Samuel Coffman Exr &c. Neatwood acknowledged by the said parties wherein acknowledgt taken &c.

Deed from Perkey Exr to Perkey acknowledged wherein acknowledgt taken &c.

James Hooks produced in Court a commission wherein he is appointed Lieutenant of Light Infantry in the 68 Regmt. and he having taken the oaths of Office before George Newton Gent. the same is ordered to be certified

Grand Jury Sworn to wit Samuel Chandlee Foreman, David Kyle, Peter Bowman, William Sprinkle, John Hoover, Solomon Perky, Henry Eyman, Jacob Shank, John Rents, William Pence, Michael Peck, Jacob Kyger, William Campbell, Stephen Conrad, Adam Weis & Martin Whitmore were Sworn, and rec'd their Charge and retired from the Bar to consult on their presentments and after some time returned into Court, and made the following as their presentment Pence Fry &c. and Nothing further It is Ordered that the said Grand Jury be discharged and that process Issue agst the said Defendants on the said Presentments returnable to here as the Law directs.

(B) Mathias Pence Bishop agrees the said Defendants agreeing to pay $10 apart of the Costs of this Suit.

(C) A Deed from Betty Hunt to Sellars acknowledged in Court & ordered to be recorded

(D) A Deed from Samuel Glyn Esq to Daniel Keller was presented in Court and acknowledged by the said Samuel and wife she being first privily examd as the Law directs and ordered to be certified to Pennsylvania

(E) The last will and Testament of Philip Waggy dec'd was presented in Court and was proved by the oath of William Cochran Jr. Ordered to lay for further proof

(F) Melly Farmer Farmer Daughter of John Farmer dec'd came into Court and made choice of John G. Williams as her Guardian who entered into bond with Security as the Law directs

Betsey O'Neal orphan of Cornelius O'Neal decd came into Court and made choice of Thomas Moore as her Guardian who entered into bond with Security as the Law directs. &c.

A Commission & Privy examination of Rosanna Fox wife of Charles Fox, Peter Cerfs &c.

Ditto . . . . same to a Deed to Ockeltree . . same

A Deed from Springer to Eichberger acknowledged &c.

A Deed from Ichner &c to Peter acknowledged &c.

The last will and Testament of Adam Miller dec was presented in Court and proved by the oaths of Jacob Kyzor and John Perne (Farmer) and ordered to be Recorded. Whereupon the executor named in the said Will appeared in Court and refused to accept upon themselves the execution thereof, and on the Motion of Daniel Rager administration of the said estate is Granted him with the said will thereto annexed. he having entered into bond with Security and made oath as the Law directs. and it is ordered Robert Grattan, Adam Wise, Jacob Shank & Peter Roler or any three of them being first sworn do appraise the said estate and make report to the Court.

The Court doth Recommend to his excellency the Governor the following persons as proper to be appointed 2d Lieutenants of the 116th Regt. to wit

(2d Tuesday from the 24th May 1812)

James Mallowey Capt of Rifle Company in the room of John Christian Ringing

William Bryan Lieutenant in the room of said James Mallowey.

Jesse Roalston Ensign in the Room of said William Byard

Abraham Baker Capt in the room of Aaron Dove who refused to qualify.

Gabriel Custer ~~as~~ Lieutenant in the room of said Abraham Baker

Richard Curtis Jr Ensign in the room of said Gabriel Custer

On the Motion of Mathew Watson, It is ordered that Likewise be Granted him to Keep a Store at his house in this County for one Year he having paid to the Clerk $12.50 Cents. on his entering into bond with James Duff his Security as the Law directs

Peter Nicholas the same with Henry J Gamble his Security

Jacob Neggars the same with John Neggars his Security

James Duff the same with Samuel Gamble his Security

Jacob Kyser the same with Henry J Gamble his Security

James Ireland the same with William Gamble his Security

John Reins the same with John M Causland his Security

Joseph Graham the same with John Graham his Security

Tobias B McGahey the same with Henry J Gamble his Security

Conrod Custer the same with Henry J Gamble his Security

Martin Kitts & John Sellars & Jeremiah Kyle appears in Court and tooks the oaths of Overseers of the Poor as the Law Directs

On the Motion of the Rev. John Gelwat who produces Credentials of his Ordination, and Regular Communion in the Methodist Episcopal Church, and he having taken the oath prescribed by Law and entered into Bond with Security, a Testimonial is Granted him in due form

Wayland & Gunnel Mathew Watson Sylvain offers Surety set aside payment and Same are Confirmed

John Brock who was Summoned to attend this day as a Grand Juror, was Solemnly Called and not appearing It is Ordered that he make his fine with his Excellency the Governor in the payment of £8 unless good Cause be shewn for such his non attendance at the next Term

On the Motion of John Krotzer who was fined at the last term for non attendance as a Grand Juror, and for Reasons appearing to the Court It is ordered that the same be remitted

Ordered that Andrew Shanklew be appointed Keeper of the Court House in the room of Henry Gambold

On the Motion of Sinclair Kerby Sheriff, Andrew Shanklew is admitted his Deputy and Sworn accordingly

Overseers Poor vs Jacob Keppler on Recogz as the father of a bastard born child of Margaret Erie, the said Defendant appears in Court and acknowledges the said, and agrees to enter into a Recogz with Security in the Sum of £62 payable to his Excellency James Barbour Governor, in the following Manner, that is to say to pay to the said

Overseers ~~to pay~~ for the support of the said Bastard Child the sum of $20 ~~pay~~ within six Months from this day and $20 within one year from this day, and then $20 annually, until the whole sum of $42 be paid or otherwise indemnify the parish from the support of the said Child. Whereupon the said Jacob Kepler with John Kepler and John Shenfelter his Security appeared in Court and acknowledged a Recognizance agreeable to the above order &c

John Boles vs Barnet Hamilton and By consent of the parties by their attorneys all Matters in difference between them in this suit is referred to the final determination of Francis Sybert and David Cook, whose award, or the award of their Umpire in case of disagreement is to be made the Judgment of the Court

Court vs Kyle continued

Court vs Ettinger continued

Court vs Cathcart continued

Court vs Lincoln N G & Jury sworn to wit Zepheniah Wade, James Craig, David Hunter Peter Bright, Roger Mallony, Henry Lee, Charles Penn, Phelimon Roark, Robert Whiteside, John Salvage, David Boalson, and David Beard, Verdict for Defendant Guilty $4.62 Cents & Judgment.

Court vs Lokey N G & Jury, and continued.

John Hunter who was this day appointed an Overseer of the poor in the room of John Barker appeared in Court

and took the oaths of Office as the Law directs.

On the Motion of John Brock Sheriff this day Leave for Non attendance as a Grand Juror and for Reasons appearing to the Court. It is Ordered that the said fine be remitted

Ordered that Daniel Penny be summoned to appear here at the Next Court to shew Cause why his Children Should not be bound out it being suggested to the Court that he is not in Circumstances to raise them in a proper Manner

Daniel Neggam & Henry Neggam orphans of Robert Neggam dec. came into Court & Made Choice of John Neggam as their Guardian and It is Ordered that the said John Neggam be appointed Guardian for William, Sally and Susanna, Children (under 14 years of age) of the said Robert Neggam dec. who entered into Bond with Security as the Law directs

Jeremiah Kyle and Baron Solomon appeared in Court and took the oaths of Overseers of the Poor for the Parish and County of Rockingham, as the Law directs.

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

Joseph Baxter

Wednesday the 20th day of May 1812

Present

Ezekiel Harrison, Joseph Baxter,
Archebald Rutherford and George & G Gurley
Esqrs . . . . . :

Comth v Davis & Marshbarger Summons award to answer the Informations returnable here at the Next Court

Comth v Kysor Order Summons to answer the said Informations returnable here at the Next Court

Comwth v Morris & Goff. dismd. it appearing that the Defendants are no Inhabitants

Comth v Bagen Partie heard and dismissed.

Overseers Poor v Brown Continued Dismissed.

Same . . . v Lambert Continued

Same . . . v Lefty . . Continued

Same . . . v Lokey . . Continued

Overseers v Carthrea &c. Continued

Marshbarger v Burns Continued

Woods v Huber . . Continued

Wright v Stultz &c. . Continued

Smith v Arnold &c. . . Cont'd

Bear v Harrison . . . Continued

Rutherford v Penn Continued

Gelwood v Stultz . . Continued

Harrison v Bear . . Continued

C Harrison v. King abates by Defendants Death

Georgo Dove appeared in Court and took the oaths
// of an Overseer of the Poor of the County of Rockingham
agreable to his appointment

C Brights v. Kings exor continued

Ordered that Joseph Barter Geles Terly and Jacob
S. Bess or any two of them do examine state and
settle the estate accounts of Henry King dec'd with the
C. administrator thereof and make report to the Court

Millers v. Cummins Jury sworn to try the Issue
& to wit. Solomon Mathews, Peter Bright, Ralph Rogers,
Hugh Rochford, John Gerkens, Mathews Arrow, John
Graham Jr Charles Perce, William Campbell,
Richard Booze, Richard Hughes, & Christian Seitz. Verdict
for the Plff for $60 Damages and Judgment

Clark v. Catlett Def. Plea read & Judgm confess'd as
C per Specialty with Interest & Costs saving equity

C Jesse Bennett &c v. Peter Hogg exor &c The principals
of this suit having been settled by a decretal order of
Rockingham County Court made at December term last,
and James Hogg, Peter Hogg and Thomas Hogg desiring
to appeal from so much of said Decree as affects their
Interest, (except the question of interest upon the money
due from the executors of Gabriel Jones dec'd) and the
Counsel for the Plff in order to expedite the final
decision of this Cause consenting that the
appeal may be now allowed upon the usual terms—
The Court doth accordingly Grant the said appeal upon
the said Defendant James Hogg entering into bond with
Charles Lewis his Security in the penalty of $66.66 cents condi-
tioned as the Law directs, and which is now accordingly

Baker v Gulley Ex continued

Fairbourn exrs v Weir admr continued

Wayland v Gunnel The Defendant with leave of the Court filed a special plea to which the Plff tenders a Reply Gen'l Issue Joined

On the Motion of the Rev'd George Bourne. It is ordered that a Testimonial be Granted him to Celebrate the Rights of Matrimony, agreable to the forms and Ceremonies of the Protestant Church of which he is a Minister, he having entered into bond with Security and made oath as the Law directs

Graham v Catling Sheriff. Judgm set aside pay'm and Issue and continued

Peters admr v Smith & Penn. Volunteers Bolton Sheriff Sheriff Judgm set aside pay't & Issue and Continued

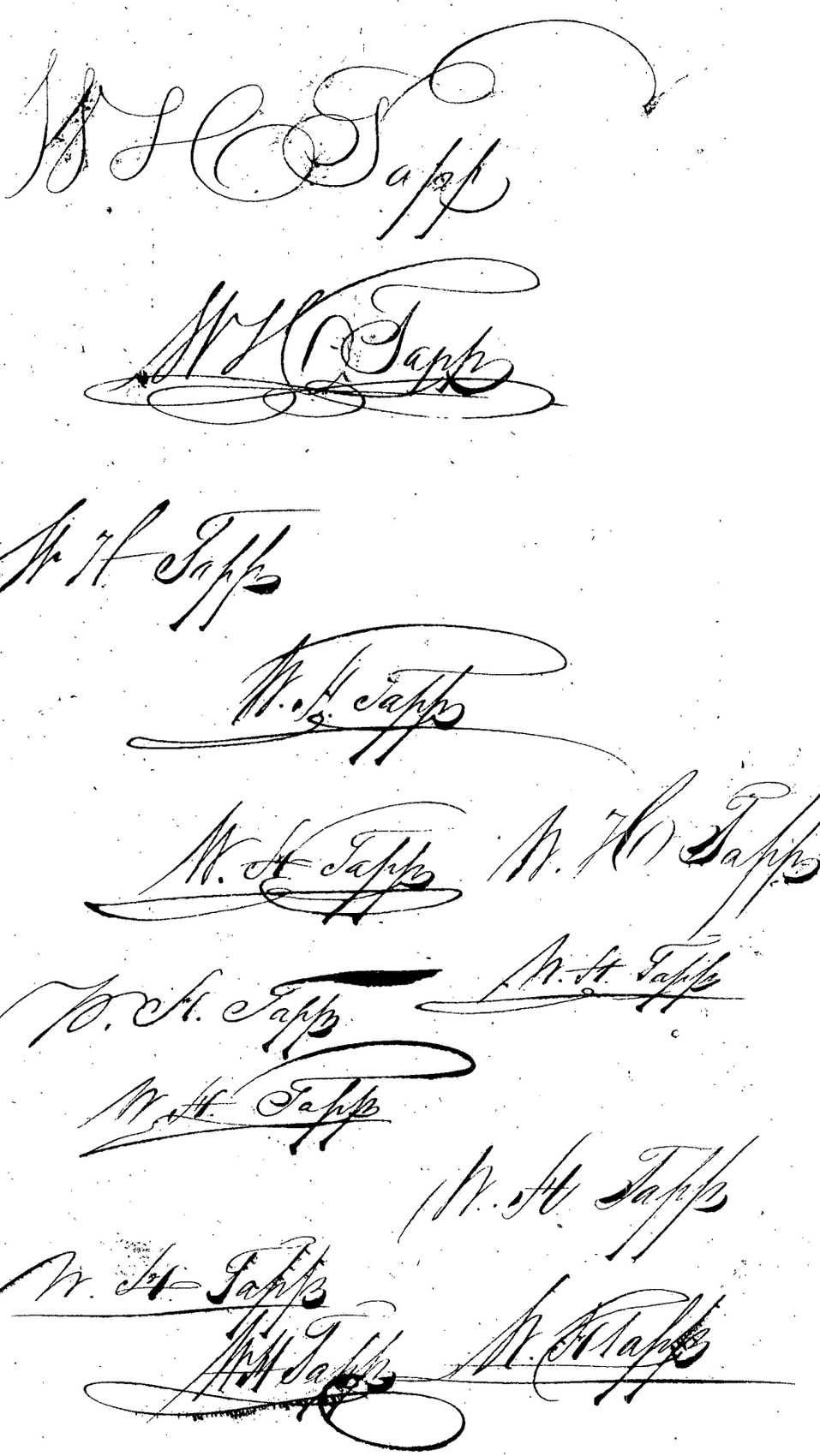
Shipman v Rowlston M E set aside N G & Issue Costs

Newton v Ex Sheriff &c John Bywaters S/B offered Judgm set aside pay't & Issue and Continued

On the Motion of William M'Mahan. It is ordered that a license be Granted him to Keep a Tavern at his house in this County for one year on his entering into bond with Henry J Gambill his Security as the Law directs he having paid to the Clerk $12.50 Cents

Wood v J. Koontz. John Koontz S/B offered Judgm set aside pay't & Issue and Continued

Weikle v M'Mahan. John Bywaters S/B ... same



Virginia to wit

At a Court held for the County of Rockingham the 16th day of June 1812

Present

Joseph Bartis, Jacob Kyser, George Dove and Thomas Moore ..... & Gentlemen Justices

Dd ✓ A Settlement of the estate of Jacob Peiffer dec'd returned 60th

Bond ✓ A Deed from John Black Sen to James Black acknowledged in the State of Ohio and certificate 60th

C ✓ A Deed from Brumback &c to Nealwood fully acknowledged by John Brumback Sen & Hosea Sen were acknowledgment taken 60th

Dd ✓ A Deed from R Grattan to Nelson acknowledged 60th

A Deed from Jacob Sen to John Lincoln acknowledged ✓ wife's acknowledgment taken 60th

D ✓ An appraisement bill of the estate of Frederick Hayes and returned 60th

D ✓ A sale bill of the same estate returned 60th

D ✓ A Settlement of the estate of Simon Krotzer dec'd returned 60th

D ✓ A Settlement of the estate of Jacob Good dec'd ret'd 60th

John Lightner produced in Court a commission of the State of Virginia as Lieutenant and having taken the oaths of office before Jacob Kyser esq. is ordered to be certified

Henry Nelson & Joseph Mauzy produced in Court a commission whereby they are appointed Justices of the peace for the said County, who thereupon took the several oaths prescribed by Law

On the Motion of Jacob Baker, an Injunction is Granted him to stay all further proceedings a fourth coming bond Given by the said Baker to John Dellaup ~~ex~~ exor. on ~~his~~ giving bond with Security, and filing a release of errors, and also paying to the ~~Sff~~ the Sheffs Commissions and fee for taking the said bond.

Ordered that the Court be adjourned until to Courts Course.

Test: Wm Harrison

Comth v M Coid on a Recognizance for a breach of the peace on the complaint of Mary Penick, The said Defendant appears in Court in discharge of his Recognizance and the Court having heard the evidence and argument of Counsel, It is the Opinion of the Court that he be bound to his Good behavior towards all the Citizens of this Commonwealth for one year from this day and himself in the sum of one Thousand dollars and one Security in the sum of one Thousand Dollars whereupon the said Arthur M Coid with Frederick Cleets his Security personally appeared in Court and acknowledged themselves to owe and be indebted unto his excellency James Barbour Governor of Virginia and his Successors in the sum of one Thousand Dollars each to be levied of their respective Goods and Chattels Lands and Tenements and for the use of the Commonwealth to be rendered, upon condition that the said Arthur M Coid shall keep the peace and be of Good behavior towards all the good Citizens of the Commonwealth for one year, and more particularly towards the said Mary Penick then the above recognizance to be void &c

O.S. Order from Carpenter & Penn to Penn proved by the Witness thereto &c

Order from Penn Lee to Gray proved by the oaths of Thomas C Fletcher, John Gray & Ezek Harrison which with the Commission and Jury examination of this writ returned certified &c

Ordered that Archibald Rutherford, Joseph Fawcett and Henry J Gamble or any two of them do examine state and settle the estate accounts of John Pitts and and Make report to the Court

Deed of Release from James Losley executor of Thomas Losley dec'd to John Losley was proved by the oath of Philip Roach, George Roads & William Losley and Ordered to be Recorded

Betsy Calhoon Orphan of Aaron Calhoon dec'd came into Court and made choice of John Kyger as her Guardian who entered into bond with Security as the Law directs

Deed from Strother Lee to Robertson proved by the Witness thereto which with the Commission & Privy examination of his wife returned Certified and Ordered to be Recorded

The last will and Testament of Philip Waggy dec'd was presented in Court and fully proved by the oath of Emanuel Tillman & Ordered to be Recorded

Ordered that John Shelterman be appointed Guardian for Peggy Fenbough and Infant orphan the age of 14 years and child of Adam Fenbough dec'd he having entered into bond with Security as the Law directs

Ordered that Christian Lockerman be appointed overseer of that part of the road leading from Harrisonburg to New Market in the room of William West and that the Tithables heretofore appointed to work on the said Road be allotted for his Gang to work thereon &

Deed from A Herring Ses to Long acknowledged &R.

Overseers Poor vs Alexander Miller Recognz. as the father of a bare born child of Susanna Neely, the said Defendant appears in Court, and agrees to enter into Recognz for the support of the said bastard child, in the sum of £12 pounds to be paid to the said Overseers in the following Manner to wit 20 Dollars within one Month from this day and then 20 Dollars annually from the day until the said sum be paid off, whereupon the said Alexander Miller, with John Lokes and Peter Bright his Securities appeared in Court and severally acknowledged themselves to owe and be indebted to his excellency James Barbour Governor of Virginia, and his Successors in the said sum of £12, payable to the Overseers of the Poor agreeable to the above Order.

Philip Armstrong orphan of George Armstrong did come into Court and made choice of Philip Armstrong as his Guardian who entered into bond with Security as the Law directs

McCoy vs Harrisonson Dely bond. Notice proved and execution awarded

Huffman exor vs Mathews &c . . . . . same

On the Motion of Catharine Shangler and Philip Shangler as administrators of the estate of Frederick Shangler is Granted them. they having entered into bond with Security and made oath thereto as the Law directs and it is ordered that Joseph Fawcett, Archebald Rutherfor, John Brock and Andrew Shanklin or any three of them do appraise the estate of the said

Deceadent and make report to the Court.

Of C A Deed from Rutherford & Gambell to Waterman acknowledged & Rd

Of C A Deed of Mortgage from Lash to Penn acknowledged proved by the Witness thereto & Rd.

Ann Mathews orphan of John Mathews and came into Court and made choice of John Lolar as her Guardian who entered into bond with Security as the Law directs.

C J The appraisment bill & Sale bill of the estate of Isaac Lash and Rd

C Order that Archibald Rutherford, Peachy Harrison & Jacob Kyser or any 2 of them do examine state and settle the estate accounts of David Pyeatt dec and make report to the Court

C J A settlem of the estate of Mary Bastes and Rd

C J A Settlem of the estate of Mary Bastes Jr and "Same"

C J A Settlem of the estate of Michael Bakes and . . Same

C J A Settlem of the estate of Isaac Barnaman and . . Same

Of C A Deed from Bastes &c to Henry Festes proved by the oaths of George Dove & Francis Smith, which with the Commission & Privy examination of his wife Rd

C Order that Giles Furly, Joseph Bastes and John Lincoln or any two of them do examine state and settle the estate accounts of Abraham Brunk and with the examinis state thereof make report to the Court

C p 000

Mosby vs Carthrea &c on a Deby bond Notice ford
Execution awarded

Hansbarger vs Catlett &c . . . . . Same

Hansbarger vs Carthrea &c . . . . . Same

Ritchy vs Carthrea &c . . . . . Same

A Settlem of the estate of Guardian Account of Samuel
M Williams Guardian for the Children of Mathew Harrison
dec'd Made by the Commissioner, was returned &
Ordered to be recorded

Overseers Poor vs Brown, On Affidavit by consent Continued
untill the next Term.

George Rader appeared in Court and took the oaths
of an overseer of the Poor for the parish and County of
Rockingham

Elizabeth Fereburgh Widow of Adam Fereburgh
dec'd came into Court and relinquished her right of
administration, whereupon on the Motion of John
Fereburgh administration of the said estate is Granted
him he having entered into bond with Security, & made oath thereto
Law directs and It is ordered that Archibald
Rutherford, Isaac Long, Michael Miller and
John Eversole or any 3 of them being first sworn
do appraise the said estate and make report to the
Court.

On the Motion of Robert Grattan executor named
in the will of Jacob Longer dec'd who entered into
bond with Security and made oath thereto as the
Law directs a certificate is Granted him for
obtaining probate in due form and It is

Ordered that William Fowler Peter Roler, John Harshbarger and Henry Harshbarger or any 3 of them being first Sworn do appraise the said estate and make report to the Court

Ordered from Levely Sent to Grim acknowledged unless acknowledged before 10th

Reuben Harrison one of the Commissioners for this County returned an account of for his Services and the Court have considered that $100 was a reasonable compensation for his Services, which is ordered to be Certified to the auditor of Public Accounts

Ordered from Hugh Smily to G. Grim proved by the oath of Charles Lewis one Witness thereto Ordered to lye for further proof

On the Motion of Dennis Lanahan. It is ordered that Leave be Granted him to Keep a tavern at his house in this County, for one year to 1st day of May Next he having paid to the Clerk $12.50 Cents, on his entering into bond with Henry Gambill his Security in the Clerks office

Stover &c to Newton on a Petition for a road the said Defendant Newton appeared in Court by his attorney, and prays a writ of Ad quod Damnum, which is to be Directed to the Sheriff of the said County and to be executed the Monday in July Next Returnable to July Court Next.

Ordered that the following Gentlemen be Recommended as proper and fit persons to be Commissioned as Officers in the 58 Regiment of the Militia.

William Philips Ensign in a Light Infantry Company in the room of John Lightner Resigned

John Snapp Captain of Cavalry in the room of Benjamin Lewis Resigned

Samuel Henry first Lieutenant in the room of said Snapp

Philip Koontz of Richard March who formerly Continued in the office of Constable, appeared in Court and entered into Bond with Security and took the several oaths of office as the Law directs

The last will and Testament of John Collins Dec'd was presented in Court and proved by the oath of Elesha Bryan & Ordered to lye for further proof.

Ordered that William Philips be appointed Overseer of the Road in the room of Thomas Newman, and it is Ordered that the Tithables heretofore appointed to work on the said Road be allotted for his Gang to open work thereon and Keep the same in Good repair ——

Byerly v George Coogler on affidt of Adjournment, on the Motion of James Magell by his attorney he is admitted a Defendant in this Suit, and on the Motion of the Defendants by their attorney to quash the Inquest of the Jury, and the Court having heard the evidence and argument of the Counsel. doth Order the said Inquest to be quashed with Costs. Memo. on the trial of this Cause a Bill of Exceptions was taken to the opinion the Court, which was Signed and Sealed as the Law directs, and is Ordered to be made apart of the Record prove which Order

and Judgment of the Court, the said Plaintiff prays an appeal to the Next Superior Court to be held for the said County, and which is Granted him on his entering into Bond with Robert Gray his Security in the penalty of Sixty Six Dollars and 66 Cents during the present term and which is done accordingly

A Deed from Jeremiah Herring to Joseph Trotter of Scott County, Kentucky was Presented in Court and acknowledged by the said Herring and Ordered to be Certified.

Present

Ezek Harrison

Ordered that the Court be adjourned until to Morrow Morning 10 oClock

Ezk Harrison

Wednesday to wit

At a Court Continued and held for the County of Rockingham the 17th day of June 1812.

Present.

Ezekiel Harrison, Asher Waltsman & Archibald Rutherford & Henry Nelson Gent Justices

A Deed of Bargain & Sale from Nancy Nuckle and Christena his wife to Aaron Thomas for land lying in the County of and State of Ohio, was presented in Court and acknowledged by the said Nancy & Wife, wife's acknowledgment taken and Ordered to be Certified.

Michael Moyers &c

to

Henry Moyers &c

In Chancery

This cause came on to be heard finally heard this 17 day of June 1812 on the Bill Answer Exhibits

Decree this in Contains pronounced the 20th day of December 1811. and the report of the Commissioners Henry Gamble, Joseph Fawcett and Joseph Mauzy made in pursuance thereof, to which report there is no exceptions taken, together with the argument of Counsel, whereupon it is Ordered adjudged and decreed by the Court that the report be sustained, and that the said Commissioners do pay over the $253.47 cents being the residue left after satisfying the proportionable part due from Philip Moyers heirs out of their proportion of the land sold to such person or persons as may by Law be intitled to Receive the same, such person or persons giving good and sufficient Security to refund the same provided it should by them be required improperly, It is also adjudged and decreed that the said Commissioners do pay to Daniel Boughner when he shall demand the same the sum of $887.47 cents that being the amount coming to him in right of his wife, out of the Lands sold by said Commissioners, and further that the said Commissioners do execute a Deed with Special Warranty conveying the land to Jacob Bare, he being the purchaser of the Land sold by the Commissioners aforesaid, and It is further adjudged and decreed by the Court that the said Commissioners do pay over the $57.06 cents Received by them, that of Hepburn Conrad in pursuance of the interlocatory Decree aforesaid, in the following Manner, to the Widow Christena Moyers $29.30 cents, to Christena Moyers for $6.52 cents, to Henry Moyers $8.69 cents and to Mark Alder $6.25 cents, It is further adjudged and decreed by the Court that Henry and Jacob Moyers do hold the land devised to them by their father

discharged of any equitable lein imposed on said land by their said fathers will and that the Defendants pay to the complainants their costs by them about their suit in that behalf expended.

And that all the causes on the Docket set for trial at this Court which have not been tried or continued be continued untill the Next term —

Deed from Waterman &c to J Kents. acknowledged, wife acknowledgment taken &c

The Court Proceed to lay the County Levy for the year 1812 Commencing (at December Court 1811) pr statement where of is as following to wit.

| | |
|---|---|
| To Robert Gray attorny for the Commonwealth for one Year ending at December Court Next | $100.00. |
| " Sheriff for his Public Servis | 25.00 |
| " Samuel M Williams Clerk for his Public Servis | 25.00 |
| " Henry J Gambill & Adam Chandler for Keeping the Court House for one year ending at December Court Next | $ 25.00. |
| " Henry J Gambill for Paper furnished for the use of the County for the year | $ 5.00. |
| " Francis Kesler for one old wolff scalp | 10.00 |
| " Adam Land for two old wolf Scalps | 20.00 |
| " John Hopkins for one old wolf scalp | 10.00 |
| " Jacob Neisely for one old wolf scalp | 10.00 |
| " George Fridly for 3 (young) Wolf Scalps @ $5 each | 15.00. |
| " Davis Wallace late Jailor for Sundry Servis Rendered up to May Court 1812 | $35.60 |
| " John Mosby Coroner for holding an Inquest on the body of David Williams | $ 5.00 |
| | $285,60 |

| | | |
|---|---|---|
| Amount brought forward | | $285.60 |
| To Jacob Kyser exp. for one sign post | | 1.25 |
| " Reuben Harrison Jr for work done on the road | | 10.00 |
| " Peter Paul ... for ... | Ditto | 2.50 |
| " Aaron Solomon for a sign post | | 2.50 |
| " Samuel Chandler for work done on the road | | 2.50 |
| " George Klein for | Ditto | 3.00 |
| " Roger Mallowny for | Ditto | 4.15. |
| " Peter Leonard for | Ditto | 2.00 |
| " John Bartis for | Ditto | 2.50 |
| " James Magill for | Ditto | 2.50 |
| " Samuel Miller Jr | Ditto | 2.50 |
| " Samuel Miller | Ditto | 2.50 |
| " Darmon Roland | Ditto | 9.00 |
| " David Cummins | Ditto | 7.50. |
| " Thomas Harrison | Ditto | 3.75 |
| " John Blosser | Ditto | 2.50 |
| " Michael March | Ditto | 4.16. |
| " Daniel Harshbarger | Ditto | 3.25 |
| " Joseph Denton | Ditto | 2.50 |
| " Jacob March | Ditto | 2.50 |
| " Thomas Moore Jr. | Ditto | 2.50 |
| " Ditto | Ditto | 5.00 |
| " Abraham Peters | Ditto | 2.50 |
| " Thomas Moore Jr. | Ditto | 2.50 |
| " Reuben Moore | Ditto | 2.50 |
| | | $376.27 |

| | |
|---|---|
| amount brought forward | $376,27 |
| To Philemon Roads for work done on the road | 2,50 |
| " George Hammons for Ditto | 3,50 |
| " David Neatwoode for Ditto | 2,50 |
| " Daniel M Genis for Ditto | 2,50 |
| " Peter Brown for Ditto | 1,50 |
| " Peter Kelley for Ditto | 4.00 |
| " William Dunlap for Ditto | 3.33 |
| " John Ewen Jr. for Ditto | 2.00 |
| " John Ragen for Ditto | 18.50 |
| " Lewis Hepburn for Ditto | 2.25 |
| " Reuben Harrison for Ditto | 5.00 |
| " Jeremiah Warren for Ditto | 5.00 |
| " Christian Dedmon for Ditto | 1.75 |
| " John Sheltman for Ditto | 5.00 |
| " Volentine Bolton for Ditto | 5.00 |
| " James Kyle for Ditto | 1.50 |
| " Daniel Ragen for Ditto | 2.50 |
| " Abraham Songer for Ditto | 1,25 |
| " John Bartis for one old Wolfs Scalp | 10.00 |
| " Daniel Ragen for Glass & furnishing for the Jail | 4.59 |
| " Joseph Bywaters Deputy Sheriff for shell road and axes for the court house | $ 1,25 |
| " John F. Effinger (Captain of Patrole) for himself and sundry persons who served under him as per account Rendered to be paid to the said Persons by him | $ 4.32 |
| | 466.01 |
| To Sheriff Commission & County Depositum | 210.49 |
| | $676,50 |
| By 3075 Tithables @ 22 cents | $676.50 |

Ordered that the sheriff collect from each tithable person in this County 22 cents. there being in Number 3075 ~~Cents~~

Negro v Negro adm. on the Motion of the Complainant by his attorny, a commission is awarded him, to take examine and take the Deposition of his Witness, on Giving the Plff Reasonable Notice of the time and place of taking the same

An appraisment bill of the estate of Frederick Krieger was returned & ordered to be recorded. Returned & Recorded

Ordered that Archibald Rutherford be appointed a Commissioner, to purchase for the use of the County 10 Good and Sufficient Sledges, upon ~~such terms~~ the best terms, he can, which Sledges are to be distributed amongst such of the Overseers of the road in this County as the court shall hereafter direct. and the said Rutherford is hereby Directed to make a report of his proceedings to the court. as soon as he can make the said purchase. —

Present. Joseph Carter, Joseph Barter & George Dove.

The court doth Recommend to his excellency the Governor, Charles Lewis, Ezekiel Harrison, & Taylor Yancey as proper and fit persons to be Commissioners of this County as Sheriffs for the ensuing Year,

Ordered that the court be adjourned until the 3rd Tuesday in July Next. Ezk. Harrison

Test
J. B. Reynolds

Tuesday the 21st

At a Court held for the County of Rockingham the 21st day of July 1812

Present

Joseph Bo
Ezekiel Harrison, Joseph Baxter, Archibald Pattherson & Joseph Mauzey . . . . . J. G. Gantley

Deed from Jer. Beezely Exr to Jas Beezely proved by the oaths of Geo. Cook & Emanuel Harshbarger, which with the Privy examination of his wife ordered to be Recd

Deed from the same to George Cook proved by the oaths of Adam Harshbarger, Emanuel Harshbarger and Jas Beezely, which with Certificate of his wife ordered to be Recorded

Deed from Land. Fox to Fisher acknowledged wife acknowledgment taken OOR

Jacob Keplinger produced in court a Commission wherein he is appointed an ensign in the Militia of the 58 Regt and having taken the oaths of Office before George Huston Esqr the same is ordered to be Certified

Deed from Miller & to Deatwood acknowledged in the County of Fairfield & State of Ohio duly certified OOR

Deed from Keagle Exr to Mauzey acknowledged wife acknowledgment taken OOR

An appraisement held of the estate of Thomas McKinley and returned OOR

On the Motion of Robert Grattan who owns the lands on both sides of the North River of Shenandoah, and desiring to build a Water Grist Mill on his said land, and the bed of the said River belonging to himself on in the South Br ordered that a writ of Ad quod Damnum be awarded him, to be executed on the 28th day of September next returnable to September Court next.—

The last will and Testament of Volentine Foust dec'd (written in the German Language) was presented in Court and proved by the oaths of Abraham Paintz David Miller & Martin Garber, and also a Translation of the said Will was proved by the oaths of Martin Garber and John Stober which Translation is ordered to be Recorded, and on the Motion of Michael Foust and Noah Foust the executors named in said Will, who entered into bond with security, and made oath as the law directs, a certificate is Granted them for obtaining a probate in due form, and it.

Deed from Gratton Fust to Wilcox, exps acknowlgm taken & Ord'd to be certified

Deed from Plesant to Plesant acknowleged in Court

Deed from Seitz to Harrison & Reise in Trust for David Bowman acknowleged by said Seitz to Harrison & Harrison & Reise

Deed from Herring to Davis further proved by the oath of Elizabeth Herring & Ord'd to be certified

Christena Harmon Orphan of Henry Harmon and came into Court and made choice of Jacob Spitzer as her Guardian who entered into bond with Security as the law directs

Morgan & Nichols vs a Delry bond Note proved & execution awarded

Graves & Lary vs . . . . . same

Ordered that Giles Tully, Jacob Reise and John Lincoln or any two of them do examine state and

Settle the estate accounts of Joseph Selfoos dec with the executor thereof and make report to the Court

On the Motion of Christian Funk and for reasons appearing to the Court, It is ordered that the road leading from Newmarket to Brocks Gap, so far as it runs through his lands, be continued as it now runs, and that the former order heretofore made directing the overseer to open the same, be revoked, the said Funk having agreed to keep all that part of the said road in Good repair, at his own expence &c

Ordered that Conrad Custer be appointed overseer of the road leading from New market to Brocks Gap beginning at the Linville creek at said Custers house to the turn at Ezek Harrisons in the room of David Miller, and that the tithables heretofore appointed to work on the said road be allotted for his Gang to open work thereon &c

On the Motion of Benjamin Salvage It is ordered that a license be Granted him to keep a tavern at his house in the County until the 1st day of May next he having paid to the Clerk $9.88 cents. on his entering into bond with Henry Gamble his security in the clerks office

Stover to : Entered for the use of Adgenod=Damnum awarded the Defendant at the last court being returned into Court together with the enquest of the Jury thereon, And it appearing to the court that all the persons thereby whose lands the said road is to pass. having been duly summoned to shew.

Cause why the said Road should not be established agreable to the report of the Viewers and they not appearing, It is ordered that the said proposed road be established agreable to the said inquest, upon his the said Mathias Flowers paying to the said Newton £42 the Damages found by the said Jury. and It is ordered that Jacob Roads be appointed overseer of the said Road, and that all the Male Tithables within one Mile on West side of the said road and all the tithables between the said road and the Mountain on the east side. be allotted for his Gang to open the said road, work thereon and Keep the same in Good repair

Proved from J. Turner Sen to Jno Dalton acknowledgd in open Court

Proved from James Bowling to J. Bowling proved by the oaths of Thomas Johns Crumpy, Daniel Prohyman and Charles Clark Jr ORD

Overseers Poor v John Brown on arrego. as the reputed father of a bare born Child of Rachel Obg. the said Defendant appeared in Court in discharge of his said Recognizance, and the Court having heard the evidence It is Considered that he give Security for the maintenance of the said Child, payable to his excellency the Governor in the sum of £100 $110 payable to his excellency the Governor, of this Commonwealth, payable to the said overseers in the following manner, to wit $20 within one year and $20 within two years, and $20 within three years, and $20 within four years and $30 within five years &c ——

from the expiration of the said three months and that he stand committed until he give such security

Jacob Bear who was appointed a Justice of the peace for the said County, appeared in Court and took the several oaths as the law directs

Deed from Lowenbein Lusk to Whetmore acknowledged & ordered to be recorded

Deed from the same to Coffman . . . . same

Overseers Poor vs John Brown. The said Defendant with James Brown his security, appeared in Court and acknowledged themselves to owe and be indebted to his excellency James Barbour Governor of Virginia and his successors in office in the sum of $110 payable to the Overseers of the Poor of the said County, for the support of abroborn Child of Rachel Ng in the following manner, that is to say $20. within one year, and $20 within two years, $20 within three years, $20 within four years and $30 within five years or otherwise keep the said Parish indemnified, Now if the said John Brown and James Brown, shall pay to the said overseers the said sum of $110 in the manner aforesaid then this recognizance to be void &c

Deed Gains Lux to Burnes acknowledged & ordered to be recorded

Deed from the same to Bowers . . . . same

Deed from Shanks to Tinkle . . . . . same

An appraisement bill of the estate of Adam Fenbough Jr. dec'd returned & ordered to be recorded

A sale bill of the estate of Adam Fenbough Jr dec'd returned & ordered to be recorded

Present
Walter Davis, & Jacob Bear Gent
Absent.

Joseph Baxter Gent

A Deed from Herron Lee to M Williams, proved by the oaths of Asher Waterman, Henry Welch and Peter Sprinkle, which with the commiss & privy examination of his said wife returned & OR

Ordered that the Military association about forming in Harrisonburg to be commanded by Capt George Bear Turner, have leave to assemble on the day of Meeting in the Court House for which purpose the Keeper of the Court House is hereby directed to open the said Court House

Benjamin Lewis appears in Court and took the oath of an Overseer of the poor for this County, agreable to his appointment —

Thomas Bear appellant
v
Richard Carrier appellee

On an appeal from a Judgment Recovered by the appellee agst the appellant on the 28th day of March 1812. before Joseph Baxter a Justice of the peace for the County of Rockingham

This day came the parties by their attorneys and the Court having heard the evidence and arguments of Counsel, & seems to the Court there that there is error in said Judgment and that the same be reversed and annulled, and the Court proceeding to give such Judgment as the said Majistrate ought to have given, It is therefore that the appellant Recover his Costs in prosecuting his appeal aforesaid here, and the Court proceeding to give such Judgment as the said Majistrate ought to have given, It is therefore considered by the Court that the said Warrant be dismissed and that

the Defendant Recover against Plaintiff his Costs by him about him expended in defending the said warrant, before the said Justices —

Ordered that all the causes which have not been Call'd or Continued, Set for trial at this Court be Continued —

Ordered that Peter Bright be Summoned to appear here at August Court Next to shew Cause why Henry McKee his apprentice Should not be taken away from him, cause it being suggested to the court by one of the Overseers of the Poor that he is improperly treated.

Joseph Fawcett Deputy Sheriff for Abram Shanklen late Sheriff, Returned to whom administration of the estate of John Coffman dec'd was committed made a Report of his proceedings, which is accepted & report is ordered to be Recorded

Overseers Poor vs. M. Lohey Continued for the Pltf's

Ordered that the Court be adjourned until the third Tuesday in August Next

E. J. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of August 1812

Present.

Joseph Baxter, Charles Lewis, Archibald Rutherford and Jacob Bear . . . Gentlemen

Ordered that the same be held in the Clerks office on Thursday the 20th of this Instant and on the day after the 3rd Tuesday in September next.

X ✓ Ad Deed from Littleton &c to Brenner acknowledged in the State of Ohio & Certified &c

Pennsylvania

Of. ✓ Ad Deed from Shaver &c to G. Shaver acknowledged & proof acknowledgt taken &c

✓ Ad Deed from Same to Peery &c . . . same

✓ Ad Deed from Edward Erwin to William Erwin &c for Land lying in this County of ~~Rockingham and State~~, acknowledged by said Edward & Ordered to be ~~Certified~~ Recorded

Of. ✓ Ad Deed from Taylor to Williamson proved by the oath of John Strayer & Ordered to be certified

✓ Two Deeds from Reuben Harrison to William Sowards acknowledged in the County Court of ~~Kanawha~~ Kanawha and duly certified &c

Grand Jury Sworn to wit

David Kyle Foreman, Peter Borman, Jacob Peery, Nicholas Peery, David Triplett, Christian Feerth, Joseph Krotzer Jr. David Harrison, Solomon Mathias, David Brookhart, John Moore, John Graham Jr. John Craig, John Mackall, Volentine Miller, William Beard, Peter Thomas, David Brannaman

Frederick Roads, Abraham Barrettor, John Shoemaker, and John Nesbaut. who Recvd their charge and retird from the bar to the Consult of their Presentments and after some time returnd into Court and made the following. viz Present Jacob Evelsizer &c and Nothing further appearing it is Ordrd that the said Grand Jury be discharged, and that Process Issue on the said Presentments Returnable here at the Law dent

John Koontz (of K. T.) who was this day summond to attend as a Grand Juror, was Solemnly Calld but came not. Therefore it is considerd by the Court that for his such his Contempt he make his fine with his excellency James Barbour Governor of Virginia and his Successors in the prayer of $8. unless Good Cause be shewn for such his Contempt at or before the Next Ct

Same

Reuben Feeley

Two Deeds from Barbara Hacker to Jacob Shamburgh for land lying in Frederick County proved by the oaths of Zachariah Foy, Henry Miller, & George Lemmon Executors, & ordrd to be Certified

A Deed from Henry Kaylor &c to Jacob Shamburgh for land lying in Frederick County was proved in Court and proved by the oaths of Archibald Foy George Lemmon and John Shultz as to Kaylor and acknowledged by his wife she being first privily exam'd and was acknowledged by Andrew Kessing Esq his wife acknowledgd before him and ordrd to be Certified

O.S. A Deed from Thomas Lea to Reuben acknowledged
Cw proved acknowledged taken OOR

A Deed from Erwin Sr. to Jesse acknowledged by
Cw Andrew Erwin Sr. party thereto and by the said Andrew Erwin
Attorney in fact for the said William Erwin Sr. party thereto
Power of Attorney thereto annexed, which with the said Power of Attorney thereto
are ordered to be Recorded

A Deed from Black Lea to Leighfield, acknowledged
Cw in the County Court of Jefferson in state of Tennessee
and crisped OOR

O.S. A Deed from Robert Lea Sr. to Williamson, proved
Cw by the oath of Joseph Evans, as to Rogers acknowledged taken
and was also acknowledged by said Lea OOR

On the Motion of Jacob Barrett administrator
Cw of the estate of Adam Pepp decd is Granted him
he having entered into bond with security and
made oath thereto as the Law directs.—

Ordered that Joseph Fawn Perry J Gambill
P. and Archibald Rutherford or any two of them
do ascertain state and settle the Guardian accounts
of Anderson Shanklin who was Guardian to
C Adam Pepp decd and make report to the
Court

Overseers Poor v Bright on a Summons to shew
cause why an apprentice by the name of Samuel
C McKee should not be taken away from him. the said
Defendant appeared in Court and agrees to give up
to the overseers of the Poor the said apprentice, and the
said Summons is Dismissed at the said Defts Costs

A Deed from Michael Sellars to Jesse Sellars proved by the
O.S. Cw oaths of David Bolton and William Burnsyde OOR

Null v Brushell & Henry Long } Sfbail offer
Judgt set aside, capt & Sfa and Certain

Reid v Bateman Williams Fowler Sfbail
offer Judgt set aside capt & Sfa & Certain

Bywaters v Weiles & Peter Bolinger Sfbail

Sikes v Grove Nathan Swaggart Sfbail offer
Judgt set aside capt & Sfa and Certain

The last will and Testament of Lauraine Bell dec
proved by the oath of Peter Weston Esq and ordered for
further proof

The last will and Testament of Michael Sellars
was presented in Court and was proved by the oath
of David Bolton and William Burnsyde Wits and
to be Recorded, and on the Motion of Ann and
Sellars executor named in the said Will, who
entered into bond with Security, and made oath
thereto as the Law directs, and It is ordered that
David Harrison, William Harrison, Samuel
Harrison and John Cowan or any three of them
being first sworn do appraise the estate of the said
Sellars and make report to the Court.

Ordered that Jacob D. Williamson Ezekiel Harrison
and Henry March or any two of them do examine
state and Settle the estate accounts of Reuben Moore
dec with the administrator and make report

Charles Lewis esq Produced in Court a Commission whereby
he is appointed Sheriff of this County for the ensuing year,
Whereupon, he entered into bonds with Security, and took
the several oaths of office as the Law directs which bonds
are ordered to be Recorded

On the Motion of Charles Lewis Gentleman
Sheriff of this County. Daniel Pagen, John Bywaters
Thomas C. Fletcher, Thomas Lewis Jr. & Joseph
& Andrew Shanklin Bywaters, are admitted his Deputies and sworn
according -

Overseers of Poor to John Blow, on recognizance the
father of a bare born child of Nancy Shifflett the
said Defendant appears in Court in discharge of
his recognizance, and the said Defendant having been
heard in his defence. the Court upon consideration of
the circumstances are of the opinion that he the
father of the said child, and do order that he pay
to the Overseers of the Poor in manner herein after
directed the sum of forty two pounds
and that he enter into a recognizance with good
security for the payment of the said sum as an indem-
nification of the Court & parish of the said
Parish for the support of the said Child. and that
he stand committed until he give such security.
Whereupon the said John Blow with Jacob Moyers.
his security appeared in Court. and
severally acknowledged themselves to owe and be indebted
to his excellency James Barbour Governor of Virginia
and his successors. in the said sum of £42.
to be levied of their respective goods and Chattels
lands and tenements and for the use of the Overseers
Poor to be rendered. Upon this condition Never-
theless that if the said John Blow shall well
and truly pay to the Overseers Poor of the said County
the said sum of forty two pounds. in the following
manner £6 within one month from this time
and three £6 within one year from that day and

then £6 annually, untill the whole sum be paid then the above ~~&~~ Recogz to be Void else to remain in full force &c

Comth v Burneyds on a Recogz for a Breach of the peace &c the said Defendant. Appeard in Court in discharge of his Recogz. and the Prosecutor being Call'd and not appearing the same is discharg'd with Costs.

Comth v Kyle Continued

Dennore v Cochran &c Joseph Thornton Gilbert

Ordered that Moses Cummins be Summoned to appear here at the Next Court to shew Cause why Sally Brenton ~~Incapacitated~~ apprentice to Phebe Chilcoat should not be taken out by the Overseers of the Poor away from him and be bound ~~to the Overseers of the Poor~~ it being Suggested to the Court by one of the Overseers for that she is ill treated.

John Snapp Jr. Produced in Court a Commission wherein he appointed a Captain of Cavalry of the Militia, and he having taken the oaths of Office before George Newton Gent. It is Ordered to be Certified

A Deed from John Wilson and Lucy his wife. Joseph Graham and Catharine his wife to John Lepscomb for Land lying in the County of Spotsylvania was presented in Court and Acknowledged by the said Joseph and Ordered to be Certified.

Comth v Losley Continued

Ordered that the Court be adjourned untill to Morrow Morning 10 Oclock

Joseph Baylor

Wednesday to wit

At a Court Continued and held for the County of Rockingham the 19 day of August 1812

Present

John Ewen, Asher Waterman, George Dove & Henry Welch . . . . . J.G. Gustelly

Armentrout v Armentrout Writ &c Order Publication as to Christian Leakey Returnable to November Court Next

Smith v Charles Davis. Capias award Returnable to October Next to answer the Information

Smith v Abraham Wyso . . . . . Saved

Smith v Forebough abates by Defts Death.

Smith v Harshbarger N.G. & Affirm ~~and Costs~~ Costs

Smith v Fry (for being Drunk) Deft Call'd not appearing fine 5 according to Law & Costs

Smith v Fry (for Swearing) Deft Call'd not appearing fine 83 cents for Swearing one profane oath & Costs

Smith v Fry Deft Call'd not appearing fine 83 Cents for Swearing one profane oath & Costs

Smith v Fry Deft Call'd not appearing fine 83 Cents for being Drunk and Costs

Smith v Sherley Deft Call'd not appearing fine 83 Cents for being Drunk and Costs

Smith v Thomas Gordon, ~~and Joshua Bird~~ Capt and ~~Costs~~ Gordon ~~and Bird~~

Comth v Joseph Nevins Road New Sums awarded

Comth v Hannah Nevins Road New Sums awarded

Comth v Wm Williams 12 petty Jurors and Witnesses the Defendant appeared but Comt not discharged.

Comth v Ellinger Jury sworn to try the Issue to wit Jacob Koontz, Samuel Devin, Willard Rains, John Talbage, Jonathan Taylor, John Graham, Joseph Graham, Mathias Arnow, Samuel Gay, George Compton, Abraham Shotts, Samuel Vernon & Henry Eyman. Verdict that the Deft is not Guilty.

Comth v Jno Price New Sums awarded

Jeremiah Kyle who was this day summoned to attend as a Jury and not appearing, altho solemnly called, It is therefore considered by the court that for such his contempt he make his fine in the sum of $8 for the use of the Commonwealth unless good cause be shewn for such is now attached during the present Term

Comwlth v Matthew Continued for Defendant.

Overseers Poor v Lambert Continued

Same . . . v Tappy . . . Continued

Same . . . v Lokey . . . Continued

Same . . . v Daniel Lowry . Continued

Comth v Beard Parties heard & Defendant and discharged.

Adelsperger Comth to Swamp acknowledged Road

Petition exam & Rehr Office Judgm set aside
as to the appearance bail prayd & Issue & Continue

Lear & Smith. By consent of the parties by their
attorneys all matters in Difference is referd to the
Final determination off Joseph Bartlett & Giles
Jury whose award is to be made the Judgm off
the Court

Vansburgen & Burns Continued

Moore & Huber Continued

Boswell & Penn dismiss agreed at the Defend
ants Costs.

Fawcett & Gay Williams Sprinkle Gilbreath

Abednigo Robertson & Williams fully
acknowledgd by Deed, wife acknowledgm
taken &c.

The Court doth Recommend to his excellency the
Governor of Virginia the following persons as
Gentlemen as proper and fit persons to be Commissd
as officers in the Militia of the State of Rockingham

William Ewin Captain of Cavalry in the room
of Charles Chrisman deceased.

James Henry first Lieutenant in the room
of said Ewin.

Hugh Brock second Lieutenant in the room of
said Brock Henry.

Cuthbert Spangler Cornet in the room off
said Brock

Hughes & Hulty Jury sworn to try the Issue to
Wit. John Funk, Peter Sprinkle, Martin Cromer
Robert Dunlap, Adam Boyer, Daniel Cummins

John Cowen, George Reed, Jacob Ettinger, William Campbell, Abraham Shotts & John Graham, Verdict for, $33.50 Cents Damages with Interest and Cost from 31 August 1809 Date said, and Judgment

On the Motion of James Magill for leave to make an inclosed Survey of his Land lying in this County. Notice having been duly given as the law directs. It is ordered that the Survey of the County do go upon the land and Survey and include the same, as the Law directs

Smiley vs Arnow &c Continued

Rea vs Harrison Continued for Defendant.

Gelmon vs Stultz WE set aside NA & Issue.

Jury sworn to wit John Funk, Peter Sprinkle, Martin Cramer, Robert Dunlap, Adam Boyer, David Cummins, John Cowen, George Reed Jacob Ettinger, William Campbell, Abram Shotts and John Graham Jr. Verdict for the Plff for £9 11 8/3 with Interest from &c Date said 13 Septr 1809 Date said & Judgt.

Harrison vs Bear continued

Bright vs King adms. Continued

Baker vs Stultz &c ... Continued

Roler vs Stoultzmire Continued for award

Funkhouser exor vs Weis adm Jury sworn to try the Issue to wit John Funk, Peter Sprinkle, Martin Cramer, Robert Dunlap, Adam Boyer David

Cummins, John Cowin, Geo. Rea, Jacob Ebinger, William Campbell, Abraham Sholts and John Graham Jr. Verdict for Plff for £28 11 9/4½ Damages and with Interest from the 19th August 1812 less paid & Costs

Leonard v Fenton Continued NE set aside NA

Scott v M'Adow. Daniel Bagen Sylvain NE set aside Covenants perfd and Spec. and leave given to file a special plea and costs

Watkins v S. Mathews Continued and on the Motion of the Defendant a Subpoena Duces tecum is award him to David Ogden of Augusta and to bring with him an article agreement made between Major Dowel and William Vernon in his possession

Stultz v Dove By consent of the parties by their attorny, all Matters in Difference between them in this Cause is referd to the final determination of John Fuller and Richard Custis, whose award or the award of their umpire in case of disagreement is to be made the Judge of this Court

Cocconour v Krotzer, it appearing to this Court that the Defendant is Dead. by Consent the same is ordered to stand and be revived in the name of Joseph Krotzer Jr admr of said Krotzer deceased Costs

Doe v Roberts dismiss'd agreed

Donaghe exon v. M. Scott. abat as to John Donaghe one of the exons. M. C set aside N. a & Spec and plea waved and Judgt confessed for $42. 21 cents with Interest from the 10 July 1809 till paid (saving equity)

On the Motion of Samuel M Williams Clerk of this Court Henry K. Cochran is admitted his assistant Deputy Clerk, who thereupon took the several oaths of office as the Law directs.

Present George Procter

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

Geo. Procter

Thursday 21st

At a Court continued and held for the County of Rockingham the 20th of August 1812

Present.

Asher Waltsman, Archibald Retherford, Henry Welch & John Erwin ..... Js. G. Justices

Cyrus v. Hoy dismissed agreed

Burget Exr v. Leighton By consent of the parties the Judgt rendered in this Cause at the last term is set aside, and the execution issued thereon is ordered to be quashed, and the Cause is redocketed, Office Judgt set aside Injunct for the appearance bail and Spec and continued.

Erwin v. Hall plea waived and Judgt confessed as per Specialty with interest and costs (saving equity)

Peyton adm v. Smith &c ..... Same

Preston v Nesbit & Pleas war & Inquest Cons[ent]
as per Specially with entrust and costs (saving) ex[ce]pt[ion]

Graham v Cathey . . . . . same

Otts ex[ecu]t[o]rs v Cathcart Continued

Roland v Duff. Continued for Plaintiff

Losley ex[ecu]t[o]r v Harrison & John Bynum Gn[ar]d[ian]
M[o]t[ion] set aside Covenants Performed & Issue, Jury
sworn to try the Issue to wit Alexander
McCarthy, George Winebaker, John Dalton
Benjamin Lewis, Joseph Fawcett, John F.
Effinger, Friedrich Kyle, James McCampbell,
Samuel Chandler Benjamin Nanpelt, John
Grady, Jacob Rohr, Verdict for the Plff. cons[ent] for
Damages
$200, with Interest, & c[o]s[t]s of Inquest.

Cannon v Grady Continued for Defendant

Brown & Co v Watson ex[ecu]t[o]rs Continued

Rohr v Smith M[o]t[ion] set aside N.A & Issue Continued

Burns v Stanaly & c[o] Continued

Williamson v Messick Continued

Shipman v Rowlston Continued

Perry v Cathcart M[o]t[ion] set aside Covenants Performed
& Plea by the appearance bail & Issue.
Alexander McCarty, George Winebaker, John
Dalton, Benjamin Lewis, William Campbell John
F. Effinger, Friedrich Kyle, James McCampbell
Samuel Chandler, Benjamin Nanpelt, John
Grady, Jacob Rohr, Verdict for the Plff for $50. Damages,
with Interest from 8th Dec. 1810 late said Inquest.

Bolton v Gilmore Continued

Jerrel v Roach W.C. set aside, and Judgment for the costs

Mudlow v Lessee W. C set aside N. A & Issue, with leave to add an Special plea.

Merkle v McMahan Jury Sworn to try the Issue to wit Alexander McCarty, George Werkenbaker John Dalton, Benjamin Lewis, William Edie, Joseph Tennant John F. Effinger, Frederick Kyle, James McCampbell Samuel Chandler, William Campbell, John Grady & Jacob Rohr, Verdict for the Plff for $7.06 with Interest from the 28 July 1810 tille paid & Judgment.

Mudlow v Lessee. Jury Sworn to try the Issue to wit Volentine Bolton, Hugh Rachford, John Pence, Michael Newman, Peter Hershberger, Thomas Chandler, Robert Campbell, Charles Penn, Ralph Rogers, Daniel Protzman, Stephen Koch, & John Long. Verdict for the $80 Damages with Interest from the 25 of Dec 1805 tille paid also $7.21 cents Damages with Interest from the 31st May 1810 tille paid, & Judgm.

Rachford v Pence Jury Sworn to try the Issue to wit Benjamin Lewis, Benjamin Vanpelt, Alexander McCarty, John Dalton, John F. Effinger, Frederick Kyle, Jacob Rhor, James McCampbell, Volentine Bolton, William Campbell, Michael Newman & John Grady. Verdict for the Plaintiff for $40.18.6 Damages. Subject to the opinion of the Court on the Demurrer to the evidence found in the Cause and because the Court is not advised what Judgment to render on the said Demurrer, the same is continued for argument Mem: on the trial of this cause the following

who upon the Plff filed his Demurrer to the evidence of the Plff and the Plff joined in the said Demurrer

exception was taken to the opinion of the court Rockfish v Pence &c which was sealed and sealed as the Law directs and ordered to be made apart of the Record

Adams v Rockfish & Samuel Chandler Sp Bail
Office Judgm set aside payment & Stay & Continued

Gilmore v Nicholas Joseph Bywaters Sp Bail Office
Judgm set aside payment & Stay and Continued

Dyer admr v Harrison & Henry J Gambill Sp Bail
Office Judgm set aside payment & Stay and Continued

Frisby v Lash Office Judgm set aside payment by
by the appearance bail, & Stay and Continued

M Coy v Reed &c . . . . . same

Ordered that the court be adjourned untill the
3d Tuesday in September Next

Wm Waterman

Tuesday 15th inst

At a Court held for the County of Rockingham
the 15th day of September 1812

Present

John Ewin, Jonathan Shipman, John Thomas
Moore & Archibald Rutherford . . . Gent

An appraisment bill of the estate of Christian Fry
dec'd Returned &c

A Settlem of the estate of Joseph Selfridge dec'd Returned
&c

A Deed from John Black Exr to James Black
acknowledged in the Court & Fairfield State of
Ohio Certified &c

A Settlm of the estate of Samuel Dewitt dec'd returned 60 R

A Deed from Moore &c to Beeks acknowlg'd by R. Moore 60 R

A Deed from R. Harrison exor to Saml Harrison acknowledged 60 R

A Settlm of the estate of Jacob Woodly dec'd Return 60 R

An appraisment bill of the estate of Michael Zemmer dec'd Return'd 60 R

A sale bill of the estate Philip Moyer dec'd return 60 R

A Deed from Jeremiah Beezly Exr to Jams Beezly fully proved by the oath of Henry Swartzgee 60 Cts

An appraisment bill of the estate of Jacob Sowyer dec'd return 60 R

A Deed from Shaffer Exr to Brown acknowledged wth acknowlgt taken 60 R

A Deed from Moyer Exr to Prew . . same

A Deed from Lober to Neill proved by the Witness thereto 60 R

A Deed from William Land to Stonebraker acknowlgd 60 R

A Power of attorny from Jacob Koontz to Philip Koontz proved by the Witness thereto 60 R

A Deed from Caine Exr to Gelmore acknowledged wth acknowlegt taken 60 R

A Deed from Carrier Exr to Caldwell acknowledged wife acknowledgt taken & Ord

A Deed from the same to Bowman . . same

A Deed from the same to Neale . . . same

A Deed from Bowdenburst Exr to D. Lash acknowledgd wife acknowledgt taken & Ord

A Deed from the same to Burnsyde . . same

A Deed from Marsh Exr to Bear proved by the oaths of Samuel Marsh & Martin Marsh and acknowlgd by his said wife, she being first privily examd & Ord

A Deed from Sowerbus Exr to John Gray acknowledgd wife acknowledgmt taken & Ord.

A Deed from the same to John Kyle . . . same

A Deed from the same to David Kyle . . same

Ordered that Geo Ferly Joseph Bartis & John Rader or any two of them do examine state and settle the estate accounts of Philip Rymel dec with the executor & Make report to the Court

Abraham Smith Produced in court his account as a commissioner of the Revenue for the present year and the Court having considered & 2 days as reasonable is ordered to be Certified

Catharine Chrisman Widow of Charles Chrisman dec came into Court and relinquished her right of administration whereupon & the Motion of George Chrisman of Jacob Custis administrator of the estate of the

said Charles Chrisman is Granted them, he having entered into bond with security and made oath thereto as the Law dirt. and It is Ordered that Joseph Crotzer, John Rader, Jacob Rife, and William Bryan or any three of them do appraisement the said estate & Make report to the Court

Elizabeth Kyger orphan of Anthony Kyger dec'd came into Court and made choice of Benjamin Kyger as her Guardian who entered into bond with security as the Law dirt.

Ordered from Price to Council in Trust for Jacob Miller proved by the oaths of Archibald Rutherford and John Crumpy ~~[illegible]~~ E. Rutherford 60¢

Ordered that George Chrisman & Jacob Custer be appointed Guardians for Hannah, Dwight, Margaret George & Joseph Chrisman Children under the age of 14 years, ~~[illegible]~~ of Charles Chrisman dec'd who entered into bond with security as the Law dirts

Ordered from Boughner Rex to Powell acknowledged 60¢

Ordered that the overseers of Poor bind Rebecca French orphan of — French dec'd. to Archibald Roberts as she being 7 years old the 25 October Next, who is to receive $15 for freedom dues.

The last will and Testament of Lucretia Harrison dec'd was presented in court and proved by the oaths of the Witness thereto & Recorded

Deed from Glyn Dew to Swelser acknowledgt
was acknowledgt & taken &c

The Last will and Testament of Christian Kinney
dec'd was presented in Court, & was proved by the witness thereto
& ordered to be recorded and whereon
Martin Shank and George Sylor the
executors named in the said will appeared in
Court and refused to take upon themselves the
execution thereof, and on the Motion Michael
Kinsir and Michael Shank administration of
the said estate is granted them with the said
will annexed, who entered into bond with
security and made oath as the Law directs
and it is ordered that Jacob Shank, Jacob
Nebeker, John Wetzell and Robert Lewis
or any three of them do first sworn to appraise
the said estate and make report to the Court

Deed of Emancipation from Joseph Cravens
to Negroe Molly. acknowledged & ordered

Deed of Emancipation from Diana Smith to
Negroe Cesar, proved by the Witness thereto
&c

On the Motion of Henry Hanstarger for an
unclaimed Survey of his Lands lying in this
County and he having given Legal Notice of
this Motion, It is ordered that the Surveyor of
this County do go upon the said Lands and
Survey and include the same agreeable to
the original and authenticate the papers of

the said Hanstarger &c and make report to the Court —

Ordered that Peter Swoop be appointed Overseer of the road in the room of Peter Bright, leading from Jas Harrisons Mill to New Erection Meeting house, and that the tithables heretofore appointed to work on the said road be allotted for his gang to open work thereon &c

Ordered that John Mellstarger be appointed Overseer of the road in the room of Abraham Fesher, and that the hands heretofore appointed to work on the said road be allotted for his gang &c

Ordered that Michael Lore be appointed Overseer of the road, from below Madison Moffetts to Nicholas Carrs, on Brocks Gap road, in the room of Lewis Orrick and that the tithables heretofore allotted to work on the said be his gang &c

Ordered that Joseph Krobzer Jr be appointed Overseer of the road in the room of Jacob Kercolow and that the tithables heretofore appointed to work on the said road be allotted for his Gang &c

Ordered that Asher Waterman, Henry Gambill and Joseph Fawcett or any two of them do examine state and settle the estate accounts of James Williamson dec with the Admrs and make report to the Court.

A Writ from N. Scotia rec to A Waterman proved by the oaths of Thomas C. Fletcher Henry K. Cochran & Henry J Gambell, and acknowledged by his said wife she being first privily examined

A Commission of Privy examination of Margaret Rice Herring returned certified

Hoover vs Albright. On a Notice for Money paid as his Security to Ebenezer Newton admr, Notice acknowledged, Judgm. for £56.15s with Interest and Costs.

A Writ of Adjudged Damages awarded to Robert Grattan at last July Court last was returned into Court together with the inquest of the Jury thereto annexed, and the Court having duly considered the same, It is ordered that the said Mill Dam be established, agreeable to the inquest of the Jury aforesaid —

Carpenter vs Smith & Co Certified

Carson vs Miller continued

Carstens vs Mackall continued

Leonard vs Miller's heirs continued

David Kyle's Petition to discontinue road filed

Benjamin Young's Writ of Adjudged damages discharged by order Robert Gray attorney for said Youngs.

Joseph Bowman Writ the same.

An appraisement bill of the estate of George Shaver dec'd returned

Overseers Poor vs Lambert Continued

Same

The last will and Testament of John Collins dec'd was fully proved by the oath of William Bryan and ordered to be Recorded

Overseers Poor vs Lasky continued

Overseers Poor vs Moses Cummins upon a Summons to shew cause why Sally Brinker an orphan child should not be taken away from him and be bound out, the said Defendant appeared in Court, and by consent the same is continued untill the next Court

A Deed from ~~Smith~~ Fielder to Negus acknowledged by Nerry Smith attorny in fact for said Fielder ~~for~~ R

A Deed from Abraham Hamilton for Zachariah Fielder to Nerry Berry for land lying in the County of Ohio, was presented in Court and acknowledged by the said Abraham, and by Nerry Smith attorny in fact for said Fielder and ordered to be Certified.

Overseers Poor vs William Kelley on a Summons to shew cause why his apprentice should not be taken from him, the said Defendant appeared in Court and being heard. It is ordered that the said Summons be dismissed at the Costs of the said Overseers.

A Deed from Green Lee to Bear acknowledged in Court ordered to be recorded

Overseers Poor vs Lowry continued

Hatch vs Fitzwater continued

Matthews Jr vs M Mace continued

Present Ezl Harrison J.

On the Motion of James Magill who owns the Land on one side of the North River, and is desirous of building a Dam across the said River for the purpose of working a Wool Carding Machine and the Land on the opposite side belonging to Jacob Fenstle, It is ordered that a writ of Adquod damnum be awarded the said James for the purpose of condemning one acre of land adjacent which he will about his said Dam, which writ is to be executed by the Sheriff on the ~~Wednesday~~ Saturday before the October Next Returnable as the Law directs

Ordered that the Court be adjourned until the 3d Tuesday in October Next

E G Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 20th day of October 1812

Present

Ezekiel Harrison, Joseph Bastin, George Newton & Archibald Rutherfoord. Esqrs

Ordered from Fleenburgs Exr to Williamson acknowledg. in the County Court of Mason and certified to Record

Ordered from Miller Exr to Morgan acknowledg. deed acknowledged to Record

Ordered from Parrots Exr to Taylor. . . same

Ordered from Royer Exr to Baker same

Cd A Deed from George Carrington to Welson for land lying in the County of ~~Cath~~ Cumberland acknowledged & Ordered to be Recorded & Certified

Cd A Deed from ~~B~~ Moore &c to Beech fully acknowledged by Phebe Moore & ordered to be Recorded

Cd A Deed from Garter to Monty acknowledged by Joseph Douglas attorney in fact for said Garter & ordered to be Recorded

Cd A Deed from M Williams &c to Chrisman acknowledged & proved & ordered to be Recorded.

Cd A Deed from Morgan to Brown ~~&c~~ proved by the Witness thereto & ordered to be Recorded

Cd Negester of Daniel a free man of Colour produced in Court and ordered to be Certified

Cd On the Motion of Rachel Butler. It is ordered that a License be Granted her to Keep a Tavern in this County until the first day of May Next she having paid to the Clerk £6.y6 Cents, & her entering into bond with John Graham her Security as the Law directs

Cd The last will and Testament of Daniel Tuttle dec'd was produced in Court and proved by the oaths of George Barnhart and Martin Miller and ordered to be Recorded and on the Motion of Robert Grattan ~~one~~ one of the Executors in the said Will, who entered into bond with Security & made oath thereto as the Law directs a Certificate is Granted him for obtaining a probate in due form. And It is ordered that Adam Wise, Peter Roler, Martin Miller and Henry Smith or any three of them being first Sworn be appointed to appraise the estate of the said Daniel Tuttle and make report to the Court.

Ordered that the Rules be held in the Clerks office on thursday the 22nd day of this Instant and on the days after the third Tuesday in November, December & January Next as the Law Directs.

Grand Jury Sworn ~~to wit~~ for this County. Thomas Beeks Foreman, Peter Thomas Peter Brown Millcans Beard, John Dalton, John Grady, Stephen Lewis William Penn, Jacob Rush, David Good, Abram Foster, Gordon Rogers, David Caldwell, Peter Hunter, Solomon Mathias, David Bowman Christian Coffman, and David Harrison, who were Sworn, and Received their charge and Returned from the Bar to Consult of their presentments and after some time returned into Court and made the following An Indictment for an assault and Battery ~~&~~ Peter Goth a true bill, An Indictment against George Leonard for an assault and Battery a true bill and no presentment Henry Dash &c and Nothing further appearing the said Grand Jury was discharged and It is ordered that Summons be awarded on the said Indictments and Presentments returnable at the Law Courts

Ordered from Hunter to Gelmore acknowledgment ~~&~~ acknowledgment taken OOR

Ordered from Songer &c to Armentrout acknowledgment was acknowledged taken OOR

Ordered from same to Kyser . . . same

Ordered from Conrad &c to Moyer . . same

Ordered from Armentrout to Harrison . . same

A Deed from Henry Lux to Henry acknowledged in open court ordered to be recorded

The Last will and Testament of Christopher Brumbaugh deceased was presented in Court and proved by the Witness thereto subscribed to be Recorded and on the Motion of George Penn one of the executors named in the said Will, who made oath thereto, and entered into bond with Security as the Law directs, a certificate is Granted him for obtaining a probate in due form, and it is ordered Henry Stagg Nicholas Carr, Jacob Bear and George Miller or any three of them Henry first sworn do appraise the estate of the said deceased and make report to the Court

Ord. Cert. to Geo. Penn exor

On the Motion of John Koontz and for reasons appearing to the Court it ordered that the fine laid against him at the last Court be remitted

A Deed from Mitchell Lux to Harrison acknowledged in the County Court of Christian State of Kentucky Certified to Record

A Deed from Cresole to Bowman acknowledged and ordered to be Recorded —

The Nuncupative Will of Henry Kessler deceased Lewis Keller Jr and Sarah Keller appeared in Court and being duly sworn deposeth and saith that Henry Kessler in his last illness at this own house in the County of Rockingham about two Weeks before his death which was some time in August 1812, being then in his proper senses, called on them deponents to take notice that he had made no Will and

that at present he was too ill to make one but that it was proper for him the said Henry Kessler to give his two Children, Daniel and Mary Kessler some Specific property as his other Children had received the same, in Addition to their ~~property~~ proportion of his personal estate — that he directed Daniel Kessler to have his Rifle gun and shot pouch, the horse saddle and Bridle of which he was in possession, and the large bible which was then in the house, — and that Mary Kessler was to have the Chest which she ~~now~~ and the bed and bed stead with the furnitures thereto belonging, the Spinning wheel and a cow two Sheep, a Heifer and four small hogs. and that as the balance of ~~the~~ his estate they were to have their equal share, whereupon the Mother of Henry Sipe and John Earnest administration of the said estate is Granted them with the said Non cupetors will annexed who entered into bond with Security. and made oath thereto as the Law directs, Barbara Kessler the widow of said Henry Kessler having appeared in Court and relinquished her right of administration and It is ordered that George Rowenbush Lewis Keller, John Norton and Peter M Causland or any 3 of them being first sworn do appraise the estate of the said Deceased and make report to the Court. —

Def. to settle

Otto exon is Continued

Baker is Continued

Ca Lear v Funk continued for award

Ca Wayland v Gunnel Returned

Ordered that Walter Davis Peachy Harrison & Alexander Herring or any two of them do examine state and Settle the estate accounts of Jacob Longer dec'd com the executor and make report to the Court.

C. Comth v Henry Deets. On presentment of the Grand Jury for swearing two profain oaths. the said Defendant by his agent appears in Court and Confess a Judgment for the said fine and Cost and thereupon said the said fine to Thomas B. Fletcher Deputy Sheriff —

Ca Mary Blair Widow of John Blair dec'd came into Court and relinquished her right of administration whereupon on the Motion of William Blair admin stration of the said estate is Granted him, he having entered into bond with Security, and made oath thereto as the Law direct and it is ordered that William Ewin, William Hopkins, David Roalston and William Dunlap or any three of them do appraise the estate of the said Deceased and make report to the Court.

Ca Comth v Kyzer the said Defendant appeared in Court and in his own proper person plead Not Guilty & Issue.

Ca Coyle v Mefford Benj'amin Grove Sheriff of the County set aside part of Issue and Continued

Ord and that George Nesbit Thomas Buck and John Snapp Jr or any two of them do examine state and settle the estate accounts of Jacob Perley dec? with the executor and make report to the Court

Layton v Roark John Boyer and John Miller Sfi bail offer Judgt set aside prayd & Issue and continued

Nesbit v Miller Philip now Roark Sfi bail

Shultz v Boyer & Philemon Roark & John Miller Sfi bail offer Judgt set aside prayd and Sfi continued

Ord and that Daniel Ragen Deputy Sheriff pay unto Archibald Rutherford the sum of thirty three dollars and 52 cents for the purchase and fencing sundry sledges for the use of the County, as per account rendered out of any money in his hands due the County —

Commth v Thomas Gelwood, On a recogz for a breach of the peace on the complaint of Mary Gelwood his wife) the said Defendant appeared in Court in discharge of his recogz and the Court having heard the evidence, ~~and~~ It is Ord and that he be bound ~~in recognizance~~ for his Good behavior for one year himself in the sum of Three Hundred Dollars and one security in the sum of Three Hundred Dollars or two Securities in the sum of one Hundred and fifty Dollars each, ~~whereupon~~ and that he stand committed until he give said Security,

Whereupon the said Thomas Gelwood with Henry Smith & William Rigg his Securityes appeared in Court and.

acknowledged themselves to be indebted to his
excellency James Barbour Governor of Virginia
and his successors in office in the said sum
of three thousand Dollars and his said Security
in the sum of one thousand and fifty Dollars
to be levied of their respective goods and Chattels
lands and Tenements and for the use of the
Commonwealth to be rendered Yet upon this Condition
that the said Thomas Gilmore shall be of good
behaviour all the good Citizens of this Country and
more particularly towards the said Mary Gilmore
then this Recognizance to be Void &c

Deed of Trust from W. Sandy to Robert ~~Gray~~ Gray
in trust for Jas. Craig. acknowledged &c

County to Thomas Gilmore. for a breach of the peace
in the presence of the Court on the complaint of
Phenias Swartz the Court having heard the
evidence, It is ordered that he be bound to his good
behaviour for one year himself in the sum of $200
and one Security in the sum of $200 or two
Securities in the sum of $100 each ~~to be~~ whereupon
the said Thomas Gilmore with James Blair
and Abraham Hamilton his Securities appeared in
Court, and acknowledged themselves to owe and
be indebted to his excellency James Barbour Gover
of Virginia and his successors agreeable to the
above order, Yet upon this Condition that the
said Thomas Gilmore shall be of Good
behaviour for one year, &c

Graham v Sandy. Jarvis Crago Gilbert.
and the said Defendant Delivered up by his said
bail and was by the Plaintiff prayed in Custody.

On the Motion of Thomas Clifton and for
reasons appearing to the Court it is ordered that
he be exempted from the payment of County &
Parish Levies

Ordered that Reuben Harrison and Abraham
Smith be appointed Commissioners for this County
for the ensuing year, on their entering into
bond with Security, and taking the oaths of
office as the Law directs —

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

W. J. Harrison

Wednesday to wit

At a Court continued and held for the County of Rockingham the 21st October 1812

Present

Ezekiel Harrison, Asher Waterman
George Austin and Archd Rutherford & G Gentry

Comth v Kyle continued

Same v Carthrae continued

Same v Foster continued

Same v Davis & Harshbarger continued

Chrisman v Webb &c on a Delg bond Notice proved as to George & Abram Hamilton & Execution awarded

Long v Hamilton &c on a Delg bond Notice proved and Execution awarded

Comth v Gordon Defft call'd and Judgmt for $250 for not keeping the road in repair and Judgmt for costs

Comth v Jno Rice . . . . . The same

Comth v John Hammer . . . . . The same

Comth v Ebenezer Defft call'd and Information award'd and summons award to answer the same returnable to the next court

The same v Thomas Gelmon . . . . same

Comth . v Isaac Lincoln . . . . same

Comth v George Bantz . . . . same

Comth v Myers . . . . same

Comth v Boyer . . . . same

Comth v B. Lewis Deft. Calld and not appearing Deft fined $250 for not keeping the road in repair and Judgt for Costs

Comth v Norman Deft Calld not appearing fined $5 for swearing one profane oath & Judgt for Costs

Comth v Showalter Discharged.

Overseer Poor v Lambert.
Same . . v Tapply
Same . . v Lowry } Continued
Same . . v Cummins

Dove v Grove Affirm Judgt set aside prayer for the bail & Sfa Continued

Bywaters v McGahey &c Affirm Judgt set aside Capt and Sfa & Continued

Waller v Wright (3 suits) Affirm Judgts set aside prayer for the bail & Sfa and Continued

Fawcett v Gay Affirm Judgt set aside prayer & Sfa and Continued

Same v J. Harrison Jr. Bywaters Sfa Bail Affirm Judgt set aside Capt & Sfa and Continued

Fawcett v N. Bolton Asher Waller mon Sfa Bail The same

Fawcett v Mallowey Jr. Bywaters Sfa Bail same

Graham v Hamilton Johns Bywaters Sfa Bail . same

Lane . . v Miller Jr. Bywaters Sfa Bail . same
Affirm Judgt set aside as to the appearance bail

~~County~~

County v Heyth &c Offrs Judgt set aside and disp.

Fawcett v Dalton Offrs Judgt set aside & payment for the bail & Sheriff continued —

The Last will and Testament of Andrew Shankles decd was presented in Court and proved by the oaths of Henry Gambell and William Wheeler, and ordered to be Recorded, and on the Motion of the Executor therein named ~~Peter~~ who entered into bond with Security and made oath thereto as the Law and a certificate is Granted them for obtaining Probate in due form, and It is ordered that Henry Fulweiler, John Gray, John Cummins & Jacob Leggett or any 3 of them being first sworn do appraise the estate of the said decedent and make report to the Court

Ordered that the Overseers Poor bind Lethe Collens (a free Mulatto) aged 11 years the 4th day of May 1812 to Elizabeth Shankles, as the Law directs. who agreed to give her ~~for~~ for freedom dues Seventy Dollars —

Ordered that the following allowance be made for Keeping property taken under executions for the year 1812 to wit. 20 Cents per day for each Slave, 12½ cents per day for each horse, or Mule, 9 Cents per day for each head of horned Cattle or Hog, and six Cents per day for each head of Sheep or goat, which is ordered to be certified

Dennard v Cochran &c Offrs Judgt set aside (by Consent) payment & fees and Costs.

Dyer adm v Harrison &c plea ward and Judgt. confess as per note with Interest & Costs saving equity

Adams v Rachford &c . . . . same

Frialy v Lash . . . . . same

McCoy v Reed &c . . . . same

Rice v Bateman . . . . same

Letts v Grove . . . . . same

Dennons adm v Robs . . . . same

Gelmon v Neels . . . . same

Neill v Breshell &c . . . same

Spangler v Neels It appearing to the court that the Plaintiff is Dead By consent is agreed that this suit shall stand and be revived in the name of the administrators of the said Spangler deceased.

Present

John Ewing Absent George Newton

Counts v Snapp on presentment of the Grand Jury for not keeping the road in repair, parties heard and Deft fined $2.50, and Costs —

Present George Newton

Harbarger v Burin continued for Deft

Woods v Huber Continued

Smiley v Arnow &c Continued

Rachford v Penn Continued

Reed v Harrison Continued

Harrison vs Bear Continued.

Bright vs Krupserow continued

Roler vs Stouttemire Continued for award

Leonard vs Funk Continued

Scott vs McAfee Continued.

Watters vs Mathews Continued—

Roland vs Deupp Continued for Deft.

Slutts vs Done Continued for award

Lease vs Funk Continued

Campbell vs Crouse Continued

Cocrowe vs Krobers adms Continued.

Bolton vs Gilmore Continued

Carrol vs Grady Continued

Brownlee vs Watson Continued

Rohr vs Smith Continued for Defendant

Williamson vs Myrick Continued

Shepherd vs Roalson Continued

Burns vs Stanaly &c Continued

Miller vs [redacted] Continued

Fletcher vs O'Roark Continued

Myers vs Philips Continued

Armentrout vs Lusk Continued

On the Motion of Charles Lewis Sheriff of this County. William Fletcher is appointed his Deputy and Sworn accordingly —

Ordered that William Fletcher be appointed Keeper of the Court house of this County, in the room of Andrew Shanklen decased. which term is to commence from this day

Ordered from Newton and wife to Davis, acknowledged. before two Justis in the County of Nelson and State of Kentucky and certified & Recorded

The Court proceeded to make the following distribution of the sledges purchased for the use of the Overseers of the road in this County which is as follows

4 for the use of the Several Overseers of the Roads leading into Harrisonburg. which Sledges are to be appointed and Kept by the Jailer of said County

2 for the use of the Several Overs of the road ~~leading~~ from Harrisonburgh to ~~where~~ New Market beginning at Norman Lofland's bounds and to continue to the intersection of the said road with the Keefell Town road, which are to be Kept at Howards old place

One to the overseer of the road leading to Miller Iron Works. Between Miller Draft and Colo. Harrisons to be Kept at Doctor Harrisons

2 for the use of ~~[illegible]~~ the Overseers of what is call'd the Keefells Town road. One to be deposited at John Snapp Jr and the other at John. Brocks

One for the use of the overseer or Overseers of the road leading to Denton's New Mills, beginning at Jeremiah Warrens. which sledge is to be

disposed of Martin Burtholder — and it is further that Archibald Rutherford in whose possession the said sleays are deliver them to the person aforesaid on application —

Ordered that the Court be adjourned untill the 3rd Tuesday in November Next.

Eyt Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 17th day of November 1812

Present

Eyt Harrison, Joseph Bartlet. Archibald Rutherford & Thomas Moore . . . S G Gentry

An appraisment bill of the estate of Henry Krieg dec'd returned & O R

A Settlement of the estate of Henry Krieg dec'd returned & O R

A Deed from Benjamin Bowman Exr to Charles Brown for land lying in the state of Ohio, acknowledged & ordered Certificate Ordered to be Recorded

A Deed from Salvage to Harrison proved by the oaths of Robert Mathews, Samuel Newlin & John Salvage & O R Recorded

A Deed from Nowlandshell & to Heggans acknowledged by Nowlandshell and by Landis Heggs, wife acknowledged & O R

The Non cupitive will of Peter Burtholder dec'd was presented in Court and having been duly proved & certified in the County of Lancaster in the State of

Pennsylvania. and ordered to be Recorded
and on the Motion of Peter and David Burkholder
administration of the estate of the said deceased Peter
Burkholder dec'd is Granted them with the said
will thereunto annexed, who entered into bond with
Security, and made oath thereto as the Law directs.
and It is ordered, Jacob Rife, John Rader, John
Shaver & Michael Trout or any three of them being
(P). first sworn do appraise the estate of the said Decedent
and make report to the Court

(A) Also bill of the estate of George Moore dec'd Returned
& Ord

On the Motion of Abraham Bowers and Rachel
(B) Lotsey and administration of the estate of William
Lotsey dec'd is Granted them. they having entered
into bond with Security, and made oath thereto
as the Law directs. and It is ordered that John
Moore, Henry March, Daniel Mathews and Reuben
(B). Harris or any three of them being first sworn
do appraise the said estate and make report to
the Court

(B) Power from Jas. Burgess &c to John Carothers
Jr. proved by the oaths of Josiah Emmett and
Chas W. Carothers & Ord

(C) Deed from Eversole to Burkholder acknowledged & Ord
& Release from R. Gray to said Burkholder thereto annexed.
Deed from Settlement the Settlers of the estate of Phelps
(C) Rymel dec'd & Ord

(H) Ordered that the Overseer of the Poor bind Polly Thompson
(P) a base born child of Betsy Thompson born to
Abram Audis, she being 6 years old the last day
of June 1812 who agreed to give for freedom dues
$20

Ordered that the overseers Poor bind Susanna Bright a poor child of John Bright aged three years the 5 day of March 1813, to Geo. Cager as the Law directs. who agrees to give her freedom dues $15 Dollars

Ordered that the overseers Poor bind John Strouths poor child of — Strouth aged 7 years the 25 December 1812 to Jacob Eckart to learn the trade of a Tayler as the Law directs who agrees to give him $15 for freedom dues

Ordered that the overseers Poor bind Nancy Kyser base born child of Nancy Kyser aged 5 year the 1st of March 1812 to Barbara Pickering as the Law directs. who agrees to give her freedom dues $20

An appraisement bill of the estate of James Scott decd returned & Ord

A sale bill of the estate of James Scott decd returned & Ord

A settlement of the estate of James Scott decd returned & Ord

A Deed Douglap dec to Owens proved by the oaths of John Carthrea Jr & Benjamin Lewis & Ord

An appraisement bill of the estate of Adam Hilter Deceased decd returned & Ord

Rec'd from Dudlow &c on a Note Bond Notes proved as to Dudlow &c and Note acknowledged by Carthrea Exor & Executors awarded

Rec'd from Jones &c on Note Bond Notes proved Exors and Executors awarded

A Deed from Smiley to Lewis proved by the oaths of Alexander McCarty and Mark Newland & Ord

Saml. McWilliams Atty produced his acct. for Public Service for the last year which was examined & allowed & Ordered to be certified

Ordered that Jacob Roads be appointed overseer of the road Beginning at the ~~entrance~~ end of leading from the main Kepell town Road passing Mathias Stevens Mill leading to the old furnace. Beginning where the said Road intersects with the said Kepell town Road, and from thence to the Mountain run and that all the Tethables within one Mile on the West side of the said Road, and all the tethables between the said Road and the Mountain, as low down as Lewis Stephens and John Marsh be allotted for his Gang to open work thereon and keep the same in Good repair.

Ordered that Abraham Layman be appointed overseer of the balance of the said Road. Beginning at the Mountain run and from thence to the said old furnace, and that all the tethables within one Mile of the west side of the road, and all the tethables between the said road and the Mountain on the east side be appointed for his Gang to open the same and work thereon &c

On the Motion of Joseph Byerly who owns the Lands on one side of the North River ~~opposite~~ is Desirous of building a Water Grist Mill on his said Lands, and to abut his dam agst the Lands of George Coogler who owns the lands on the opposite side, (the bed of the river belonging to himself or to the county) Notice of this Motion having been given to said Coogler, It is ordered that a writ of Adjured Damm be awarded them, to be directed to the Sheriff and to

be executed on the 28th day of this month
returnable hereto to December Next.

Present.

Peachy Harrison

Polly Baker, who was committed to the Gaol of this County by George Dove a Justice of the Peace of the County of Rockingham, on Suspicion of felony and stands charged with feloniously Murdering or destroying her Infant Child and for her examination a Court was ordered to Meet on the 10th day of this Instant but which Court did not Meet) was led to the bar in custody of the Jailor and being arraind and charged with the felony plead Not Guilty, whereupon sundry Witnesses were sworn and Examind, to wit Elizabeth Slater, Mary Petchey, Elizabeth Baker and Peachy Harrison and the said Prisoner being fully heard in her defence by her attorney. The Court upon Consideration of the Circumstances of the Case as it appears to them are of the opinion that the said Prisoner is not Guilty of the offence whereof she stands charged, and that she be acquitted and discharged of the said Murder—

On the Motion of John Tinsley executor named in the Last will of Daniel Tinsley dec. who entered into bond with Security, and made oath thereto as the Law directs a certificate is Granted them as the Law directs for obtaining a probate in due form

Ordered that one of the Public Wages appropriated for the use of the Several Overseers of the Road leading into Harrisonburge be assigned for the use of the Overseer or Overseers of the

Road ~~and~~ Call'd the old Mountain
Road, and that the said Sleeper be Appointed
at Abney Swamp, ——

Ordered that the Court be adjourned untell
the 3d Tuesday in December Next

E. G. Graves on

Tuesday to wit

At a Court held for the county of Rockingham and
the 15th day of December 1812

Present.

Ezekiel Harrison, John Ewell, George Done
and Jacob Kyser . . . . . J. G. Justices

Deed from A. Newman to Graves & Trustees
acknowledged & R

On the Motion of John Williamson, who
took the several oaths prescribed by law is admitted to
practice as an attorney in this Court.

Deed from Whitzel Lee to John Whitzel proved
by the Witness thereto which with the Commission
thereto are ordered to be Recorded

Deed from Ludwick Lee to Bowman acknow
ledged & Commission & Schowledgt taken & R

Deed of Trust from John Bear to Cocanour
in trust for Polly Winger acknowledged & R

The Last will and Testament of Michael Whetmore
dec'd was presented in Court and proved by the oaths
of Aaron Solomon & Susanna Solomon & Recorded
and on the Motion of the Executor therein named
who entered into Bond with Security, and made
oath thereto as the Law directs, a Certificate is

Granted them for obtaining a probate in due forme
and It is Ordered that Aaron Solomon, Michael
Miller, Jacob Blosser & David Lincoln or any three
of them being first sworn do appraise the estate of
the said Deceased and make report to the Court

Ordered that the overseers of Poor bind Peggy Moore
poor child of Charly Lee Moore, aged 10 year the 1st
of March 1813 to Frederick Clark as the Law directs
who agrees to Give her for freedom dues $15

Deed from Doak & to Hopkins acknowledged & Certified from the
County of Jessamine in State of Kentucky & Ord

Orders that George Newton, Joseph Mauzy & Jacob
Bear or any two of them to examine state and
settle the estate accounts of John Peterfish and with
the executor and make report to the Court

Ordered that the overseers Poor bind Mellon Hammon
bare born child of —— who was formerly bound unto
Joseph Rogers, to Alexander McCarley to learn the
trade of a House Joiner, who agrees to give him
for freedom dues $15 the said Rogers appeared in
Court and agreed & relinquish his right to the
said Boy —

Deed from Depoy to Christman acknowledged
& Ord

Deed from Shepard ux to Fitch acknowledged & Ord

Overseers Poor v John Keys or McCoy as the father
of a bare born child of Polly McVey. the said Deft
appeared in Court and agreed to enter into McCoy
with Security for the Maintenance of the said
Bastard Child, ~~with the same of~~ and to pay to the

said Overseers Poor £42 in the following manner. £20 within two Months from this day and then £20 from that day ~~until~~ annually until the said sum of £42 be paid up, whereupon the said John Kerr with Michael Marsh & Peter Kincaid his Security appeared in Court and severally acknowledged themselves to owe and be indebted to his excellency James Barbour Governor of Virginia and his Successors in Office in the sum of £42 to be Levied of their respective Goods and Chattels Lands and Tenements and for the use of the ~~Coverts~~ Overseers Poor to be Reserved upon this Condition that the said John Kerr shall pay to the Overseers of the poor for the support of the said Child the said sum of £42, agreeable to the above order then this Recog to be Void

Graham v Catlett &c on Delt bond Notice proved & Execution awarded

Perry v Carthrea &c ..... same

On the application of Petition of Perry Wansbarger &c for a View for a Road leading from the Lynch View Gap road, leaving that road by the land of Christian Garber and to cross the North River near Wansbarger and Byerly Mill and from there through the lands of Adam Weis to the County line of Augusta. It is Ordered that Robert Gratton, Christian Garber, John Flora, Perry Smith or any three of them being first Sworn ~~and Sworn~~ be appointed to View the said proposed way for a Road and make report of the Conveniencies and inconveniencies to the Court

Ordered from Smith to Lewis proved by the oath of George Campbell & Daniel Lee

*

A Deed from J. Geary Exr to C. Geary proved by the oaths of Danl Bryan & Thomas Bryan & Ordered to be Recorded

Joshua Pestana appeared in Court and took the several oaths of office as a Justice of the peace for the County of Rockingham, which is Ordered to be Certified —

On the Motion of Samuel Miller It is ordered that Robert Grattan, William Fowler, and Adam Wire and Jacob C. Erwin or any three of them being first sworn be appointed to View a Road proposed to be opened by the said Miller Beginning at his forge on the South River and from thence to the County line of Augusta, and make report of the Conveniencies and inconveniencies attending the same to the Court

On the Motion of Henry Harnsbarger It is Ordered to be certified to the Register of Land office that Cuttip Phiser died and intestate, leaving Mary, Betsey Adam, Eve, Jacob, Barbara & Dolly Phiser his Children and Legal Representatives —

Ordered that David Long be appointed Overseer of the road in the room of John Meyer and and that the hands heretofore appointed to work on the said road be allotted him for his Gang to open work thereon and Keep the same in Good Repair —

Ordered that John Shaver be Recommended to his Excellency the Governor as a proper person to be Commissioned as a Major of the 2nd Battalion of the 116th Regiment in the room of William Bryan Resigned

Present
Peachy Harrison, and John Westcott
Absent John Ewen

Joe a Negro Man Slave belonging to the heirs of John Kepliger decead. who was Committed to the Jail of this County on Suspicion of Felony, and stands Charged with ~~Stealing~~ taking and carrying away Sundry articles to wit Cloaths and Mistles of the Value of the property of David Manger, ~~and upon which~~ (and for whose trial a Court was directed to be Called and held on the 7th of Instant But which Court did not meet) was brought to the bar in Custody of the Jailor and being arraigned and Charged with said felony plead Not Guilty, whereupon Divers Witness were Sworn and examined, and the said Prisoner being heard in his defence by George W. Harrison esquire (who was by the Court assigned his Counsel) the Court upon Consideration of the circumstances of the Case are of the Opinion that he is Guilty of Grand Larceny and for which offence must Suffer Death, and that he Return back to the Jail of this County, there to remain untill Friday the 22d day of January Next, and from thence to be removed to the place of Execution there to be hung by the Neck untill he is dead. It appearing to the Satisfaction of the Court that the said prisoner was on the 21st day of November 1807 ~~was~~ tried and Convicted in this County of Grand Larcy and reced the benefit of Clergy and the Court doth Value the said Negroe Joe to four Hundred Dollars which

is Ordered to be certified to the Auditor of Public accounts as the Law directs

Ordered that the Court be Adjourned untill the 3rd Tuesday in January Next

Wm. Harrison

At a Court Called and held at the Court House of Rockingham County the 21th day of December 1812 for the Trial and Examination of John Doursester alias John Smith ~~Charged with Felony and Stands~~ on Suspicion of Felony, and stands Charged with feloniously Stealing and taking away from Jacob Showalter & Christian Swadgardner, Sundry Merchandize to wit Cloth &c of the Value of Dollars.

Present

Ezekiel Harrison, George Huston, Jacob Kyser, Henry Welch, & Joseph Baxter . . . . J.G. Justices

The said Prisoner being Led to the Bar in Custody of the Jailor and being Charged with the Offence plead not Guilty, whereupon divers Witness were Sworn and Examined touching the said Offence, and the said Prisoner being heard in his defence, the Court upon Consideration of the Circumstances of the Case as it appears to them are of the opinion ~~that he is~~ Guilty of the said Offence for which he is Triable in the Superior Court of said County, and that the said Prisoner be Remanded to the said Jail, and there to remain untill discharged by due Course of Law,

Be it Remembered that on the 21th day of

December 1812. William M'Mahan,
Jacob Showalter, Christian Nindgardner &
Joseph Graham, appeared in Court and
severally acknowledged themselves to owe and
be indebted unto his excellency James Barbour
Governor of Virginia and his successors
in the sum of 100. Dollars each, to be levied
to their respective Goods and Chattles Lands
and Tenaments and for the use of the Comth
to be rendered. Upon this Condition Nevertheless that if the said William M'Mahan
Jacob Showalter, Christian Nindgardner and
Joseph Graham shall make there, and
each of there personal appearance before
the Judge of the Superior Court of the said
County on the first day of the next terme
(which will be on the fourth Monday in
April Next) then and there to give evidence
against John Nowlecker alias John Smith
the prisoner at the bar, and shall not depart
the said Court unlesse discharged by Law.
then this Recog to be Void &c

and the Court arose.

J. J. Harrison

At a Court Called and held at the Court house of Rockingham County on Tuesday the 29th day of December 1812 for the examination of John Reid on Suspicion of Felony and stands charged with felonious ly ~~Theft~~ Stealing and taken away from John Beal Sundry Goods to wit Spun Cotton, Coffee and Sugar, of the Value of Dollars

Present

Ezekiel Harrison, Joseph Barker, Asher Waterman, George Austin and Henry Welch . . . . . Esqrs.

The said Prisoner, being led to the Bar, in Custody of the Jailor, and being charged with the said felony, plead not Guilty, whereupon Divers Witnesses were Sworn and examined touching the said offence and the said Prisoner being heard in his defence, the Court upon Consideration of the Circumstances of the case as it appears to them are of the opinion that he is not Guilty of the Offence, ~~with~~ which he is charged and that he be Acquitted and discharged of the said Offence.

and the Court arose Ezk. Harrison

Tuesday to wit

At a court held for the County of Rockingham the 19th day of January 1813

Present

Ezekiel Harrison, Joseph Baxter, Thomas Moore & Jonathan Shepman . . . J. G. Justices

D A Settlem of the estate of Peter West dec'd Returned & Recorded

D An Inventory & appraisement of the estate of William Lesley Dec'd ord

D A Deed of Release from Shepman &c to Douglass acknowledged & ord

D A Deed from Stoutsenberger to Haugh acknowledged & ord

D.S. D An article of agreement made between John Terry & John Chrisman acknowledged by said Terry & ord

† Sally Peterfish orphan of John Peterfish dec'd came into court and made choice of John Strickler as her Guardian who entered into bond with security & as the Law Directs

D A Deed from Gelmore Lee to Fletcher acknowledged & wife acknowledged taken & ord

D A Deed poll from Short Lee to Bear & Strickler acknowledged by the parties wife acknowledged taken & ord

† Nancy Moore orphan of George Moore dec'd came into court and made choice of Thomas Moore as her Guardian who entered into bond with security as the Law directs

D On the Motion of Robert Erwin administration of the estate of Jane Erwin dec'd is granted

him, he having entered into bond with security and made oath thereto as the Law directs, and it is ordered that Benjamin Crow, Jacob Crow, Robert Magill and Isaac Magill or any three of them being first sworn sworn do appraise the estate of the said Decedent and make report to the Court

Morgan Moore orphan of George Moore and
× came into Court and made choice of Aquila
Byrd as her Guardian who entered into bond with
security as the Law directs —

D Deed of Release from Bear &c to Boucher
O.P. acknowledged by said Bear &c

D Deed from Boucher to Meadows acknowledged
&c

Mary Kessler orphan of Henry Kessler did came
into Court and made choice of Philip Bates as
× her Guardian, who entered into bond with surety
as the Law directs

Mary Stotesberry orphan of Jacob Stotesberry
× came into Court and made choice of Jacob
Rohr as her Guardian, who entered into bond
with security as the Law directs —

D Deed Trust from J. Dorsey to Harrison for
Jno Bynum proved by the oaths of Henry Gambrill
& Jeremiah Sullivan, and acknowledged by Harrison
&c

× D Deed Trust from Carthrea to Harrison for Daniel
Rogers proved by the Witness thereto and to Carthrea
and acknowledged by Harrison &c

Deed from Fletcher to Gambill for Gad Green acknowledged by the parties &c.

Ordered that John Lange be appointed overseer of the road in the room of Benjamin Lewis, and that the Hands heretofore appointed to work on the said road be allotted for his Gang to open work thereon and keep the same in Good repair

Overseers Poor v Markham on Mesne and by Consent. Continued until the Next Court

Deed from Neal to Shaver Sprinkle acknowledged & ordered to be recorded

Reid v Bateman &c on Delivered Note proved as to Bateman and execution awarded

Hudson v Lesueur &c Delivered Note proved and Judgment Execution awarded

G. Healy v Losh &c. . . . . same

Bywater v Losh &c. . . . . same

Ordered that Jacob Bear, Sinclair Kirtly and George Connor or any two of them do examine state and settle the estate accounts of Catharine Peterfish dec'd with the administrator and make report to the Court

Ordered that the Overseers of Poor bind Ann Glass poor child of Robert Glass, aged 6 years old the 29th October 1812 to George Michael, who is to give her 15 Dollars for freedom dues

Ordered that so much of the order made at Novemb Court last appointing Jacob Woods overseer of a road as Directs all the hands within one mile on the west side of the river, be amended so as to read all the tithables within one mile on the west side of the said road &c

Ordered that the overseer Poor bind John Leeba a poor child of Mathias Leeba, aged 8 years old in the present month to Peter Kelly to learn the trade of a Cooper, who is to have 15 Dollars for his freedom dues —

On the Motion of John N. Campbell. It is ordered that Arthur Davis James Perry. Williams Crawford and William Blair or any three of them Duely first sworn do View an alteration in the road leading from Brocks Gap to Millers Iron Works so fair as it runs through the land of the said Campbell, and make report of the conveniency and inconveniency attending the same to the Court

Deed from Moore &c to March acknowledged &c

Ordered that Martin Whitmore be appointed overseer of the road, Beginning at the Lower end of the Widow Perry place, and from thence to the North River in the room of John Shupp, and that all the tithables within two Miles on each side of the said road be allotted him for his Gang to open work thereon and Keep the same in Good repair

Ordered that the overseers of the poor bind Joseph Fuseniger base born child of Mary Fuseniger aged 4 years the 15th. day of February Next to Martin Mark to learn the trade of a Cooper who is to have for freedom dues 12 Dollars

Deed of Bargain & Sale from Gordon M'Williams and Martha his wife to Hugh Brotherton proved by the oaths of Jacob Leggett, John F. Effinger and Henry J. Gamble, and acknowledged by the said Martha she being first privily examd, and ordered to be Certified to the County of Franklin in state of Pennsylvania.

Deed from David Roalston and Sarah his wife to Benjamin Coplen, was presented in Court and acknowledged by said Roalston & wife. she being first privily examd, and ordered to be certified to the County of Harrison

Deed from J. Douglass Esr to Miller acknowledged & wife acknowledgd taken 50/

Deed from same to Daniel Miller .. same

Present
Jacob Kysor, & Jacob Bear.
Absent
Joseph Baxter & Jonathan Shipman

An instrument of Writing from John Snapp Jr and wife to Peter John Cook purporting to be a Deed of Release, acknowledged & wife acknowledgd taken 50/

Deed of Mortgage from Joseph Miller to John Sutherlin acknowledged & Recorded

Deed Trust from Spitzer to Shaver & Ux Trustee for Dead acknowledged by the Grantor 50/

Ordered that Daniel Rager pay unto Henry J. Gamble $23.25 cents. out of the Deposetums due in his hands, for Sundry blank books furnished for the use of the County. as per account Rendered

Committed to Solomon Bowers on a Recognizance for a Breach of the peace on the Complaint of John Fisher Jr. parties heard and Dismissed at the Cost of the prosecutor.

Ordered that all the causes now on the Docket be continued untill the Next Court.

Ordered that the Court be adjourned untill the third Tuesday in February Next

Jas. Harrison

Tuesday to wit

At a court held for the County of Rockingham the 18th of February 1813

Present

Ezekiel Harrison Joseph Carter
Archibald Rutherford Walter Kane & G Gustin

Ordered that the Court be held in the Clerks Office on Thursday the 18th day of this Instant and on the days after the 3rd Tuesday in March and April next as the Law directs

A Deed from Black Fox to Denton, acknowledged in the County of Fairfield and State of Ohio and duly Certified & Recorded

Delilah Johnson Orphan of Samuel Johnson dec came into Court and chose of John Hoge her Guardian who entered into bond with Security as the Law directs

A Deed from Coffman Fox to Good acknowledged & ordered to be recorded

Butts Rankin & Jas Rankin Affidavit of [illegible]

A Deed from Keplinger Fox to Deighey acknowledged & ordered to be certified to the county of Warren in State of Ohio

Grand Jury Sworn to wit for the said County to wit Samuel Chandler foreman, William Harrison, Christian Teter, Henry Eyman, William Fowler, William Beard, David Hyle, John Dallas, Aaron Hyle, Peter Sprinkle, William Rice, John Perry, John [illegible] Rankin, John Rush, Jacob Miller, George Peters and Isaac Fife

who Returned their Charge and Retired from the bar to Consult of their presentments, and after some time Returned into Court and made the following Presentments to wit. We present Jacob Thornton Esqr. and nothing further appearing. It is ordered that the said Grand Jury be discharged and that Summons do issue on the said Presentments against the said Defendants Returnable here on the last day

Ord from Smelser to Boar acknowledged &c

On the Motion of James Gilmore. It is ordered to be Certified that he has resided in this County for one year and is of Good Character, and upwards of 21 year of age.

Ord from Smelser Sen to Gilmore acknowledged &c

On the Motion of Peter Runkle administrator of the estate of his Mother Mary Runkle decd is granted him, he having entered into bond with Security and made oath thereto as the law directs and it is ordered that John Sellars Stephen Conrad John Cook and John Eaton or any two of them do ~~appraise and settle the~~ Appraise the estate and account of the said Mary Runkle and make report to the Court.

Sparglus ads Mathey Joseph Cravens Ejectment

Verses Poor & John Harshman on a Recognizance as the father of a bastard Child of Susanna Armstrong this said Defendant appears in Court in discharge of his Recognizance and the Court having heard the evidence, doth order that the said Defendant enter into a Recognizance for the sum with Security to his excellency James Barbour Governor of Virginia

in the sum of forty two pounds payable to the Overseers of the Poor of the said County in the following manner to wit. 20 Dollars within one Month and then 20 Dollars annually from that day untill the said Sum be paid to indemnify the said parish for the support of the said bastard child, and that he enter into and ~~acknowledge~~ said Covenants untill he enters into such Recognizance. Whereupon the said John Harshaw with Cherubim Harshman and George Harshaw his Security appeared in Court and severally acknowledged themselves to owe and be indebted to his said Governor, payable to the above order upon condition that the said John Harshaw shall pay to the said Overseers the said sum of £20 within one Month and 20 Dollars annually from that day untill the said sum of £42 be paid to indemnify the said Parish from the support of the said bastard Child then the said Recogz to be Void &c

D. Mary Harrison v. Rea and Mathews on a Sepa. for Rent. Stories proved as to Mathews and Deeds and Executions are accordingly

C. Donaghue ens v. Bateman Farris Gladden Gibbais offers Recogz set aside pays the Costs

C. Deer v. Huffman Jacob Rowdenbush Gibbais

C. Connuth v. Carthred fr. Certiorari

C. Abel Snow Taylor to Williamson further proved by the oath of Saml. Coffman and says to be Certified

C. Davis v. Lawson dismd agreed

Comth v Archd Loker Jury sworn to enquire try the Issue to wit Williams Wheeler, John Ryan, John Gather, Joseph Davis, Gordon Rogers, Amos Moore Conrod Custis, John Carthrew Jr Samuel Perry Adam Losh, Jacob Roads, and Solomon Persley & Verdict that Deft not Guilty & Judgt.

Comth v Davis & Marshman NG as to Davis and Issue & Jury sworn to try the Issue. the same Jury as in the Comth vs Archd Loker Verdict. the Defts Guilty and amerce 1 Cent each and Judgt

Comth v Evelsizer Dismissd by order ally for Comth

Comth v Gelmore NG & Issue and Jury sworn to try the Issue to wit, John Miller, Lewis Bolling Stephen Conrod, John Salvage George Leonard, Jacob Persley, William Seitz, Daniel Murphy Volentine Bolton, Michael Dever, Zepheniah Wade and H. Boling Verdict Defendant Not Guilty & Judgt.

Fletcher v Adams &c on a Deily bond. Notice proved and Continued until to Morrow.

Comth v Bright on a presentment for being arrest Deft called not appearing fined 5/ accordily to Law. and Judgt for Cost

Comth v Bright on a Presentment for swearing two profain oaths, Deft called not appearing fined 10/ a. the Law directs. and Judgt for Cost

Ordered that the Court be adjourned until to Morrow Morning 10 Oclock

J. Davis

Wednesday to Wit

At a Court Continued and held for the County of Rockingham the 17th day of February 1813.

Present

Ezekiel Harrison, Peachy Harrison
Archibald Buthuford & George Dove . . & Q. Justices

Ordered from Thyle Lee to Fewell to acknowledge Deed

Bill of Emancipation from Reuben Harrison to Negroe Lucy was acknowledged

Comth vs Kyle Appeal and Jury sworn to try the same to wit John Carthrae Jr. William Lewis Reuben Harrison, John Linder, Alexander M Cartney, Christian Harshman, John Shaver Daniel Mathias, Isaac Fewell, Joseph Coconour William Wheeler, and Nathan Hall. Verdict Defendant Not Guilty

Fletcher vs Adam & ow a Debt Bond Defendant Call Judgment per bond, and Execution awarded.

Ewen vs Hall By consent the Judgment Rendered in this Cause is set aside and the Execution Stay thereupon is ordered to be quashed, and the cause is ordered to be redocketed.

Comth vs Kyser Jury sworn to try the Issue to wit Christian Shoualter, Henry Fewell, Joseph Fewell, Jacob Bloser, John Fewell William Sprinkle, Philip Weaver, John M Call Daniel Mantz, Mathew Kosh, Philip Hultz & George Carr. Verdict Deft Guilty and amerced $15 and Judgment

Commonth v Shoemaker absolutely Returned

Fletcher v O'Roark continued for Defendants

Comth v Bowyer N.G. & Issue and continued

Comth v Lincoln N.G. & Issue and Jury sworn to try the Issue to wit Frederick Kyle, Charles Pearce Silas Salvage, Philemon O'Roark, Joseph Davis Hugh Burris, Silas S. Foster, Jacob Roads Michael Dever, Henry Leonard, Peter Krieth & Gholswood Miller, Verdict for $7. 2½ cents amount and Judgment

Miller Bowman who was this day summoned to attend as a Juror, was solemnly called and not appearing, It is ordered that he make his fine with his excellency Jarvis Barbour Governor in the payment of $8. unless good cause be shewn for such his non attendance during the present Term

P. John Pickering ... The same

Alexander McCarthey ... The same

Comth v A. Kysor ... N.G. & Issue

and Judgment, Costs &c for the Costs.

Comth v Boyer N.G. & Issue Jury sworn to try the Issue to wit John Carthrae Jr. Williams Lewis, Reuben Harrison, John Dunmore, George Seits, Cheresbeus Harshman, John Shaver, Daniel Mathews, Isaac Lincoln, Joseph Cocconour, Williams Wheeler and Nathan Hall, Verdict the Deft Not Guilty & Judgment

Comth v Leonard N.G f Sfrs and Costs

On the Motion of Alexander M'Carthy, and for reason appearing to the Court it is ordered that the Sfrs this day agreed against him for non attendance as a Juror be remitted —

Comth v Josh. N.G f Sfrs and Jury sworn to try the same Christian Showalter, Henry Funk Joseph Tufield, Jacob Bloser, John Funk William Sprinkle, Philip Weaver, John Mackall Daniel Mentz, Philip Stultz, George Carr and Nathan Gunnel Verdict that the Deft is Guilty amercement $25 and Judgment.

Overseers Poor v Lambert Costs

Same v M. Tappy Costs

Same v Lowry Costs

Same v Cummins Costs

On the Motion of George Dove Esq it is ordered that he have leave to keep a tavern at his house in this County for ensuing the 1st day of May next he having paid to the Clerk $2.62 cents) on his entering into bond with Henry Garretts his Security in the Clerks Office as the Law directs.

Boon v Carthrew & Perkins William Lewis Gilbail

Same v Carthrew & Crouse William Lewis Gilbail

Lewelin v Carthrew & John Crouse Gilbail Office Judgt set aside and Sheriff pays Sfrs and Costs

Koontz v Carthrew & John Crouse Gilbail

Lane v Herring Jos Bywaters Ejectment office
Judgt set aside Rayt P Sfw & Costs

Scott v Herring Jos Bywaters Ejectment office
Judgt set aside Rayt P Sfw and Continued

The same v same . . . . . same

Dodds v Henry &c on a Deby bond ~~Stated~~ ~~Rayt Bond~~
Notice prov. Judgt and Execution awarded.

~~Ordered that the Court be adjourned until~~
~~to Morrow Morning 10 Oclock~~

On the Motion of Isaac Lincoln, and for
reasons appearing to the Court It is ordered that
Abner Swany, who was Summoned to attend this
day as a Witness for said Lincoln at the suit of
the Court be fined in the sum of $10, unless
good cause be shewn for such his non attendance
at or upon the Next Term ——

Ordered that the Court be Adjourned until to
Morrow Morning 10 Oclock

Wm Harrison

Thursday to wit,

At a Court Continued and held for the County of Rockingham the 18th day of February 1813

Present

Asher Waterman, Archebald Rutherford
Jacob Kysor & George Dove ... Esq. Justices

Spangler adm'r &c. vs. Ex's. &c. Bywaters Sp. Bail offered
Escape set aside as to the appearance bail

Foster vs. Adams Deft appeared in Court and
Confessed a Judgt for $37.32 Cents with Interest from
the 18th February 1813 besides paid Costs

Penn vs. Landsman Ex's. Bywaters Sp. Bail offered
Escape set aside as to the bail

Marshman vs. Messer &c. ... same

Koontz vs. Keefer ... same

Doak vs. Henry ... same

Dove vs. Grove Plea was & Judgment Confessed
as per Specialty with Interest and Costs saving &c. equity

Sheetz vs. Boyer &c. ... same

Walter vs. Wright ... same

Waller vs. Wright ... same

Waller vs. Wright ... same

Fawcett vs. Gay ... same

Fawcett vs. Harrison ... same

Fawcett vs. Bolton (Costs and no execution &c.) ... same

Fawcett vs. Mallowny ... same

Fawcett vs. Dalton ... same

Coyle ... vs. Messford ... same

Graham vs. Hamilton ... same

Burner v Grady Offic Judgment set aside, and
C dismiss agreed as the said Defendants Costs.

Otterson v Carthrae &c By leave of the court the Defts
C file a Special plea in bar to the Pefts action. to which the
Defts file a Special Demurrer, and Joinder,

C Bolton v Gelmore dismiss agreed

C Myer v Philips Dismiss by order of the Plaintiff

C Philips Shoemaker v E. Shoemaker dismiss agreed

C Burgett Ex v Leghtner Continued

C Miller v Norman Ft. E set aside N. A & Issue and
Continued

Otterson v Carthrae &c on a Demurrer to a Special
C plea. The Matter of law arising on the said plea and
Demurrer, having been argued. It seems to the Court that
the law is for the Defendants, and that said Demurrer
be overruled and the Cause is Continued.

Present
George Hunston & Jacob Bear

Absent
Richard Waterman & George Ware

Harshberger v Burns Issy Sworn to by the Jurors
C to wit Isaac Shepman, Jacob Eversole, Gurdon
Leeds, Alexander M'Carthy, Mathew Watson, Jacob
M'Gee Sr, Peter Effinger, Jacob Koontz, Garret
V M'Campbell John Salvage, Nathaniel Gunnel
and John Roland. Verdict for Defendant and
Judgment.

C Woods v Huber Defts Call'd and Not Appearing
Suit dismiss at the Costs of the said Plff.

Co Pallow v Weaver Dismiss'd agreed

Co

Felix v Erskins & Custer In Chancery.

This Cause Came on to be heard the 18th day of February 1813 on the bill & answer of the Defendant Custer and the exhibits and it appearing to the Court that the Order of Publication as to the Deft Erskins made at March Court 1812 has been executed and the said Deft Erskins still failing to enter his appearance and give Security for performing the decree in this Cause, and it appearing to the satisfaction of the Court by the Mortgage in the bill mentioned and filed in this Cause, that the Deft Erskins is indebted to the Complainant in the sum of £13 11 8 with Interest from the 20th of February 1809. It is therefore ordered that the bill be taken for Confessed as to the Deft Erskins, and it appearing by the answer of the Defendant Custer that he is indebted to the Deft Erskins in the sum of £100 due the day of April last. It is therefore further Ordered and decreed that the Deft Custer do pay to the Plaintiff the amount of the Debt and Interest aforesaid, and the Costs of the suit, The Complainant first Executing a bond in the Clerks Office with Joseph Baxter his Security, Conditioned for their abiding and performing such future Order as may be made for refunding the amount of this decree, or any part thereof to the Deft Erskins, upon his appearing and answering the bill of the Complainant — and it is further Ordered that the Deft Custer be Exempted by the Deft Erskins in part of the £100 due him as aforesaid for the amount which he shall

pay the Complainant in pursuance of this decree, or, so much of the principal of the said Debt upon which sum no interest, shall be charged by the ~~Defft~~ ~~Courts~~ said Cretin, and that the Defft Cretin have a like Credit for his Costs of defending this Suit.

Deed for Personal Property from Jos. Veits to L. Foster acknowledged in Court

Deed between L. L. Foster and Joseph Veits acknowledged by the parties in Court

Shepman v Rocalton The Defendant by leave of the Court files a special plea to which the Plff attorney replyes Generally and Issue and Jury sworn to try the Issues to wit. Daniel Mentz, Martin Beckholder, Thomas Shanklin, Daniel Mathews Gad Gelliard, Benjamin Vanpelt, Jacob Rohr, William Spangler, David Wallace, George Seitz, John Grady and Philip Weaver, Verdict for the Plaintiff for $35. Damages & Judgment thereupon the Defft moved the Court for a New trial which Motion was overruled —

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

A. Waterman

Friday to wit

At a Court Continued and held for the County of Rockingham the 19th day of February 1813.

Present

Asher Waterman, Archibald Rutherford
Jacob Kyser and George Dove } Esqrs Justices

Rachford v Perren Continued
Smely v Arnow &c Continued
Harris v Bear Continued
Bright v Kings adms Continued
Roler v Houllenus Continued for award
~~Waltermire v Hedges~~ Continued
Huch v Dove Continued for award
Lear v Funk Continued for award
Bowman &c v Watson Continued
Burns v Hanaly &c Continued
Shaver v Neese &c Mary Grumbles Gilbais Office Judgt set aside pays Costs and Continued
Harshman v Messick Office Judgt set aside payt and Costs and Continued
Graham v Sandy . . . . . same
Koontz v Neese . . . . . same
Newkirk v Miller . . . . . same
Bowman v Head Office Judgment set aside payment for the bail and Costs and Continued
Byerly adms v Davis &c discontinued
Byerly adms v Davis &c discontinued
Walter v Mathews Daniel & Nathan Gilbais plea by the bail ~~Office~~ Judgment set aside Mistrial, Issue & nothing Common Rule and Costs and Continued.

Rea v Harrison Jury sworn to try the Issue to
wit. Thomas Sulavin, Jacob Evensole, Robert Kelly
Philip Weaver, John Crumley, Philip Barton
Ff. wood Wells. Benjamin Harpeth, Michael Dever
Nathan Grinnels, William Pitsen and John
Sheales Verdict for the Plaintiff for £24 11 11/6
Damages and Judgment.

Ordered Snow Smelser Sur to Smell acknowledge Mise
acknowledgment taken & Recorded

Present.
George Hunter & Jacob Bear
Absent.
George Dove & Archibald Rutherford

Overseers Poor
vs
Aaron Dove } This cause came on to be heard by
the said Defendant has been duly recognized as the
father of two base born Children of Polly Heath and
the Court upon consideration of the circumstances of the
Case.

Overseers Poor
vs
Aaron Dove } charged with being the father
of two base born Children of Polly
Heath. In this case the father of the Defendant
came into Court and agreed that this case might be
taken up in the same Manner as if the said Polly
Heath had been present and had sworn the Children
to the Defendant, and the Defendant had been heard
and surrendered himself in discharge of his Recogn
and the attorney for the Overseers consented that the
Bill of Sale filed in this Cause signed by George
Sales and John Shaver, in the words and figures

Make up this
Hofy 126

following to wit. Rockingham County the 11th of January 1813 Pr. Should be Recd as evidence in behalf of themselves and all the other overseers of Poor of Rockingham County, whereupon the Counsel for the Defendant Contended before the Court that in as much as the Overseers of the Poor, who had instituted the prosecution, were Satisfied by the indemnity offered by the father of the said Defts. that the said Children would not become Chargable to the parish, that the said prosecution should not proceed. The Counsel for the Defendant Contineed further before the Court that in as much as it appeared by the Certificate aforesaid, that the said Children were now between 4 and 5 years old that they should not allow any Compensation for their Maintenance, Prior to this day but only for their future Maintenance, but the Court refused to inform the Counsel whether their allowance was for Past time or not, but determined that they would render the same Judgment as in all other Cases. It is therefore Ordered that the Defendant pay to the Overseers of the Poor of the said County the Sum of £8 in the following Manner, to wit. 40 Dollars on the first day of May next and then 40 Dollars annually from the last mentioned day until the said Sum be paid, to indemnify the parish from the support of the said Bastard Children and that he enter in Recognizance with Security in the said Sum of £8 payable to his excellency James Barbour Governor of Virginia and his

Successor in the said Sum of £84. payable in manner and form aforesaid, Whereupon George Done with John Krotzer his Security appeared in Court and severally acknowledged themselves to owe and be indebted unto the said Governor in the said Sum of £84 to be levied of their respective goods and chattles lands and tenaments and for the use of the ~~Court~~ Overseers of Poor to the Parish Next upon this condition that if the said Aaron Done shall pay to the said Overseers Poor the said Sum of £84 in manner following that is to say 40 Dollars on or before the 1st day of May Next and then 40 Dollars annually from the last mentioned day until the same shall be paid up ~~then~~ to indemnify the Parish from the support of the said Bastard Children then this Recgz to be void. From which Order and Judgment the said Aaron Done by his Attorney prayed an appeal to the first day of the Next Superior Court to be held for this said County and which is Granted him (on his ~~entering~~ and to be George Done who is considered by the Court as a ~~the~~ responsible person entering into bond with John Krotzer his Security as the law directs and which is done accordingly.

Baker & Hall & Phillips Ward and Rogers Esqrs as Justices Present with Priest and Cash sworn & qualified.

Ordered that the Court be Adjourned until the 3rd Tuesday in March Next

Geo. Hooton

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of March 1813

Present

Ezek Harrison, Joseph Bantz, George Keaton & Jacob Kysor ... Gent. Justices

Deed from Harpine &c to Wine acknowledged & ordered to be Recorded

Deed from Freeholders to Gelmore acknowledged & ordered to be Recorded

Deed from Keely &c to Keaton acknowledged & ordered to be Recorded

Deed from J. Nave &c to Huffman acknowledged & ordered to be Recorded

Deed from J. Nave &c to Price ... same

A sale bill of the Land of Isaac Dyson dec'd as sold by the executor ordered to be Recorded

Deed from Fultz &c to Fultz acknowledged & ordered to be Recorded

Deed from Bowman & Lehman &c to Beam ... same

An appraisement bill of Jane Erwin's estate returned & ordered to be Recorded

Deed from Bowman & Harrison &c to Wolfenger acknowledged by Bowman & Harrison, & ordered to be Recorded as to Harrison

Deed from Wolfenger &c to Wolfenger &c acknowledged & ordered to be Recorded

Deed from same to E. Harrison ... same

Peggy Fender orphan of Sarah Fender and came into Court and made choice of Samuel Chandler as her Guardian who entered into Bond with Security as the Law directs

A Bill of the estate of Christopher Brunton and returned & Recorded

A Deed from Maggart to Kerby. acknowledged & Rd

A Deed from E. Harrison Exr of G. W. Harrison to J. Bowman acknowledged by the said Exr & George & Recorded

A Deed from Sarah to Wolfenger &c ..... same

A Deed from Sarah to Wampler ..... same

Overseers Poor v. W. Campbell, on a Recog. as the father of a bastard born Child of Eve Forrester the said Defdt appeared in Court in discharge of his Recog. and the Court having heard the evidence do order that the said Defendant enter into a Recognizance with Security to his excellency Sarah Barbour Governor of Virginia, in the sum of £42, payable to the Overseers of the Poor of the said County in the following manner to wit $20 within one Month from this day, and $20 within six Months from the last mentioned date and then 20 Dollars annually until the said sum be paid, to indemnify the parish from the support of the said Child and that he shall comply with and give such Security — Whereupon the said William Campbell with William Bear his Security appeared in Court and severally acknowledged Recog

a Recognizance agreable to the above Order which is ordered to be Certified

Deed from Boughner &c to Sheffler acknowledged & R

Deed from Sheffler to Boughner acknowledged & Ordered to be Recorded

Deed from Mericle &c to Bushong acknowledged with a Certificate & R

A Settlement of the estate of Jacob Perkey dec'd Returned & Recorded

Deed from Gilmore & Brenaman &c to Mericle acknowledged & with a Certificate & R

A Plat and endorsed Survey ~~of~~ ~~by the~~ lines of the lands of Jacob C Erwin and Andrew Erwin, made by the Surveyor of this County having returned into Court, and the Court having examined the said Survey with the original and authenticated title papers are of the opinion that the same is Just and Reasonable and doth order it to be Certified to the Register of the Land Office as the law directs

An appraisement bill of the estate of Peter Burkholder dec'd returned & R

A Sale bill of the estate of Peter Burkholder dec'd Returned & Recorded

Deed from Weyer to John Roberts proved by the oaths of Richard Austin and Curtis Roberts, and ordered to be Recorded

On the Motion of Samuel Wesley executor of Lazarus Switzer and It is Ordered that Robert Porterfield, William Petrees and Sam Patterson or any two of them do examine state and settle the estate accounts of said Lazy Switzer, with the said executor and make report to the Court —

Ordered that the overseers of the Poor bind Augustus Shoemake orphan of Lewis Shoemake dec'd 9 years old in this present Month to Henry Palser to learn the trade of a Taylor, who is to have for freedom dues 20 Dollars

Ordered that the overseers Poor bind John Shoemake orphan of Lewis Shoemake dec'd 8 years old in August Next to George Harman to learn the trade of cabinet Smith, who is to have for freedom dues 20 Dollars

Ordered that the overseers Poor bind Sally Glass and Robert Glass poor children of Robert Glass, the said Sally Glass being 8 years old the 31 January last and the said Robert Glass being 5 years old the 2 day of July Next to Jacob Nicholas Jacob Kessling, the said Robert to be learned the trade of a cooper, and the said apprentices is to have 20 Dollars from freedom dues

An appraisment bill of the estate of Christopher Hunsicker dec'd Returned

Deed from Smith to Green further proved by the oath of Richard Austin & Ordered to be Recorded

Deed from Burgess &c to Carothers further proved by the oath of Curtis Roberts Ordered to be Certified

On the Motion of the executors of William Smith dec'd It is ordered that Joseph Fawcett, Archibald Rutherford and Asher Waterman or any two of them be appointed to examine state and settle the estate of said William Smith dec'd and make report to the Court and It is further ordered that the said Executors have leave to sell the real belt and appraisement belt of the said Deceased estate

Deed from Whitlock Lee to Lapp proved by the oaths of the Witness thereto and acknowledged by his said Wife, she being first duly examined &c

View and Report of an alteration in the road made on the Petition of John H. Campbell, being returned into Court which was examined by the Court and established agreable to the said report and It is further ordered that the owners of the said old road open work thereon and keep the said in Good repair and that of the said road is hereby discontinued

Ordered that Aaron Henry be appointed overseer of that part of the Mountain Road from the run at Thomas Gordon to dry River in the room of said Thomas Gordon and that he with the usual Tithables appointed to work on the said Road (with the addition of the Tithables of the following plantations to wit William Bradford, William Maggarns decd Andrew Bear & Thomas Gordons, and the Tithables of Phineas Swarts and John Locks) open work thereon and keep the same in Good repair, and It is ordered that so much of the order as directs any of the aforesaid Tithables to work on the dry River road be rescinded

A Settlement of the estate of George Blew dec'd returned and ordered to be Recorded

Ordered that the overseers Poor bind Nancy Glass poor child of Robert Glass 10 years old in July next. to Joseph Wilson as the law directs, who is to receive $20 for five dollars

Ordered that the overseers of the Poor bind Abraham Bonnet poor child of Michael Bonnet 10 years old in July next to Israel Aplan to learn the trade of Farmer, who is to receive $20 for five dollars

On the Motion of David Rockstow It is ordered that Jacob Burkholder, Martin Burkholder, John Ewen and Martin Bowman or any 3 of them being first sworn do view an alteration proposed in the road leading from Harrisonburg to Reuben's new Mill, Beginning at the end of the lane on said Rockstows land and from thence to the end of the lane between Martin Burkholder and Martin Bowman, and that they make report of the conveniencies and inconveniencies attending the said alteration, ~~[illegible]~~ thereof to the Court. —

On the Motion of Christina Moyer Widow of Jacob Moyer dec'd It is ordered that Henry Miller, Jacob Miller, Conrad Harnberger, and Jacob Peterfish or any three of them be appointed to lay off and assign to the said Widow her Dower in the lands of her said Husband and make report to the

Joseph Byerly

(a) George Coogler & on a Writ of Adquod Damnum to establish a Mill
By consent of the said Parties, Henry Vanbarger
(B) is acepted as party Defendant in this suit and
It is ordered that the said Defendants be summoned to appear here at the Next Court to shew cause why the said Mill should not be established agreeable to the request of the Jury

On the Motion of George Price who owns the lands on one side of Naked Creek, and is desirous of building a Water Grist Mill, and the land on the opposite side belonging to Michael Shooler Christena Moyer and Jacob Moyer, (who has received legal notice of this Motion) It is ordered that a Writ of Adquod Damnum be awarded him for the purpose of condemning one acre of Land for the establishment of the said Dam which is to be directed to the Sheriff, and to be executed on the 3rd day of May Next returnable as the Law directs

Ordered that the overseers Poor bind Michael Blose Orphan of George Blose dec'd 11 years old the 1st day of September next to John Millsbarger to learn the trade of a Black Smith who is to have for freedom dues 20 Dollars.

(a) Ordered that Isaac Waterman, Henry Welch and David Byram or any two of them do examine state and settle the estate accounts of Adam Loch dec'd with the administrator and make report to the Court

A Deed from Thornton Lee to Cuming acknowledged in open Court was ordered to be recorded

Ordered that Peachy Harrison, William Rice and Jonathan Shipman or any two of them do examine state and settle the estate accounts of Joseph Hamilton and with the executor thereof and make report to the Court.

A Deed from Snapp Jr. Lee to Snapp Jr. acknowledged was ordered to be recorded

A Deed from the same to Weston ... same

On the Petition of Thomas Buck Jr. It is ordered that John Snapp Jr. John Snapp Jr. John McCausland and Peter McCausland or any three of them being first sworn, do appoint & view an alteration proposed in the Swift run Gap road, by the said Thomas Buck to leave the Hamilton road a little south of said Bucks house running thence through said Bucks farm, passing his barn, leaving the Orchard to the right, in a straight direction until it falls on the line between Jacob Perley and said Bucks thence with said line in a straight direction on the line between McCausland and said Buck until it intersects the old road just above McCauslands fulling Mill, and that they make report of the conveniences and inconveniences attend the said way to the Court ___

Ordered that the ~~Sheriff of this~~ Sheriff summons James Brown to appear here at this Next Court to shew cause why his Children should not be taken away from him and be bound out, it being

suggested to this Court that by the overseers of the poor that he is not in Circumstances to raise and Educate them in a proper manner.

Campbell v. Reid &c. on a Delivery Bond Notice Says and execution awarded

Cp. Crisp v. Reid &c. Same

Ordered that Adam Yale be appointed overseer of that part of the Road call Grattans Road beginning at the Run at said Yates and from thence to where it intersects the Rocky Gap road, and that all the Tithables on the North East side of the said road within the said distance be allotted him for his Gang to open work thereon and keep the same in good repair and that so much of the order as appoints Adam Fancher overseer of that said road be rescinded —

Cp. & Def'ts Atty. A. Pickens this 19 March 1813.

The Court doth Recommend unto his Excellency James Barbour Governor the following Gentlemen as proper and fit persons to be Commissioned as Officers in the 116th Regiment of Militia as follows.

James Berry Captain of Cavalry in the room of William Ewin resigned

John Peoples first Lieutenant in the room of said James Berry

Benjamin Bryan Second Lieutenants in the Room of said Peoples

Berry Eyman Jr. Cornet in the Room of Hugh Rocks resigned

Abraham Bowers Captain (in the 2d Battalion) in the room of John Shanes promoted

John Taylor Lieutenant in the room of said Bowers.

Ephraim Salvage Ensign in room of said Taylor.

Abraham Rader Ensign in the room of Richard Carrier resigned

William Campbell Lieutenant (in Rifle Company in 1st Battalion) in the room of William Scott resigned.

Jeremiah Wade Ensign in the room of George Read resigned (in said Company)

On the Motion of Esther Burns It is ordered that Samuel Moffitt, Richard Thomas, Philip Kemp, and Jacob Good or any three of them be appointed to view a way for a road leading from the said Burns house to the most convenient place of intersection of the one of the Public Roads leading to Warrenton. and that they make report of the conveniency and inconveniency attending the said Road thereof to the Court.

Allowed from Gas Gilmore Dis to Waterman acct. [illegible] [illegible] [illegible] [illegible] 50/

On the Motion of Abraham Phelps It is ordered that Phelemon Moore be summoned as Guardian for Rebecca, John, George & Betsey Phelps to summon to appear here at the next Court to shew cause if any he can why the said Guardian ship should not be taken away from him and be committed to some other person. it being suggested to the court that he is waste the said estate

Present

Asher Waterman, Archibald Rutherford
Thomas Moore

Absent Joseph Baxter & Jacob Kyser.

John Carthrea Jr. appellant
agst
Henry Maier . . appellee } upon an appeal from a Judgment Recovered by the appellee agst the appellant on the 29th day of February 1812 before George Hunston esquire —

This day came the parties by their attorneys and the Transcript of the Record of the said Judgment being seen, and inspected, and the Court having heard the evidence, and argument of Counsel It seems to the Court that ~~the said Justice~~ there is no error in the said Judgment and proceeding, It is therefore considered by the Court, that the said Judgment be in all things affirmed and that the appellee recover against the said appellant his costs by him about his defence in that behalf expended.

Ordered that Archibald Rutherford, Joseph Fawcett & Henry Gambill or any two of them do examine state and settle the Guardian accounts of Ezekiel Harrison late Guardian for Elizabeth Neal and make report to this Court.

Ordered that Henry Gambill be and he is hereby appointed to examine the Gaol of this County and cause to have such repairs done to the same as he shall think necessary & the Public Good may require, and render an account of the expences to the Court.

Ordered that David Rayen Deputy Sheriff pay unto Henry Gambold 16 Dollars and 75 Cents for Sundry Blank Books furnished for the Office as per account rendered, out of the Money in his hands due the County.

Ordered that the Court be adjourned until the 2nd Tuesday in April next

E. Harrison

Tuesday to wit

A Court held for the County of Rockingham the 20th of April 1813.

Present

Ezekiel Harrison Archibald Rutherford
Jacob Wyser and Henry Welch . . Esqrs Justices.

A Deed from Benjamin Lee to Mohler acknowledged and which with the certificates of his wife acknowledgment & taken are ordered to be Recorded

A Deed from Seig Lee to Roach acknowledged, wife acknowledgment taken & ord

A Deed of Trust from Roach to Gambold & Trust for Penal Seig acknowledged by the parties & ord

A Deed from Dallon to Bruffy acknowledged & ord

Deed from Brady to Gambill for tract
for Dalton acknowledged by the parties &c

Deed from Shanks Exr to Shanks Jr. acknow
-ledged suit acknowledgt later &c

Deed from Shanks Exr to Chrisman acknow
-ledged suit acknowledgt later &c

Deed from Adams Penn &c to John Rush
proved by George Pearson & John Shultz as to
said Adams and acknowledged by George Penn
and acknowledged by them said Penn, ~~&c~~ they
being first sworn &c

Deed from Penn Exr to Penn acknowledg
suit acknowledgt later &c

And then the court be adjourned until
to Morrow Morning 10 Oclock

W: Harrison

Wednesday to wit

At a Court Continued and held for the County of
Rockingham the 21st day of April 1813

Present.

Archibald Fletcherford, Asher Waterman
Walter Davis & Reuben Harrison ... Esqrs

Deed of Release from Gambill to Allsopp
acknowledged &c

Deed from Dalton to Gambill in trust for
Henry Entwistle acknowledged by the parties &c

Of. Deed from Quieto Lee to Spitzer proved by the oaths of Henry Gambito, & John Waterman & Jos. Bynates, which the Jury examined thereto answer are ordered to be Recorded

Deed of Mortgage from Butler to Dehart acknowledged proved by the oaths of Archd Ruthyen Henry K. Cochran, and Henry Gambito Esqrs

Deed from Dehart Lee to Butler acknowledged with the Jury examination of this writs return are ordered to be Recorded

Deed from Miller Lee to Bolton acknowledged with acknowledgt taken Esqr

Deed from Miller &c to Shands acknowledged by the parties, wives acknowledgt taken and ordered to be Recorded

Deed from Long Lee to Long acknowledged wife acknowledgt taken Esqr

Deed from Long Lee to Long . . . . . Same

Deed from Lemesley to Showalter acknowledged & ordered to be Recorded

Deed from John Brock and wife to Solomon Neville, acknowledged wife acknowledgt taken and ordered to be Certified to Shenandoah

Deed from Byerly exrs to Turner acknowledged & Recorded

Sets fa Grove &c on a Delivery bond Notice proved and execution awarded

A Deed from Meredith Lea to Cook proved by the oaths of Asher Waterman, Isaac Lewis and Jacob Deary, which with the Privy examination of his wife returned and ordered Recorded

Fawcett vs Liggett &c on Note of hand acknowledged by the Deft and entered anew

A Deed from Andrew Cutter and Nancy his wife to Isaac Rowlston, & Mathew Rowlston Execrs of John M Dugal dec'd was acknowledged by the said Andrew, wife examined taken & Ordered to be Certified to Greenbrier Co.

Comth vs Solomon Shaver, who was committed to the Gaol of this County, for a breach of the peace on the Complaint of Henry Riddle. The said Defendant was brought into Court in Custody of the Gaoler, and the Court having heard the evidence It is ordered that he be bound to his good behavior towards all the good Citizens of this Comth for three Months, and that he enter into Recogz in the sum of one Hundred Dollars, himself in the sum of $50. and one good Security in the sum of $50. and that he be committed to the Gaol until he give the said Security—

A Deed from Black &c to Dovell acknowledged wife acknowledgt taken &c

A Deed from Dovell &c to Gambill (In Trust for John Black, acknowledg. by said Dovell

and wife, wife acknowledgt taken, and by the said Garrett and order to be Recorded

Order from Court to Dell. acknowledgt wife acknowledgt taken & ord

Ordered that William Fowler be appointed overseer of that part of the Road leading from Geneny's Gap to Swift Run Gap Beginning at the Augusta County line near Abram Irvine decd to the Mouth of the Lane near Jacob Rynas, and that all the Male Labouring Tithables within two Miles on each side of the said Road be allotted for his Gang to open work thereon and keep the same in Good Repair

The last will and testament of Layton Garrey dec'd was presented in Court, and was proved in Court and was proved by the oaths of Samuel M'Williams, and Thomas Bryan, (which is to the Codicil thereto annexed, which was also proved by the said Samuel M'Williams & Thomas Bryan,) are ordered to be Recorded. and on the Motion of the executor named in the said Will, who entered into Bond with Security in the sum of £10.000 Condition as the Law directs, a certificate is Granted them for obtaining Probate in due form. and it is ordered that Tobias B. M'Gehee, Henry Miller, Jacob Miller & Zebulon Pellam or any three of them being first Sworn do appraise the estate of the said Decedent and make report the Court.

On the Petition of William Cravens and Andrew Newman, It is ordered that William Dever Jacob Shipman and Philip Peter and Abram Smith or any three of them being first sworn do View an alteration proposed by the said Petitioners in the Road leading from Brocks Gap to Millers Town West so fair as it leads through the land of the said Petitioners, and make report of the Conveniencies and inconveniencies attending the said New Way, as also the Road as it now runs, to the Court

A View and Report of an alteration in the Road leading from Swift Run gap to Millers Town West, made agreable to the Petition of Thomas Brock, was returned into Court by the Viewers and the Court having duly examined the same It is ordered that the said alteration be established agreable to the said View and report, and it is further ordered that the said Brock have leave to Make the said alteration when the same is first in good repair by the Petitioner, and Received by the overseer of the present Road —

John Miller, who produced in Court a commission whereby he is appointed an Ensign in the 56th Regmt of the Militia and he having taken the oaths of Office before Jacob Baer a Justice of the Peace for said County, who is ordered to be Recorded.

A Deed from Rowlston Lee to Petrecto, acknowledgment was acknowledged taken and ordered to be Recorded

Ordered that the Overseers of the poor bind William Lewis a free boy of Colour being 18 years old in October last to Joseph Wooton to be instructed in the business of farming business, and that he have for his freedom dues fifteen dollars

On the Motion of Lucy Gilmore and for reasons appearing to the Court It is ordered that she be exempted from the payment of Revenue tax County and Parish taxes for a Negroe Girl named Sophianna,

Ordered that the overseers of the poor bind James Smith (who was formerly bound to Nicholas Leaf,) to Joseph Coedmore to learn the trade of Stone Mason, and Brick Layer, who is to have for his freedom dues $20, the said Nicholas Leaf having appeared in court and Consented to this Order

Ordered from John Yancey Esq to Bryan formerly the oaths of Benjamin Bryan, Joseph Mauzy & Jacob Bear, which with the Commission and Qualification of his office returned Certified, and Ordered to be Recorded

Present

Joseph Mauzy, & Henry Welch, & Ezekiel Harrison.

Absent

Asher Waterman & Peachy Harrison.

Mary Murry Orphan of Daniel Murry did came into Court and Made choice of William Preston as her Guardian who entered into and with Security as the Law directs

Joseph Byerly

vs

George Coogler &c } On a Writ of Adqued-
-dam. to Erect a dam across the South Fork
Working a Water grist Mill, the said Defendants
having been Summoned to Shew Cause why
the said Dam should not be Established agreeable
to the request of the Jury. and the Court having
heard the evidence, and argument of Counsel.
the Court upon consideration of the Circumstances of
the case are of the opinion that the said Byerly
have leave and Cause to Erect the said dam
agreeable to the said Inquest upon his paying
to the Defendant the Damages found by the
Jury, and Costs of prosecuting the said Inquest, and
agreeable to the said Inquest, upon
which Order and Decree of the Court the
said Defendants Magill and Vanswearger prays
and appeal to the Next Superior Court, to
be held for the said County, which is Granted them
and which is
entered into Bond with Security according to the Statute
Terms which is done accordingly

Ordered that all the Causes on the docket which
have not been tried or Continued be called
until the Next Term —

Ordered that Jacob D. Williamson, Daniel
Mathews & John Strayer or any two of them
do examine state and settle the estate accounts
of George Moore dec. with the Commissioners
thereof and make Report to the Court

Letters of Adm upon an Estate
Thomas Gibson appears in Court and enters

Sum of Spl bail, whereupon the Case is remanded to the Rule

Ordered that the Court be Adjourned until Court in Course

Tuesday ~~the~~ to wit

At a Court held for the County of Rockingham the 16th day of May 1813

Present.

Joseph Bartlett George Newton Jacob Kyser & George Dove . . . J. P. Justices

Ord from Rader to Painter acknowledgt & OR

Ord from A. Rader &c to Stoll &c acknowledgt & OR

Ord from Carr to Painter &c. acknowledgt & OR

Ord from Beckner to Foster fully proved by the oath of Carr May Ord and to be certified

Ord of Relief from Gambill to Deal acknowledgt & OR

Ord from Painter &c to Carr acknowledgt in acknowlegt Court & OR

Ord from Painter &c to Painter acknowledgt by all the parties in acknowlegt Court & OR

Ord from Rader Exrs to Hollis & Hopkins acknowledgt & OR in acknowlegt Court & OR

Deed from Dayton Lee to Miller acknowledged was acknowledged before

Deed from Deal Lee to Cook . . . same

Deed from Deal Lee to Boyer . . . same

Deed from same to Deal . . . same

Deed from same to Carmin . . . same

Deed from Hoover to Christ. acknowledged and ordered to be Recorded

Deed from Penn Lee to Rush fully proved by the oath of Barnet Peal as to Adam Penn ordered to be certified

An agreement between Saml Butler and Deborah Butler acknowledged & Paid a Mem.d thereto annexed by said S. Butler

Deed from David Miller Devisee to Nicholas Fertig acknowledged was acknowledged before and ordered to be certified to Shenandoah

Grand Jury sworn to wit

John Rush (Foreman) Henry Hammer, Henry Perry, John Fry Jr., Jacob Pirtey, George Hoofe Jonathan Taylor, John Mackall, Peter Brown Samuel Hemphill, John Dalton, Bearnard Peal, John Rader, Michael Fout, Joseph Krotzer Jr. Thomas Clark, William Shenfelo, Samuel Kyle, John Shepman, Jacob Rohs, Henry Shaver, and Peter Koontz. were sworn and impannelled, heard there charge and Retired from the bar to consult on there presentments and after some time Returned and made the following Presentments and Nothing further appearing, It is ordered that the said

Grand Jury be discharged and that process
Issue on the said Presentment returnable here at the
Next Court.

Deed from R. Harrison to Bloser acknowledged
&c Ack

Deed from Keplen Lee to Faddish acknowledged
Ack to be recorded taken &c Ack

Deed from A Dame to Gordon acknowledged &c Ack

Deed from the same to John &c. Krotzer . . same

Deed from Benjamin Bowman &c to Benjamin
Bowman acknowledged &c Ack

Deed from Lincoln Lee to Miller acknowledged
&c Ack

Deed from . . same to Dunlap . . same

Deed from . . same to Rader . . same

Two Deeds from B. Bowman Lee to B Bowman
acknowledged Ack Recorded taken &c Ack

Deed from Smith Lee to Yeats proved by the
oaths of Henry J Gambill. Asher Waltman and
Henry Welch, which with the privy examination
of his wife Returned are &c

Deed Smith Lee and Yeats Lee to M Miller
proved by the oaths of Asher Waltman, Henry
Welch and Henry Gambill, as to Smith, and
acknowledged by Yeats. Weber Returned Returned
&c Ack

Deed from Long Lee to Keppler acknowledged
Ack &c taken &c Ack

Adms from Stattlemire exrs to Kurtz acknowlgs 60¢

Adms from Lewis to Graham acknowlgs 60¢

Adms from Welsch to Streitiles acknowlgs 60¢

Adms from Streitiles exrs to Glenn acknowlgs age unps acknowlgs taxes 60¢

William Mathews orphan of John Mathews dec came into Court and chose of Daniel Peasling as his Guardian who entered into bond with Security as the Law directs

Ordered that David Golladay be appointed Guardian for Peggy Keplinger orphan of John Keplinger dec in the room of John Baker her former Guardian he having appeared in Court and consented to the same) whereupon the said Golladay entered into bond with Security as the Law directs

Ordered that Martin Whitmore, Adam Long, and Joseph Wayland or any two of them do examine state and settle the Guardian accounts of John Baker former Guardian for Peggy Keplinger orphan of John Keplinger dec and make report to the Court

Ordered that the overseers of the Poor bind Liddy Layman a Poor child of C. Layman, age 5 years the 18th of April last) to John Layman, as the Law directs. he having agreed to give her £15 for freedom dues

Bush v Clarkson &c Reuben Harrison Sp[ecial] Bail
Office Judgt set aside Sept[ember] Term and Costs

Overseers of Poor v Philip Bowers, on the complaint
of Elizabeth Beaver as the father of her bare
born child. the said Defendant appeared in Court,
and agreed to enter into Recognizance with
Security for the support of the said Bastard Child
in the sum of £42 payable to the Overseers of
the Poor of the County of Rockingham, in the
following Manner, to wit $20 within one Month
from this day and then $20 annually from that
day until the said sum of £42 be paid.
and that he stand Committed until he give
the said Security Whereupon the said Philip Bowers
with John Bowers his Security appeared in Court
and acknowledged themselves to owe and be indebted
unto his Excellency James Barbour Governor of
Virginia in the said sum of £42 to be levied of
their respective Goods and Chattels Lands and
Tenements and for the use of the said Overseers to be
Void upon this Condition Nevertheless that
if the said Philip Bowers shall pay to the
Overseers of the poor the sum of $20 within one
Month from this day and then $20 (from the
last Mentioned day,) annually until the said
sum of £42 be paid. then the above Recog[nizance] to
be Void &c

Ordered from Abraham Hamilton. George Hamilton
& Henry Smith attorney in fact for Zachariah Fields
to Christian Roleman, for Land lying in Pendleton
acknowledged by the said Parties and ordered to be
Certified.

Doyle v Burner, Derry Leonard Gfb bail.
offer Judgt set aside part of Jgt and continued

Comth v Leonard. on an Indict. the Defendant appeared in Court and confesses an Judgt for the Costs of this Prosecution

Comth v Jacob Shoemaker on a Presentment for an assault & Batter. . . . same

Comth v Derry Shoemaker. . . . same

Ordered v Sudlow & Heger. Jos Graham Gbail

On the Motion of Alexander Derring Survey or of this County It is ordered that Joseph Fawcett and Joseph Craven, do examine into the fitness and capacity of Benjamin Bryan Jr. to act as a Deputy Surveyor of this County, and make report to the court

Ordered that the Rules be held in the Clerks office on Thursday the 20th of this Instant and on the day after the third Tuesday in June and July Next as the Law directs

Comth v Carthrea on an Indictment for a Breach of the peace. this Prosecution is dismissed by consent at the costs of the said Defendant he agreeing to the same

Comth v Good & New Sum awarded

Comth v Williams. dismissed

Comth v Good & New Sum awarded

Comth v Long parties heard and dismissed

Comth v M'Creed abates by Return

Comth v —— Overseers of the Road from Mr Bartlets dismiss there being no Overseer.

Comth v Kessell Defendant Call'd not appearing Juror's Sf. for swearing the Oath and Judgm.

~~Comth v Kyger & al Informations to file~~

Comth v Rumsey & al Informations to file.

Overseers Poor v Lapsley Heard and dismiss'd

Same v Lowry ... dismiss'd

X Ord from Snapp Jr Esq to Kyle a Surveyor's Mess be Surveyor taken Oath

Ord from the same to J. Travers ... sworn

Dever v Seybert & Berry & Berry Gill Writ offer Snapp set aside pay Costs and Continued

On the Motion of Conrad Custer, Tobias B. M'Gahey, Peter Nicholas, Jacob Kyser, Matthew Watson & Jacob Persay Jr it is Ord'd that a Licence be Granted them to Keep a Tavern at their respective Houses in this County until 1st day of May 1814. they having paid to the Clerk each $16.75 cents, on their entering into Bond with Henry Gambill their Security as the Law directs

On the Motion of John Ring. it is ord'd that a Licence be Granted him to Keep a Tavern at his House in this County until the 1st day of May Next. he having paid to the Clerk $16.75. on his entering into Bond with John M'Causland his Security as the Law directs

On the Motion of Sam. Duff, It is ordered that a License be Granted him to Keep a Ferry at his house in this County for one year unless 1st of May 1814. he having paid to the Clerk $16.75 cents, on his entering into bond with Jno. Bywaters his Security as the Law directs

Joseph Graham the same, on giving bond with John Graham his Security as the Law directs

Tesher vs Hudlow. Benj. Grove & Nathl. Sweeter Gilbail Officers Judgt. set aside payt to stay one and Costs

Hardin vs Sweeter &c Aaron Hudlow and Benjamin Grove Gilbail Officers Judgt set aside payt to stay one and Costs.

Moller vs Sweeter &c Aaron Hudlow Gilbail Officers Judgt set aside payt to stay one & Costs

Order from Justices to Nestor, proved by the oaths of Asher Waltman, Benjamin Bywaters and John Cumming. which with the jury examination of his wife returned & filed are ordered to be Recorded

Counts vs Kyger dismissed by order of the attorney for the Commonwealth

Overseers Poor vs Cummins On a Summons to shew Cause why her step daughter Sally Bunster should not be taken from him and be bound out the said Defendant appeared in Court and being heard It is ordered that the overseers of the poor, take into his care and possession the said Child and provide a proper person to be Master or Mistress for her, and It is further ordered that the said Defendant pay the Costs of this prosecution —

Overton Poor vs Brown Continued

Abraham Philips vs O'Roarke Continued

Otto exrs vs Carthrae &c Leave given the Defts to file a General Demurrer and Continued

Roles vs Stoutenburgh Continued for award

Scott vs M'Kee plea non Indebitus Verdict for $54 with Interest at 6 per cent from the 1st day of August 1818 Int to said and Costs

Graham vs Hamilton, By consent of the parties by their attorneys, the Judgment rendered in this Case at the last term is set aside, and the execution issued on the said Judgm ~~is revoked, and the~~ is ordered to be quashed and the Cause is Redocketed.

On the Motion of Abner Sweezy and by Consent. It is ordered that the firm appears on him at the last Court for non attendance as Witness for Isaac Simon at the suit of the Comth be Remitted.

Stephens vs Leonard & Peter Leonard Gilbert

Deed of Mortgage from Deering to D. Smith & D. Magee acknowledged &c

Dever vs Cook Stephen Matheny Gilbert.

Ordered that John Shellman be appointed Guardian for Adam Terbough Infant of Adam Terbough for the Cause who entered into Bond with Security as the Law directs

$1000 vs County John County Gilbert offered Judgt set aside Judgt & Issue and Continued

V A Deed from Jos Craven Lee to Joseph Knapp for land lying in Hampshire, acknowledged & Surveyor's Return ~~&c~~ and ordered to be Certified.

On the Motion of Mary Ann Newton and Joseph Newton administrators of the estate of John Newton dec'd is Granted them they having entered into Bond with Security and made oath thereto as the Law directs, and it is ordered that Barnard Reid, Elias McCausland, John Penn (Red) and Peter Oyler or any three of them being first Sworn do appraise the estate of the said John Newton and make Report to the Court.

Copy Sent by Mail the 24 May 1813.

The Court doth Recommend unto his Excellency James Barbour Governor of Virginia, the following Gentlemen as proper and fit persons to be Commissioned as Officers in the 1st & 2d Battalion of the 58th Regt. of the Militia.

1st Battalion.

X Jacob Keplinger Capt in the room of Dunnican Davidson Removed

Robert Stoots Lieutenant in the room of said Jacob Keplinger Johan Newton Resigned

Henry S. Hoffman Ensign in the room of Jacob Keplinger promoted.

2d Battalion.

John Mallow Lieutenant (in Rifle Company) in the room of Jacob Engle Removed

Andrew Welsh Ensign in the room of said Mallow promoted.

Philip Huddle Second Lieutenant in Company of Cavalry in the room of Samuel Harry Resigned

379, M Eutaw

Appeal &c. Bugbee v King adm N. C by the intestate and
fully administered, Debt of superior dignity. M E Plea &c. General Replication and Issue.

Ordered that the Court be adjourned until to
Morrow Morning 10 Oclock

Joseph Baptist

Wednesday 10 inst

At a Court continued and held for the County of
Rockingham the 19th day of May 1813.

Present

Walter Davis, Giles Terry, George Dove
and Henry Welch . . . . . J. P.

Leary v Claybrook &c. agreed

Kyson v Wilson dismissed agreed.

Emily v Arrow &c. Continued for Defendants.

Harrison v Bear. M E &c. and Issue agreed Court
for $37.40 cents Damages with Interest from 12th September
1812 until paid, and Costs

Wedgmore Feaster Lease to Overly &c. Acknowledged
& Acknowledgment taken &c.

Rochford v Perce, upon a Demurrer to Evidence
This day came the parties by their Attorneys and the
Matter of Law arising on the said Demurrer being argued
& seem to the Court that the Law is for Defendant. It is therefore
Ordered that the Demurrer be sustained, and that the
Defendant go thence without day, and recover his Costs
about this Defence in that behalf expended. From which
Judgment the said Defendant prayed an Appeal to the
next Superior Court to be held for this County, and which
is Granted thereto him, on his entering into Bond & Security
during present Term.

Joseph Fawcett & Joseph Cravens who was appointed to examine into the capacity and fitness of Benjamin Bryan to act as a Deputy Survey of this County made a report that they had duly examined him, and found him duly qualified, whereupon he is admitted a Deputy Survey. he having taken the oaths of Office as the Law directs

Cagan v Overly Jury sworn to enquire of the damages to wit Richard Austin. Cuthbert Spangler, Peter Krupp, David Mathews, Jacob Persley Laurance Workman, Jacob Leggett. Henry Lisle, Christy Krotzer, Joseph Grahams, Philip Weaver, and George Roland. Verdict for the $30 Damages with Interest from 1st April 1800 into said Court

Ann Ireland orphan of William Ireland dec came into court and made choice of Samuel Gay as her Guardian who entered into bond with Security as the Law directs

Watterman v Deeds Office Judgm set aside dismissed agreed

Snodden v Smith (two suits) the dismission entered at the suits is set aside, and the Causes is remanded to the suits

Counts v Bonn Jury sworn to try the Issue to wit Richard Austin, Cuthbert Spangler, Peter Krupp, David Mathews, Jacob Persley, Laurance Workman, Jacob Leggett, Joseph Graham, Philip Weaver, George Roland, Christian Krotzer & Henry Lisle. Verdict the Defendant not Guilty

Koarty v Carthrew Offrs Judgt set aside paypt and Iffrs and continued.

Dever v Nicks Joseph Bywaters Gblbails offrs Judgt set aside as to the bail

Robough v Losh Joseph Bywaters Gblbail Offrs Judgt set aside ~~as to the appearance~~ paypt and Iffrs and continued

Present

Asher Waterman } Absent George Dove

Boughs v Krings adms Jury Sworn to try the Iffrs to wit. Wellcard Landy, Joseph Secrely, Thomas Payne, Jacob Bloser, Henry Feurst, Jacob Burkholder, John Feurst Philemon Roarks, John Roarks Martin Marsh, Daniel Mentz & Samuel Gay Verdict for Plff for $71.50 cents with Interest from 25 June 1809 Costs paid to be paid when assetts &c. and Judgt accordingly to the said Verdict.

Miller v Norman dismissed by order of the attorney and Judgt for Defendants Costs

Hull v Whisler dismissed by order of Plffs attorney

Betterton v Hansbarger dismissed agreed.

Patton v Nicks &c Joseph Bywaters Gblbails offrs Judgt set aside paypt & Iffrs and continued

Swoope v Messicks &c Joseph Bywaters Gblbails offrs Judgment set aside for the appearance bail

Krayer & Coffman v Losey. John Bywaters Gblbails Offrs Judgt set aside for the appearance bail

Leonard & Funk Jury Sworn to try the Issue
to wit. Samuel Hoover, Joseph Coconour,
Richard Austin, Nathan Gemmell, William
Lewis, Cuthbert Spangler, Philip Weaver,
Lauran Workman, Jacob Perkey, Jacob Leggett,
George Roland, & Henry Lefevre Verdict for the Defft
for $7 Damages. with Interest from the 19th day
of May 1813 Cts paid.

On the Motion of George Rowe, It is ordered that
a Licence be Granted him to Keep a tavern at his
House in this County, for a year, until the 1st
day of May Next. he having paid to the Clerk
$16.75 Cents, on his entering into Bond with
Henry Gambell his Security as the Law directs.

Fletcher & Rhoads Continued for the Defendant

Ordered that the Court do Adjourn until to
Morrow Morning 10 Oclock

Wm Wells

Thursday 16 inst.

At a Court continued and held for the County of Rockingham the 20th day of May 1813.

Present

Ezekiel Harrison, John Ewer, Joseph Bartes and Giles Early . . . . . S. G. Gentlemen

Lane v Herring, Plea warr. Judgment confess as per Specialty with Interest and Costs saving Equity. —

Shaver v Nicholas &c . . . . . Same

Harshman v Messick &c . . . . . Same

Koontz v Nicholas . . . . . Same

Nicholas v Miller . . . . . Same

Bowman v Reed . . . . . Same

Lincoln v Cathrea . . . . . Same

Scott v Herring . . . . . Same

Scott v Herring . . . . . Same

Walton v Mathews Continued.

Roland v Deffs Continued for Defendants.

Slutz v Dove Continued for award

Lear v Funk Continued for award.

Cocomower v Krotzer adms W C set aside N. A. by his entered to Genl Replication

Peter Effinger, John Graham Jr, Jacob Messick, Peter Vanpelt, Christopher Harshman, James Messick, Lawrence Workman, Workman, George Roland, William Bateman Elihu Messick, Benjamin Vanpelt & Philip Weaver. Verdict for Plff for £34 11/ Damages and on the Motion of the Plff the said Verdict is set aside and a New Trial is Granted Costs to be paid at this Next Court on this paying the Costs of this Term.

On the Motion of William M Mahan. It is ordered that a license be Granted him to Keep taverns at his house, in this County ~~for~~ until the first day May Next he having paid to the Clerk $16.75 Cents. & his entering into bond with Asher Waterman his Security. as the Law directs

Deed from Andrew B. Davidson Exr to. Gambill & Ordered to be Recorded from Andrew B. Davidson Exr to. Gambill & Ordered to be Recorded

Gambill v Crouse Continued

Conner v Grady Cont for Defendant

Brown & Co v Watson abates as to William Brown and ~~by consent the said suit~~ It is ordered that a Sci fac do Issue in the name of Samuel Reid and Archibald Robertson as Surviving partners of the said Brown & Co v said Watson to shew cause why the said suit should not be stand and be revived ~~against him~~ in their Name, Returnable here at the Next Court

Dever v Huffman Office Judgt set aside & part of Issue and Continued

Burns v Standly &c Continued

Williamson v Mefferts Continued

Armistead v Lost Continued

Rohr v Smith Jury Sworn to ~~enquire~~ try the Issue to wit Martin Burkholder, John Krotzer & Henry Howell, James & Thomas Solomon Mathias

Joseph Coconour, Nathan Gunnell, Joseph Sevely, Christian Coffman, Robert Kelly, Jarus Bowling and Jacob Evelsizer. Verdict for the Plff for $66.11 1/8. Damages with Interest from 1st Septr 1811 to be paid & Judgm for costs.

Deed from E. Harrison &c to D. Miller, acknowlgmt by his said wife she being first privily exam'd &c read.

Deed from same &c to Bowman . . . . . same

Deed from E. Harrison &c to Evelsizer . . . same

Deed from E. Harrison &c to A. Evelsizer . . same

Deed from E. Harrison &c to Wampler . . . same

Wayland v Gunnel Jury sworn to try the Issues to wit Martin Burkholder, John Krozer, Henry Howell, Jarus L. Thomas, Solomon Mathey, Joseph Coconour Abram McClelan, Joseph Sevely, Christian Coffman, Robt Robert Kelly, Jarus Bowling and Jacob Evelsizer Verdict for Defendant & Judgment.

Duff v Dalton By consent of the parties by their attorns, It is Ordered that all Matters in Difference between them in this suit be referred to the final Determination of Jacob Yount and John Gray whose award or the award of their umpire in case of Disagreem is to be made the Judgm of this court.

Layton v Woods Jury sworn to try the Issue to wit Daniel Deygarn, John Graham Jr, Philip Weaver John Cathred, Henry Mofs, Jarus Poindexter Charles Davis, Jacob Mefseek, Peter Nampeth

John Gray, John Crowell John Mackall
Verdict Whereupon by Consent John Gray one of the
Jurors is withdrawn, and the said Defendant withdrawing
his former plea Confessid a Judgm. for the Debt in the
Declaration Mentioned, with Interest and Costs.

Greiw & Seevely Continued

Ordered that the Court do adjourn until to
Morrow Morning 10 O Clock

John Ewen

Friday 10 Oclock

At a Court Continued and held for the County of Rockingham the 21st day of May 1813

Present

John Ewen, Joseph Baxter, George Duston & Giles Jurdy. & G Justices

Overly & Crookshanks W E set aside N. A & Judm and Continued

Negam & Smith Continued

Parrott & Carrn. W. E set aside, N. A & N. A within five years before the bringing of the suit Gebl Replication & Issue and Continued for Defendant.

Burget Exr & Leytites Jury Sworn to try the Issue to wit Thomas Logan, Jarvis Wells, Philip Pasher Jarvis C. Thomas, Morris Veach, Lawrence Wortman, Jacob Mefsick, Jeremiah Pyle & Henry Bushnell, Charles Beard, John Smith and William M'Mahan, Verdict for Defendant & Judgment.

Byrnes v M'Gahey &c. Jury Sworn to try the Issue to wit Wilbraham Lacey, Ralph Rogers, John Leighthur, Jarus Messick, George Messick, Peter Vanpelt, John Nader Lemon Burgett, Jeremiah Warren, Jacob Miller, Samuel Chandler William Getzer & Frederick Kyle Veridict for Defendants, and Judgment

Dundore v Cochran &c plea Waiver and Judgment confessed as per Specialty with Interest and Costs (saving Equity)

Present Ezekiel Harrison

Thomas v Messick M E. set aside N A Genl Reflection Issue. Thomas Logan, Jarus Depp, Lauran Wortman Philip Fesher, Joseph Fawcett, Daniel Bryan, Jeremiah Kyle, Henry Beckwell, William M'Mahan, Abraham Perry, John Smith & Alexander M'Kinsey, whereupon by Consent Joseph Fawcett one of the said Jurors is withdrawn, and the rest of the Jurors are discharged and the Cause is Continued untill the Next Court

Fefer v Leonard Continued

Ewen v Hall Continued

Norman v Shean Continued

Woodly v Sufferenid Continued

Graham v Lacy Continued

Donaghoe &c v Bateman Continued

Lamb v Shoemaker Continued

Sarah Snapp late Sarah Depp and Philip Snapp her husband admr of John Depp

Jacob Depp &c

It appearing to the Court that the said Philip Snapp

dead it is ordered that this Suit do abate as to him, and on the Motion of the said Defendant

Jacob Nigh &c Complainant
agst
Sally Snapp late Sally Stupp &c
Philip Snapp her husband admr
of said John Stupp decd. } On Injunction

It appearing to the court that the Defendant Philip is Dead it is ordered that this suit do abate as to him, and on the Motion of the said Defendant by her attorny, It is ordered that the injunction awarded the said Complainants to stay all further proceedings on a Judgment Recovered by the said Defendant agst the Complainants in this Court be dissolved and the same is hereby dissolved accordingly —

Ordered that the court do adjourn until the 3d Tuesday in June Next. Ezk. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 15th day of June 1813

Present

Ezekiel Harrison Joseph Bartlett
Geo. Purly & Thomas Moore } J. C. Justices

An appraisement bill of the estate Michael Shulas dec'd returned &c

A Commission of Privy examination of Fanny Yancy to Sundry Kirtly returned &c

A Settlement of the estate of George Moorecraft returned &c

A Deed from Florey Lee to Early acknowledged & ackd. ordered to be certified &c

A Deed from Early Lee to Florey . . . same

Deed of Release from Stricklen &c to Stricklen acknowledged DOR

Deed from B. Harrison to Paul acknowledged DOR

Deed from Loch Lee to Sholtz acknowledged with acknowlegm taken DOR

Deed from Alger Lee to Stricklen . . . same

Deed from Martin Stricklen and wife David Tefferyer for land lying in Ohio. was presented in Court and acknowledged by the said Martin & wife, and ordered to be certified

Deed from same to Lowenbach . . . same

~~Deed from same to Christian Klotz . same~~

Deed from same to David Penn . . . same

Deed from same to Thomas Norman . . . same

Deed from Martin Stricklen Lee to C. Klotz in trust for Reuben & B. Klotz acknowledged by the Parties thereto with acknowlegm taken DOR

Deed from J. Kyle Lee to S. M. Williams acknowledged DOR

Deed from the same to Julia S. Foster . same

Benjamin Harrison Jr came into Court and resigned his office of a Justice of the peace for this County which is ordered to be certified.

Deed from Grattan Lee to Harshbarger acknowledged DOR

Deed from Harshbarger Lee to Grattan acknowledged with acknowlegm taken DOR

Deed from Daniel Barshberger Exr to Jeffrian
acknowledged was acknowledged before Jno

Deed from M. Whetmore Exr to J. Whetmore
the same

Deed from D. Whetmore Exr to Jacob Whetmore
the same

Deed from J. Whetmore Exr to M. Whetmore
the same

Ordered that Jacob Barrack be appointed overseer
of that part of the North Mountain Road in the
room of Frederick Beck, and that the hands
heretofore appointed to work on the said road
be allotted for this Gang to open work thereon
and keep the same in Good repair ——

Ordered that Henry Eyman be appointed
overseer of that part of the Public Road in the
room of Abraham Peery, and that the tithables
heretofore appointed to work on the said road
be allotted for his Gang to open work thereon
and keep the same in Good repair

Ordered that the following persons be recommended
to his excellency the Governor, as proper and
fit persons to be commissioned as officers of the
Militia in the County of Rockingham

John Graham Jr. Lieutenant of Light Infantry
in the first Battalion and 116th Regiment of the
Militia in the room of Jacob Koontz resigned.

Joseph Neis ensign in the room of said Graham

Deed of Release from M. Mauzer to J. Hoover
acknowledged in Pennsylvania & certified &c

Deed from Austin Lee to Millsbarger acknowledg & recd ackowlgt taken &c

Deed from Millsbargers Exrs to Hess . . . same

Deed from Mauzys &c to ~~Davis~~ Deck, acknowledged by the parties, & recd ackowlgt taken &c

Ordered that, Joseph Mauzy, Tobias R. McGahey and Rice McCausland or any two of them do examine state and settle the estate accounts of Michael Taylor decd with the executor & make report to the Court

Catharine Wells orphan of Mathias Wells and came into Court and made choice of Isaac Long as her Guardian who entered into bond with security as the Law directs —

On the Petition of Henry Harshbarger &c for a New & a way for a road from a place called Fowlers Ford (formerly called the Stillhouse ford) to near the line of Adam Weis land, so as to run from said ford up the South side, and near the River passing H. Harshbargers Mill, where a road now runs and continuing with said road through the lands of said Harshbarger and George Coogler to near Adam Weis line where it intersects what all parties agree is the old Gerrings Gap road, It is ordered that Jeremiah Kyle Robert Grattan, Alexander Herring, and Henry Smith or any three of them being first Sworn do View the said proposed way, ~~&c~~ road, and that they also View and ~~&c~~ make out where the old Gerrings Gap Road (now shut up) for said View, as near as they can, and make Report to the next of the

compared Conveniencies and inconveniencies attending the said proposed way, as also the said old Gennings Gap Road.

On the Motion of James Gilmore, and he having taken the oaths prescribed by Law, he is admitted to practice as an attorney in this Court

An appraisement bill of the estate of Robert Higgans dec. returned & Ord

Shanglin adm. v Messick &c on a Delivd bond. Notice ordered as to all the Defendants (except Thomas) and executions awarded

Ordered that all the tithables of Martin Isaacs (on his own plant) be added to and made apart of the hands of Charles Beard who is Overseer of the Road &c

Miller v Venable &c on the Motion of the complainant, an Injunction is Granted him to stay all further proceedings on a Fi fa against Recovered by the said Venable agst said Miller (except the sum of ten Dollars) on his entering into bond with Security (to prosecute a writ of error) as the Law directs.

Deed from Moore to Barnett acknowledged & Ord

Deed from Roop &c to Ketner proved by the oaths of Joseph Barlow & Gideon Giles duly, & which with the commission & Jurat examination returned ordered to be Recorded

A Settlement of the Assn Bonds and returned & Ord

Ordered that Jacob Nicholas be appointed overseer of that part of the road leading to Fredericksburg from the room of Joseph Mauzy and that the tithables heretofore appointed to work on the said road be allotted him for his Gang to open work thereon and keep the same in Good repair

Ordered that George Conner be appointed overseer of that part of the road leading to Fredericksburg from the run at the Widow Butlers to the river at Adam Vansbarger. in the room of said Vansbarger, and that the tithables heretofore appointed to work on the said road be allotted for his Gang to open work thereon and Keep the same in Good repair ——

Ordered that all the causes on the docket except that at this Court be Continued

George Price one of Adjutt Dam Brig returned into Court with the report of the Jury thereto annexed. whereupon it is ordered that Michael Sheetz, Christian Moyers and Jacob Moyers. be summoned to appear here at the Next Court to shew cause why his Mill dam should not be established agreeable to the said report.

The Court proceed to lay the County Levy for the year 1813. Commencing at December Court 1812 a Statement whereof is as following.

| | |
|---|---|
| To Robert Gray attorney for the Commonwealth for one year ending at December Court Next | $100.00 |
| To Charles Lewis for his Public Services | 25.00 |
| " Samuel McWilliams Clerk for his Services | 25.00 |
| | $150.00 |

| | |
|---|---|
| Amount brought forward | $150.00 |
| To William Fletcher for Keeping the Court house from October Court 1812. to December Court 1813 @ $25 per year | 29.16 |
| " Henry J. Gambill for paper furnished for the use of the County | 5.00 |
| To John Long for work done on the road | 5.00 |
| To Henry Hays for Ditto | 2,50 |
| " William Crawford for Ditto | 2,50 |
| " James Henry for Ditto | 2.50 |
| " Thomas Gordon for Ditto | 2.50 |
| " Thomas Bush for Ditto | 1.75 |
| " Henry Lipe for Ditto | 2.00 |
| " John Wasler for Ditto | 2.00 |
| " Solomon Perkey for Ditto | 2.00 |
| " Israel Hays for Ditto | 2,50 |
| " Jacob Armentrout for Ditto | 2.50 |
| " Daniel Miller for Ditto | 5.00 |
| " Daniel Garber for Ditto | 2.50 |
| " Charles Beard for Ditto | 1.25 |
| " Lewis Stephens for Ditto | 2.00 |
| " Thomas Moore Jr. for Ditto | 5.00 |
| " Ditto for Ditto | 2,50 |
| " Abraham Peters for Ditto | 2.50 |
| " Thomas Moore Jr. for Ditto | 5.00 |
| " Henry Phelps for Ditto | 2.00 |
| " Phelemon Hoard for Ditto | 4.50 |
| " Ditto for Ditto | 2.50 |
| | $231.66 |

| | | |
|---|---|---|
| Amount Brought forward | | $251.66 |
| To Reuben Moore for work on the road | | 2.50 |
| " Thomas Gordon for one old wolf Scalp | | 10.00 |
| " William Fletcher for Sailor for fire wood furnished from October Court 1812 to December Court 1813 @ 25 Dollars per year | | 29.16 |
| " George Dice for one old wolf Scalp | | 10.00 |
| " John McMeans for | Ditto | 10.00 |
| " Adam Lamb for | Ditto | 10.00 |
| " John Graham for 42 hours Patroling | | 2.62 |
| " John Jenkins for 42 | Ditto | 2.62 |
| " John Shields for 36 | Ditto | 2.25 |
| " Phelps Weaver for 30 | Ditto | 1.87 |
| " John Eaton for 264 hours Patroling | | 16.50 |
| " George Eary for 72 | Ditto | 4.50 |
| " John Eary for 48 | Ditto | 3.00 |
| " Charles Eary for 120 | Ditto | 7.50 |
| " John Streetter 96 | Ditto | 6.00 |
| " Meley Sheffet 24 | Ditto | 1.50 |
| " Shadrick Samuels 24 | Ditto | 1.50 |
| " Jacob Petersheb 48 | Ditto | 3.00 |
| " George Deeds 144 | Ditto | 8.00 |
| " Philip Moyer 72 | Ditto | 4.50 |
| " Henry Deeds 168 | Ditto | 10.50 |
| " William Price 48 | Ditto | 3.00 |
| " George Petersheb 24 | Ditto | 1.50 |
| " Henry Petersheb 72 | Ditto | 4.50 |
| | | $409.33 |

Amount Brought forward . . . $409.33.
To Edward Bush for 24 hours Patroling . . . 1.50.
" Reuben Brackenridge 36 hours . . . . . 2.25
" John Peterson . . 12 Ditto . . . " 75
" Philip Deck . . 12 Ditto . . . " 75
" Jacob Argabright . . 12 Ditto . . " 75
" Benjamin Cano . . 12 Ditto . . " 75
" Henry Hartsbarger . . 12 Ditto . . " 75
" Henry Hammer Jr . . 24 Ditto . . 1.50
" John Davis . . . 24 Ditto . . 1.50
" John Miller . . . 24 Ditto . . 1.50
" James Marder . . . 12 Ditto . . " 75
" Jacob Blose . . . 12 Ditto . . " 75
" Thomas Floyd . . 12 Ditto . . " 75.
$423.58

" To Sheriff Commission & Dispostions . . . 123.99
$547.57

Cr

By 3221 Tithables at 17 cents . . . $547.57.

Ordered from Leonard Fee to Gilmore as now
+ Co U Magr. Inspector Returned to Col. Ordered
+ Co Ordered from . . same to Rathbone . . same

Ordered that Edward Rice be appointed Overseer
* of that part of the road Call. the Mountain
Co. road in the room of John Edward Rice, and that
the Tithables heretofore appointed to work on
the said road be allotted for his Gang to Open

work thereon and Kept the same in Good repair

Ordered that Daniel Rager pay unto Zachary Shackelford pay the sum of One Dollar and 87 cents for work done upon the road, as per Certificate, out of any Money in his hands due the County —

Ordered that Henry J Gambill be appointed to settle with the Sheriff for the County Levy for the year 1811 & 1812, and report of his account his proceeding to August Court Next

Ordered that George Carpenter, John Shackelford Jayo Barnard Peak

The last Will and Testament of John Rice dec'd was presented in Court and was proved by the oath of Benjamin Harrison Jr. who also proved the hand writing of Perthenia Harrison, dec'd who was a subscribing Witness to the said Will and it appearing to the Court that the said John Rice has been absent from this County for upwards of seven years, and that no proof was offered to the Court that he was living within that time, it is ordered that the said Will be Recorded. On the Motion of William Rice one of the executors named in the said Will who entered into bond with Security, and made oath thereto as the Law directs, a Certificate is Granted them for obtaining probate in due form. James Rice the other executor named in the said Will appeared in Court and refused to qualify as an executor, and it is ordered that John D. Campbell Thomas Gradison, George Berry, Jonathan Shepherd and Joseph Denton or any three of them being first sworn do appraise the estate of the said John Rice and make report to the Court.

A Deed from James Reid, Leslie New and wife to John Smith was proved in Court and acknowledged by the said James and Leslie, and by his said wife she being first privily examd A Deed to be Recorded

Ordered that the overseers of the Poor bind James Ross orphan of John Ross dec'd to John Pickering to learn the trade of a Cooper, as the Law directs, the said Pickering agreeing to pay to the said Ross $20 as his freedom dues —

Ordered that the Sheriff Collect from each & Every taxable person in this County 17 Cents that being the proportion of the County levy for 1813 —

A Settlement of the estate of George Kessell dec'd returned & Ord

Ordered that the Court do adjourn untill the 3d Tuesday in July Next

Wm. J. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 20th day of July 1813

Present

Ezekiel Harrison, John Ewen, George Newton & Joseph Bayles . . . Esqrs

A Deed from Woolf Lee to Woolf acknowledged & wife acknowledged Dower & Ord

On the Petition of Reuben Harrison, who owns the Lands on both sides of Smiths Creek, and desiring to build a Water Grist Mill on his said Land, a Writ of Adjusd damum is awarded him, as the law

writs and is to be directed to the sheriff of the county of Rockingham, and to be executed on the [illegible] day of the next [illegible] Court & Returnable here at September Court next.

Lydia Fry orphan of Henry Fry dec. came into Court and made choice of Mathias Fry as her Guardian who entered into bond with security as the Law directs

The last will and Testament of John Malone dec. was presented in [illegible] and was proved by the oaths of William Fitzwater and Christian Shenagarden & Recorded

Thos. Sims & Wife &c. vs Wife of Hezekiah Bond & Thos. Bond & Judgt. & Execution awarded with 10 per cent Damages from 18th January 1810 to 21st May 1813 according to law

On the Motion of Richard Pattow, It is ordered that Leave be Granted him to keep a tavern at his house in this County, until the 1st day of May 1814, he having paid to the Clerk $13.34 cents, & his entering into bond with Henry Gambell his security as the Law directs

A Deed from Grattan Lee to Marshburger, Proof & Acknowledgment taken & Record to be Certified.

A Deed of Trust from Rogers to I. Kyle in trust for George and Frederick Elsey Acknowledged by the parties &c.

A Deed from Jos. Strickler Exr to Abraham Strickler in trust for Michael Deck, Acknowledged by the parties &c.

Ordered that Joseph Bantz, John Lee Esqrs and John Rader or any two of them do examine state and settle the estate accounts of Peter Burkholder dec. with the debts and make report to the Court

Ordered that the overseers of the Poor bind Gabriel Brown poor child of James Brown (6 years old on the 18th of October Next) to John Coffman to learn the trade of Black Smith as the Law directs which is to give him £20 for freedom dues

Ordered that Abraham Brown be appointed Guardian for Thomas, John, James & Polly Foster, Infant Children of William Foster and who enter into bond with Security as the Law directs —

C Price vs Shulas &c on a Writ of Adquod Damnum The said Writ being returned into Court, with the enquest of the Jury held agreable to the said writ and it appearing to the Court that the said Defendants has been duly summoned to shew Cause why the said Mill and dam should not be established, and they not appearing at this solemn call It is ordered that the said Dam be established agreable to the said enquest, on the said Price paying to the Defendants the Damages found by the said Jury —

C Ordered on the Petition of John Koontz who owns the Lands on both sides of Smiths Creek and is desirous of building a Water grist Mill on his said Land, it is ordered that a Writ of Adquod=Damnum be awarded him for the purpose of establishing the said Mill dam, which writ is to be directed to the Sheriff of the said County, and to be executed on the 22nd day of this Instant (July) returnable here at the August Court Next.

A View and Report of an alteration in the road made on the Petition of Charles Lewis, being returned into Court, and the Court having examined the same do order that the said alteration be established agreeable to the said View and report and that the overseers of the old road work on the said alteration and Keep the same in good repair

Ordered from Deed &c to Strickler acknowledged, were ackowledged & not recorded

Ordered that Robert Grattan, Walter Davis & Aaron Coleman or any two of them do examine state and Settle the estate accounts of Goalone Peyser dec'd with the administrators and make report to the Court

Elliott, Rutherford, David Brumfield, Henry L. Perkey and Joseph Strickler who are severally Entered in the Office of Constable of this County, for 2 years from the date hereof, appeared in Court and entered into bond with security, and took the oaths of office as the law directs

Present Archibald Rutherford, Joseph Mauzy
Jacob Bear.

Absent Ezk Harrison, John Ewen & George Newton.

Ordered that Charles Lewis, Ezekiel Harrison and George Newton Gent be recommended to his excellency James Barbour Governor of Virginia as proper and fit persons to be commissioned as Sheriff of this County for the ensuing year

On the Motion of Jeremiah Kerby who owns the Land on one side of the Shenandoah River, and is desirous of building a Water Grist Mill, on his said Land, and the Land on the opposite side against which he will abut his said Dam, belonging to Jacob Bear, (who was in Court and consented to this Motion). It is ordered that a Writ of Adjudged Damages be awarded him, to be directed to the Sheriff of the said County, and to be executed on the 28th day of this Month returnable here at August Court Next.

An appraisement bill of the estate of Mechack Whetmore dec'd returned &c.

A Sale bill of Mechack Whetmore dec'd returned &c.

On the Motion of Charles Lewis Sheriff Samuel Lewis is appointed his deputy, and sworn accordingly.

Phelps - Rhoads Guardian for the heirs of George Phelps dec'd. On a Summons to shew cause why the said Guardian ship should not be taken from him, The Court having heard the evidence and argument of Counsel, It is ordered that the said Rhoads be continued as Guardian to the said Children and that he recover his costs of the said Phelps

Ordered that all the causes on the Docket which have not to call and continued until the Next Court.

Ordered that Daniel Pickering be Recommended to the Governor as a proper and fit person to be Commissioned as an Ensign in the room of Phelps Moody Resigned, in the 1st Battalion of the Regiment of the Militia

Ordered that Thomas Reed be appointed a constable in the bounds of [illegible] wherein Henry Gilmore was late Constable in the room of said Gilmore who appeared in Court and entered into bond with security and took the several oaths of office as the Law directs —

Ordered that Richard S. Emmick be recommended to his excellency the Governor as a proper and fit person to be commissioned as Ensign in Capt Robert Woods Company of Light Infantry attached to the 1st Battalion and 58th Regt of the Militia, in the room of Charles Carthrea who refused to qualify to his Commission —

Reuben Harrison Commissioner produced in Court his account for his services and the Court having examined the same doth adjudge that his services is worth $100 and it is further ordered that the said Commissioner be allowed $10 for his extra services for discovering Land &c under the last act of Assembly —

Abraham Smith Commissioner the same

Joseph Bywaters & John Bywaters Deputies for Services late High Sheriff returned their Delinquents and insolvents in the Revenue County & Parish Levies for the year 1811. and 1812 which was examined and allowed by the Court and ordered to be certified as the Law directs.

Ordered that the overseers of the Poor bind Joseph Baily orphan of about 15 years of age at this time to Abram Elmer to learn the trade of Joiner as the Law directs, who is to have $20 for his due dues —

Ordered that the overseers of the Poor and Road Neighbourhood (a free boy of Colour) aged about 16 years the in August Next, to Lewis Bowling to learn the trade of a Shoemaker, as the Law directs, and it is further ordered that the order directing him to be bound to Ezekiel Harrison be revoked —

Ordered that the Court do adjourn until the third Tuesday in August Next.

W. J. Harrison

At a Court Call'd and held at the Court House of Rockingham County the 14th day of August 1813. For the trial and Examination of Thomas Bryan charged with feloniously Murdering of Thomas Gelmore Present

Ezekiel Harrison, Asher Waterman John Ewers Jonathan Shipman & Henry Welch Esq. Justices

The said Prisoner was led to the Bar in custody of the Jailor and being charged with the said felony plead not Guilty. whereupon, Doctor P. Harrison, Mary Gelmore, Polly Gordon, John Gordon, William Rice, Thomas Berry, George Coogler, George Hamilton & John Blair Jr. were Sworn and examined touching the offence whereof the said Prisoner stands charged, and the Court having heard the arguments of Counsels, are of the opinion that he is Guilty of the said Murder, and for the same is triable in the Superior Court

to be held for the said County, whereupon it is
Ordered that he taken to the Jail of the said
Superior Court, and there remain until he is
discharged by due course of Law.

Be it Remembered that on the 14th day of August
1813 Peachy Harrison, Mary Gilmer, Polly Gordon
John Gordon, William Rice, Thomas Berry, George
Coogler, George Hamilton, John Blair appeared
in Court and severally acknowledged themselves to owe
and be indebted to his excellency James Barbour
Governor, of the Commonwealth, and his Successors.
in office in the sum of $100 each to be levied of
their respective goods and Chattels lands and
Tenaments and for the use of the Court to be render-
ed. Yet upon this Condition that if they the
said P. Harrison, Mary Gilmer, Polly Gordon,
John Gordon, William Rice, Thomas Berry, Geo.
Coogler George Hamilton John Blair shall
severally make their appearance on the first day
of the Superior Court to be held for the said
County on the 4th Monday in September Next then
and there to give evidence in behalf of the
Commonwealth agst Thomas Bryan the Prisoner
at the bar and shall not depart from the said
Court unless discharged by Law.

Ordered that the Reverend William Graves
be Appointed in the name of the County Court of
Rockingham to contract as far as he can between
this time & the 4th Monday in September Next. Joshua
Gilmer an infant in the Obligation of an oath

the Knowledge of the Divine Being and the Nature of Rewards and punishments and the Sheriff is hereby directed to deliver a copy of this Order to the said William Graves

and the Court arose Jos. Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 17th day of August 1813

Present.

Ezekiel Harrison, John Crews, Joseph Baxter & Joseph Mauzey. . . . . & G. Justices

Ord and that the Court be held in the Clerks office on Thursday the 19th day of this Instant and on the days after the 2nd Tuesday September & October Next as the Law directs

A Report of the Dower of Christena Moyers widow of Jacob Moyers dec'd laid off by the Commissioners appointed by order of the Court returned & Recorded

Grand Jury Sworn for the County of Rockingham to wit Thomas Rush Foreman, John Rush, George Mallow, Abraham Fisher, Philip Fisher, Isaac Shepman, Peter Brown, Christian Detrick, Abram Boon, Henry Price, John Dalton, Philip Boston, Samuel Hoover, Philip Crow O'Roark, John Rader, William Rice, Martin Kromer, Parris Kaylor and George McDaniel who Received their Charge and Retired from the Bar to Consult on their Presentments and after some time Returned and made the following Presentments viz present. William Sets &c and also an Inquest vs David Long for perjury, "a true bill". and Nothing further appearing the said Grand Jury is discharged, and that Recognizances be awarded on the said Presentments and Indictments returnable as the Law directs.

A Deed from J. Miller &c to George Miller Sheriff acknowledged by all the parties in open Court taken 6th (except as to Mathias Snyder Sen., George Bowman Sen and Betsy Miller)—

A Deed from the same to Shaver . . . . . same

A Deed from Bear Sen to Brock acknowledged with acknowledgt taken 6th

A Deed from Peterseth Sen to Streitler . . . same

A Deed from Fremto Sen to Conrod Sr . . . same

A Deed from Bear Sen to Dodds . . . . . same

A Deed from F. Hayns Sen to J. Hayns . . . same

A Deed from J. Hayns Sen to F. Hayns . . . same

A Deed from Moore Sen to R. Moore . . . same

A Deed from Christ Sen to Phefer . . . . same

A Deed from Dehart Sen to Chrisman . . . same

A Deed from Phefer to Christ acknowledged 6th

A Deed from Howard Esqr to Heggans . . . same

A Deed trust from W. Medcalf to Mauzy for Jacob Bear acknowledged 6th

A Deed from Wm Sen to Davis acknowledged, which with the Privy examination of his wife returned & ordered to be Recorded

A Deed from same to Peal . . . . . same

A Deed from same to J. Sheetz . . . same

A Deed trust from Frederick Stipple Sen to Henry Long for David Long acknowledged by the parties 6th

A Deed from Miller &c to Bowen, wife acknowledgt taken & ord to be certified

A Deed from David Kyle and wife to Joseph Cravens acknowledged wife acknowledgt taken & ord to be certified to the County Court of Mason

A Deed from Samuel Dodds & wife to William Bear acknowledged wife acknowledgt taken and ord to be certified to the State of Ohio

A Deed from Lapsley &c to Miller acknowledged wife acknowledgt taken &c

Mesrs. Thompson & Terry Stephen Rose Sylvain

~~Overseers Poor vs Isaac Waggy~~

Cocanour vs Kretzer adms continued for Defts.

Summons & Summons issued &c Order of Publication to be published in some paper published in Flemingsburg against the absent Defendants returnable to December Court Next

2 copies

A Deed of Trust from Deggan &c to Meleti & Burkholder in Trust for John Peary &c acknowledged by the Parties &c

Charles Lewis Produced in Court a commission whereon he is continued in the Office of Sheriff for this County for the ensueing year, whereupon he entered into bond with Security, which was acknowledged. as the Law direct & Ordered to be Recorded

Overseers Poor vs Isaac Waggy on Recognizance as the reputed father of a bastard child of Polly Warren, the said Defendant appeared in Court in discharge of his Recognizance, and agrees to enter

entd a Recognizance for the support of the said bastard
Child, whereupon ~~the said~~ It is ordered that the
said Defendant entre into a Recognizance in the Security
in the Sum of forty two pounds, payable to his excellency
Sam Barbour Governor of this Commonwealth
and his Successors, in Office, ~~to be Levied of their~~
~~respective Goods and Chattle Lands and Tenements~~
~~and for the use of the Overseers of the Poor of the Parish~~
payable to the said Overseers in the following Manner
to wit $20 within one Month from this day, and
then $20 annually from that day until the said
Sum of £42 be paid, to Indemnify the said Parish from
the support of the said ~~Pastor~~ bastard child. Whereupon
the said, Isaac Waggy, with Abraham Vanatta.
Luke Nice, Thomas Berry and Peter Stone his
Security appeard in court and acknowledged them
selves to be ~~indebted~~ to the said Governor in the said
Sum of £42 to paid in Manner as is above
dirtd. to be Levied of their respective goods and
Chattle Lands and Tenements and &c

On the Motion of Nicholas Carn who owns
the Lands on both side of the fort Run, and is
desirous of ~~Building~~ a Water Grist Mill on
his said Land. It is ordered that all writ of Damages
Damages be awarded, them to be directed to the
Sheriff and to be executed on the 21st day of this
Instant Returnable to September court Next

On the Motion of Samuel Stone who owns
the Lands on both sides of fort Run, and is
desirous of building a Water grist Mill, It is

Ordered that a Writ of Adjud. Damnum be awarded him as the Law directs, to be ~~executed~~ directed to the Sheriff, and to be executed on the 26th day of this Instant Returnable to Septr Court Next.

~~On the Motion of Henry Harshbarger, who owns the Land on both sides of the Long Meadow Draft and is Desirous of Building a Water grist Mill on his said Land,~~ It is ordered that a Writ of Adjud: Damnum be awarded him as the Law directs, to be directed to the Sheriff of the said County and to be executed ~~on the~~ 26th Instant Returnable to Septr Court Next.

On the application of John Koontz who owns the Lands on both sides of Smiths Creek and desiring to build a Water grist Mill on his said Land It is ordered that a Writ of Adjud: Damnum be awarded him, as the Law directs, to be ~~executed~~ directed to the Sheriff of this County and to be executed on the 24th day of Instant Returnable here at Septr Court Next.

Deed from Lapp Exr to Burkholder acknowledged & admitted to Record

Deed from the same to Moyer . . same

Deed Trust from Moyer Exr to Garrett for Abraham Lapp acknowledged by the parties thereto & admitted to Record

4/1.

Rachel Shoemaker orphan of Christian Shoemaker dec'd came into Court and made choice of John Shultz as her Guardian who entered bond & the Security as the Law directs —

Ca. Christian vs Widow Jacob Bear Gfd Debt

Penn vs Swanson upon an attachment.

The Constable returns no property found, but executed in the hands of Tobias B. M'Gahey and summoned him as Garnishee, who appeared in Court and being Sworn declared that he has in his hands Sundry property belonging to yet Leather, Saddler tools, Geo &c to the Defendant, and the said Defendant being call'd ~~did not appear~~ Judgm. is awarded the Plff for £7.1.4 with Interest from the 15 September 1812 besides said and Costs and it is Ordered that the Sheriff make sale of the said property so attached in the hands of said M'Gahey or so much thereof as shall be of Value sufficient to pay the Judgm. aforesaid, and return an account of his proceedings thereto to the Court.

Deed from Whetzel to Baker proved by the oaths of the Witnesses thereto &c

~~Ordered that~~

Richard Naglee who is hereby continued in the Office of Constable ~~untill first Court 1813~~. in the bounds hereto fore assigned him, appeared in Court and entered into bond with Security, ~~Entered into~~ and took the several oaths of Office as the Law duly.

Deed from Burner to Burner &c proved by the oaths of the Witnesses thereto &c

On the Motion of Andrew M'Clelan administration of the estate of Alexander M'Kinsey dec'd is Granted him, he having entered into bond with Security and made oath thereto as the Law directs. and It is Ordered that Henry Detweiler, Elbert Rathbone, George Yeiter and John Jefferson or any 3 of them being first Sworn do appraise the estate of the said Alexander M'Kinsey and make report to this Court

Present George Preston. Jacob Bear
Absent Ezekiel Harrison. Joseph Baxter.

A Writ of Ad quod Damnum awarded John Koontz at the last Term was returned into Court together with the inquest of the Jury held thereon, whereupon on the Motion of Reuben Harrison he is admitted a party Defendant in this Suit, and the cause is ordered to be Continued —

On the Motion of Nicholas Bougher who owns the land on both sides of the Hawksbill Creek, and desiring to build a Water Grist Mill on his said Land, a Writ of Ad quod Damnum is awarded him as the Law directs, to be directed to the Sheriff, and to be executed on the 21st day this Instant returnable to September Court Next

On the Motion of Jacob Reinhart who owns the lands on both sides of Stoney Creek and desiring to build a Water grist Mill on his said Land. a writ of ad quod Damnum is awarded him as the law directs, to be directed to the Sheriff of this County and to be executed on the 26th day of this Instant. Returnable to September Court Next

HC A Deed from Bryan W. Bryan Exr to Allbaugh acknowledged & Recorded

C A Deed from Harrison &c to Boots acknowledged by the parties in the County of Christian and State of Kentucky and certified &c

C Burns & Standly &c continued for the Plff.

Ordered that Charles Lewis, Joseph Mauzy and Jacob Bear, or any two of them do examine state and settle the estate account of John Morgan Jr. dec'd with Harrison Beighey & Henry Morgan admrs of said John, and that they also settle the estate account of John Morgan Jr. with Harrison Beighey the executor thereof and make report to the Court

Court to Long upon an Indictment this day found by the Grand Jury On the Motion of the attorney for the Commonwealth It is ordered that and by consent of John Eaton It is ordered that the said John Eaton be endorsed as the prosecutor on the said Indictment —

Mauzy & Swanson upon an attachm

C The Constable returned on the attachm executed on one house &c and also in the hands of George Sipe and summoned him a Garnishee, who appeared in Court and being Sworn declared he stands indebted to the Defendant in sum of $5.50 Cents (now due) and the said Defendant not appearing altho solemnly called to reply the same, a Judgm is Granted the said Plff for £1 11 s 5/3 due by account with Interest from the 26th day of July 1813. with said Costs, and It is ordered that the sheriff make sale of the said attached effects, and pay the Money arising from the said sale to the Plff in payment of the Judgm aforesaid, and that he make report of his proceedings to the Court. and it is further ordered that the said Garnishee pay the sum

which he has in his hands to the Plaintiff agreeable to this Order

Phelps Miller v Joseph Cromer, By consent of the parties by their attorneys all Matters in differency between them, is referd to the final determination of John Dalton & Jacob Yount whose award or the award of their umpire in case of disagreement is to be made the Judgm of the Court

Tuck v Harrison, George Done Sheriff

Harrison v Wine, John Coleman Sheriff

Present Ezl Harrison.

Order that the Court do adjourn until the 19th to Morrow Morning 10 Oclock.

E. Harrison

Wednesday 19th inst

At a Court continued and held for the County of Rockingham and the 18th day of August 1813.

Present.

John Ewen, Joseph Baxter, Giles Early & Henry Welch . . . . . Esqrs Justices

Comth v Ramsey abates by return

Comth v Williams &c abates as to Williams, and New Summons as to Sinclair

Strayer & Coffman v Brown, George Frick Sheriff

Comth v Kyger Jr. dismissd

Ex. Register of Lew Lewis a free man of Colour, was returnd into Court and examd and ordd to be certified —

Comm'th v. J. Good on Presentment for Swearing, parties heard, and Def'dant fined according to Law for Swearing 5 Profane oaths, and Judgment for Costs.

Campbell v. Crowe By consent all matters in difference between them in this Suit is referred to the Joint determination of Samuel Chandler and Gordon McWilliams, whose award, or the award of their umpire in case of disagreement is to be made the Judgm't of the Court.

Custis v. Wright In Chancy. Order Publication, to be published in some News Paper published in Winchester as the Law directs, Returnable to December Court next.

Elsey Bradwell son of John Bradwell, came into Court and made choice of Jesse Boling as his Guardian who entered into bond with security as the Law directs.

Williams Lewis who is hereby continued in the office of Constable, in this County within the District hereto assigned him, appeared in Court, and entered into bond with security, and took the several oaths of Office as the Law directs.

~~Comm'th v. Def't (on Presentment) parties heard~~

Elizabeth Reed orphan of Ned Decard came into Court and made choice of Peter Priest as her Guardian, who entered into bond with security as the Law directs.

Comm'th v. Lofland (on a presentment of the Grand Jury) parties heard and Dismissed.

Comm'th v. Rager (on a presentment) parties heard and Def't to be fined $250 cents and Jugm't for costs

P. Comth v Mathey Deft calld Information order.
Sum award to answer said Information

P. Comth v Mathews . . . . . same

Comth v Bechtelow Deft calld fined 5/- for
C swearing one profain oath. & Judgt for Costs

Comth v N. March Deft calld order Informa-
P. tion be filed and Sumn award to answer the said
C Information

P. Comth v Mathias . . . . . same

P Comth v Spitzer . . . . . same

P Comth v Garrott . . . . . same

P. Comth v Detimord . . . . . same

P. Comth v Mettebarger Sum sum awarded.

Comth v Detimord, Defendant calld fined
C 15/- for swearing three profain oaths, and Judgt for Costs

Overseers Poor v Brown discharged

Overseers Poor v Lambert continued

Writ of Adjud = Damnum being returned
C executed, and it appearing that John Koontz
is interested in the establishment of the Mill dam
D. It is ordered that a Summons be awarded agst
the said John Koontz returnable here at the
next Court

Atkinson v Carothers &c continued

Smily v Arnow &c . . continued

Poler v Stoutsenberger continued for award.

Hertly v Bear upon Writ of Adjud continued

Walter v Mathews Continued for Defendants

Donaghey et al v Bateman Continued for Defendants

Roland v Duff Continued for Defendants.

Shelby v Dove Continued for award.

Lear v Funk Continued for award.

Conrad v Grady Plea rend and Judgt Confessd as per Specialty with Interest and Costs saving equity.

Bourdeau v Walsh Continued

Williamson v Mefrets Continued.

Fletcher v O'Boarke M C set aside N. A. & Issued.

Feger v Leonard Continued

Dever v Sybert & Plea rend & Judgt Confessd as per Specialty with Interest and Costs saving equity

Pallas v Nesbit &c . . . . . same

Koontz v Carthrew . . . . . same

Rohrbough v Losh . . . . . same

Moller . . v Swecker &c . . . . same

Doyle . . v Burner . . . . . same

Fesher . . v Hudlow . . . . . same

Harden v Swecker &c . . . . . same

Wood v Koontz . . . . . same

Dever v Huffman . . . . . same

Fletcher v O'Boarke Jury Sworn to try the Issue to wit George Roland Jr James Turner, William Campbell David Ettenger Michael Deck, John Mackall, Phelps

Dudley, John Cuthbert Jr. Benjamin Harrison Jr
Cuthbert Spangler, John Sheridan & Nathan Dall
Verdict for the Plff for $66.50 Cents Damages with Interest
at 6 per cent from the 18 August 1812 less said & Payment

Armistead v Lost continued

Keseling v Cooper Peter Leonard Gilbaith

Graham v Arrow Offrs Judgt set aside pay for
the bail & Sheriff and Continued.

Dever v Cook Offrs Judgt set aside pay Sheriff
and Continued

Rice v Cusp Offrs Judgt set aside pay for the
appearance bail and Sheriff Continued

~~Loffler v Reader Offrs Judgt set aside Payment~~

Evans v Harrison Offrs Judgt set aside for the
appearance bail and Sheriff and Continued

Oxbough v Dudley &c Offrs Judgt set aside pay
and Sheriff and Continued

~~Crowen v Brock ME set aside N.C & Sheriff and~~
Sheriff and

Brock v Crowen ME set aside N.C & Sheriff and Sheriff
and Continued, and discharged by order of the Plffs attorney

Crowen v Brock ME set aside, Tender and Refusal
and Sheriff and the Defendant paid to the Clerk $25.
and Continued

Sheets v Robertson admrs Offrs Judgt set aside
Payment and Sheriff and leave to file a Special plea.
and Continued

Gray v Fenton Offrs Judgt set aside payment
for the bail & Sheriff and Continued

Mills v Blair Affm Judgt set aside, payment and Affm and Costs

Salvage v Dalton affm Judgt set aside payt for the appearance bail & affm and Costs

Wm Graham v Herring . . . . . same

~~Graham v Sander . . . . . same~~

Blackburn v Nichols . . . . . same

Stephens v Leonard &c . . . . . same

Everson v Blair &c . . . . . same

Duff v Dimpfell George W Harrison Affbail affm Judgt set aside payt & affm and costs

Evans v Kings adms affm Judgt set aside fully administered and affm and costs

Graham v Herring William M'Mahan Affbail affm Judgt set aside payt & affm & costs

Graham v Herring . . . . . same

Allen v Herring William M'Mahan Affbail

Crumy v Dell William M'Mahan Affbail

Messick v Potter William M'Mahan Affbail

Ordered that the court be adjourned until to Morrow Morning 10 o'Clock

Joseph Baxter

Thursday to wit

At a Court Continued and held for the County of Rockingham the 19th day of August 1813

Present

Ezekiel Harrison, Joseph Bartle, George Dove & Gideon Fitzhugh Esqrs Justices

Negam & Smith Continued

Strayer & Hoffman v Shotts Julius S. Foster Esqr Bail

Parrott v Carrs Jury sworn to try the Issue to wit William Sandy, Joseph Sevely, Thomas Sullivan, Philip Weaver, John Marshall, Jacob Liggett, Peter Armentrout, Thomas Clark, Frederick Kyle, Samuel Lewis, Lawrence Bowers & Johnathan Layman who after Whereupon the Defendant being called and not appearing a Non Suit is awarded the Pltf for Damages and Judgm for Costs.

Neely v Crockshanks Continued

Greiw v Sevely W E set aside N. A & Issue

Thomas v Messick Judgment - Judgment Ca. Sa. for $20 Damages per award & Costs.

(By Judgm & Costs (Land & Deft)

Duff v Dalton By consent, order of Reference set aside and cause Continued

Deed from John Mewhes to Neely proved by the oaths of Gordon McWilliams, Jacob Koontz & Henry Gamble, which with the Commission & Interrogatories & Depositions thereto annexed returned certified are ordered to be Recorded

Lewis v Hall Jury sworn to try the Issue to wit William Sandy, Joseph Sevely, Thomas Sullivan Philip Weaver, Jacob Liggett, Peter Armentrout Thomas Clark Frederick Kyle, Samuel Lewis

Laurance Bowers, John Layton Layman & John Smith
Verdict for Defendant and Judgment.

Woodly v Jefferson Ordered and N.A. for a writ of Error before the Entry of the suit & Issue and Continued

Graham v Sandy Continued

Lamb v Shoemaker Continued.

Graham v Hamilton Continued

Best v Clarkson &c Continued

Johnson v Adams &c Jury sworn to enquire of the Damages to wit Charles Davis, John Mackall, Richard Austin Jacob Rohr, Voluntine Miller, Jacob Delcart Nathan Dale & Henry Sipe, James Dicky, Nathan Chandler, Gordon McWilliams & Henry Snyder Verdict for the Plff for $40.50 cents with Interest from 1st September 1812 Att paid & Judgment

Scott v Messick &c Jury sworn to enquire of the Damages to wit (the same Jury as in Johnson v Adams) except James Boling in the room of Jacob Rohr Verdict for the Plff for $125 Damages with Interest from 1st day of October 1812 Att paid & Judgment

Norman v Lyons Continued.

Arnold v Dalton Continued

Delemoid v Fullwiler Continued

Green v Sewell Jury sworn to try the Issue to wit Laurance Bowers, Jacob Leggett, Peter Armentrout Frederick Kyle, Thomas Clark, Samson Lewis, Philip Weaver, Nathan Chandler, Thomas Sulcher, William Sandy John Smith and John Layman, Verdict for the Plff for $77.57 cents Damages with Interest from the 15th day of May 1809 Att paid. Subject to the opinion of the Court upon the

Demurrer to the evidence filed in this Cause, and because the Court is not advised what Judgment to render on the said Verdict. this Cause is Continued untill the Next Court Memo on the Trial of this Cause a Bill of Exception was taken to the opinion of the Court which was signed Sealed & the Law Clerk Ordered to be made a part of the Record

Deed from Weaver &c to Carthrea acknowledged and ordered to be Recorded

Ordered that Daniel Rager pay unto Henry J Gambell the Sum of fifty Dollars and 84 cents for Sundry Stores furnished for the use of the Jail, and for Sundry Repairs done to the same by order of the Court. as per account Rendered

Ordered that the Court be adjourned untill the 3d Tuesday in September Next

W. H. Harrison

At a Court of Oyer & Terminer held at the Court House of Rockingham County on Saturday the 21st day of August 1813 for the trial of Peter a Negro man Slave the Property of John Pennybacker, charged with felony. Present

Ezekiel Harrison, Asher Waltsman,
Archibald Rutherford, Peachy Harrison & G. Gentry
and Henry Nelson

The said Prisoner being led to the bar, and being charged with the felony, plead Not Guilty, whereupon the Witnesses to wit. Catharine Blackwell, Nicholas Perkey were Sworn, and examined, and the said Prisoner being heard in his Defence by George W. Harrison his attorney the Court upon consideration of the Circumstances of the case, are of the opinion that he be acquitted and discharged of the said offence,

and the Court arose.

W. H. Harrison

At a Court Call[d] and held at the Court House of Rockingham County the 4th day of September 1813 for the Trial and Examination of Thomas Wells, for Felony and stands Charged with feloniously Killing of Strube Present

Asher Waterman, Archebald Rutherford
Walter Davis, Peachy Harrison & Henry Welch Esq[rs] Justices

The said Prisoner was led to the bar in custody of the Jailor, and being charged with the Murder plead Not Guilty, whereupon the Witness being Sworn and examined, and the said Prisoner being heard in his defence by George W. Harrison esq[r] (who was assigned his Counsel) the Court upon Consideration of the Circumstances of the Case are of the opinion that he is Guilty of the said Murder, and doth Order that he be remanded to the Jail of the Superior Court of the said County, and there to remain untill discharged by Law,

Be it Remembered that on the 4th day of September 1813. Thomas Kellburn, Joseph Travers, John Sheetz, Samuel Pair & Jacob Sheetz personally appeared in Court and Severally acknowledged themselves to owe and be indebted to his excellency James Barbour Governor of this Comth. and his Successors in Office in the sum of 100 Dollars each to be Levied of their respective goods & Chattles lands and tenaments, and for the use of the Comth to be Rendered upon this Condition Nevertheless that if they the said Thomas Kellburn, Joseph Travers, John Sheets, Samuel Pair, & Jacob Sheets shall make their appearance on the first day of the Next Superior Court to be held for the said County, (which will be on the 4th Monday in this month) then and there to give evidence in behalf of the Comth agt. Thomas Wells charged with the Murder of — Strube and shall not depart the said Court untill discharged by Law.

and the Court arose A Waterman

Tuesday to wit

At a Court held for the County of Rockingham the 21st day September 1813

Present.

John Ewen, Joseph Baxter, Archibald Rutherford & Walter Davis . . . Esqrs Justices

X ✓ ADeed from Mathews to R. Harrison acknowlegd & ORd

X ✓ ADeed from Yount &c to Penman acknowlegd by the parties wits acknowlegt taken & ORd

X ✓ ADeed from the same to same . . . . same

X ✓ ADeed from Swanks Exrs to Yount acknowlegd wits acknowlegt taken & ORd

X ✓ ADeed from Neill Exrs to Read . . . same

X ✓ ADeed from Whetmore Exrs to Kyle . . same

X ✓ ADeed from Pr Festers Exrs to Penn . . same

X ✓ ADeed from Lincoln Exrs to Hoofman . . same

Certified ✓ ADeed from Lincoln Exrs to Miller, acknowlegd by his wife she being first privily exam'd & Deed to be Certified

Certified ✓ ADeed from same to Rader . . . same

Certified ✓ ADeed from same to Showalter . . same

Certified ✓ ADeed from same to Dunlap . . . same

X ✓ ADeed from Coffman &c Exrs to J. Rader acknowlegd wits acknowlegt taken & ORd

X ✓ ADeed from Kyger Exrs to Penn acknowlegd & ORd

Deed from Shepherd Lee to Blosser & acknowledged which with a commission & Privy examination of the wife returned and ord

Deed from Swartz to Swartz acknowledged & ord

Deed from Miller to Douglass acknowledged & ord

Deed from J. Herring to Davis proved by the oaths of Elizabeth Herring & David Herring & ord & Recorded

Ordered that Mathias Doubt be appointed overseer of that part of the Public Road in the room of Mathias Wheelbarger, and that the hands heretofore appointed to work on the said road be attached for his Gang to open work thereon and keep the same in Good repair

Harrison to County upon a writ Adg & continued

County to Harrison . . . . . same

Deed from Herring to M. Davis further proved by the oath of David Herring & ordered to be certified

Deed from John Brock Sen to Salvage acknowledged with acknowlegt taken and ordered to be certified to Shenandoah & ord

Deed from Harrison & to Beamer acknowledged by the parties. Wife's acknowlegt taken & ordered to be Recorded

Deed from N. Woolf to J Woolf acknowlegt with acknowlegt taken & ord

Deed from same to Sheetz . . . same

Deed from Saml Swartz Sen to Salvage . . same

Deed from B. Harrison Sen to Beemer proved by the oaths of Peachy Harrison & Reuben Harrison & ordered to be Recorded

A Deed from Crookshanks to Kessell proved by the Witness thereto O&K

A Deed from Mefford &c to Kyger acknowledg. O&K

A Deed from Alexander Herring to Joseph Trotter for Land lying in the County of Henderson and State of Kentucky, acknowledged & ordered to be Certified

Certified

A Deed from Tho. Bryan exor to Cutler proved by the oaths of Olney Cutler, David Bryan, and Shay. Bryan. and O&K

A Deed from same to Cornelius Bryan. . same.

A Deed from T. Clark to J. Boling acknowledged O&K

The last will and Testament of Thomas Yates dec'd was presented in Court by Benj'amin Linvill and Joseph Funsto O&K to be Recorded and on the Motion of Abner Yates the executor therein named who entered into bond with Security, and took the oath of office as the Law directs a Certificate is Granted him for obtaining probate in due form, and it is ordered that Benj'a Linvill, Joseph Funsto, Joseph M'Mullen and Joseph Bantus or any 3 of them being first sworn do appraise the estate of the said Yates and make report to this Court

The View and Report of an alteration in the old Mountain Road Made agreable to the Petition of William Craven &c was returned into Court. which was examined and the said alteration established agreable to the said Report and it is ordered that the overseer of that part of the old Road hereby discontinued be appointed overseer of the said New way and work thereon and

Keep the same in Good repair

Mary Gelmon Widow of Thomas Gelmon dec^d came into Court, and relinquished her right of administration, whereupon on the Motion of David Brumfield administration of all and singular the estate of the said Thomas Gelmon is Granted him, he having entered into bond with security, and made oath thereto as the Law directs and it is ordered that William Reed, Joseph Denton, Arthur Davis & Henry Smith or any 3 of them being first sworn do appraise the estate of the said Gelmon and make report to the Court.

Ordered that Andrew Henry be appointed overseer of that part of the road in the room of John Ragin. and that the Tithables heretofore appointed to work on the said road (as per list) be appointed for this year to open work thereon and keep the same in good repair as the Law directs.

Robert Woods produced in Court a Commission as an Officer in the 58th Regt of the Militia, and he having taken the oaths of Office before George Newton esq^r as the Law directs the same is ordered to be certified

Ordered that the overseers Poor bind Preston Welkerson a Mulatto boy aged 2 years old the 18th day of august 1813. to Benjamin Nash to learn the trade of a Saddle tree Maker as the Law directs, who is to pay him for freedom dues $15.

Barbara O'Roark Widow of Phelimon O'Roark dec^d by a certificate from under her hand relinquished her right of administration, whereupon on the Motion of David O'Roark, & Martin Marsh administration of the estate of the said Phelimon O'Roark is Granted them, they having entered into

bond with Security, and made oath thereto as the Law directs, and It is ordered that John Moore William Welch Jacob D. Williamson and David Bookhart or any 3 of them being first sworn do appraise the estate of the said Rhodes, and make report to the Court

A View and report of an alteration in the road from Harrisonburg to Benton's New Mills, made agreeable to the Petition of David Roalston, was returned into Court which was examined by the Court. and the said alteration established agreeable to the said View and report. and it is ordered that the overseers of the said old way - be the overseer of the said New way, who is to open work thereon and keep the same in Good repair

Ordered that Archibald Rutherford Joseph Lancelot & Hugh M'Clellan or any two of them do examine state and settle the estate accounts of Hugh Douglass dec'd with Joseph Douglass the executor and make report to the Court.

had 44 cts

Ordered that the overseers of the Poor bind John Brown poor child of Jane Brown, to Henry Parrott (the said John being 6 years old the 18th day of July 1813) to learn the trade of a Weaver, as the Law directs. who is to have $15 for freedom dues

A Bill of Sale from Joseph Wicks to Reuben Harrison acknowledged, &c.

A Deed of Lease made between Reuben Harrison and Joseph Wicks, was acknowledged by the parties &c.

G. Reed v. I. Harrison On the Motion of the Defendant by his attorney an injunction is Granted him to stay all further proceedings on a Judgment recovered by the said Reed against the said Harrison ~~in this Court~~ until the further order of the Court. But the effects of this Injunction

is to be suspended untill the said Harrison enters into bond with Security, and files a Releare of errors as the Law directs —

Jacob Kepplinger

Jacob Kepplinger produced in Court a Commission whereby he is appointed a Officer in the Militia of the 58th Regiment. and he having taken the usual oaths before George Winston esq. as the Law directs, it is ordered to be certified

Barbara Chrisman Widow of Jacob Chrisman deceased from under her hand Relinquishes her right of administration, whereupon on the Motion of John Krotzer administrator of the estate of the said Jacob Chrisman is Granted him, he having entered into bond with Security and Made oath thereto as the Law directs. And it is ordered that John Rader, John Brock, David Realston & Christian Krotzer, or any three of them being first Sworn, do appraise the estate of the said Jacob Chrisman dec'd and make report to the Court.

Law & Herring ats on a Note on a Deft bond Note
Prays & Execution awarded

Scott & Herring ats . . . . . Same

Scott & Herring ats . . . . . Same

Preston Poor vs J. Brown upon a Recognizance, as the reputed father of a bale born child of Mary Shadwell, the said Deft appears in Court in discharge of his recognizance, whereupon the said prosecution is dismissed — it appearing to the Court that said Mary is a Married Woman.

Ordered that Joseph Krotzer & Jacob Curtis be appointed Guardian for Henry Betsey & Catharine Chrisman, Children and heirs of Jacob Chrisman dec'd (under the age of 14 years) who entered into bond with Security as the Law directs.

Ordered that the bounds of Jacob Ritchy overseer of apart of the Rocks Gap road leading to Pendleton be extended to the county Line of Pendleton and that the following persons be added as apart of his Hands, to wit Volentine Bear, Otho Whitehouse Emanuel Roadcap, Jacob Trumbo, Thomas M. Hendersons, James Turner, John Baker, John Minnick Christy Shoemaker, Henry Shoemaker, Richard Custer and George Fultz, and that he open and work on the said road as the Law directs.

Ordered that the Tithable at the present plantations of Michael Miller Isaac Long and John Evenole be added to the Hands of Jonathan Bolton overseer of the part of the road leading from Harrisonburg to Dry River gap, &c

John Chrisman Orphan of Jacob Chrisman dec'd came into court and made choice of John Krotzer as his Guardian who entered into bond with security as the Law directs.

Thomas C. Fletcher

Ordered that John Krotzer be appointed Overseer of that part of the Rock gap road beginning at the sign post near Joseph Krotzer and extending to where Cooper Lewells creek at J. Coffmans in the room of Jacob Lincoln and that Tithables hereafter appointed to work on the said road be allotted for his gang to open work thereon &c

Thomas C. Fletcher Deputy Sheriff for Charles Lewis returned a writ of execution in behalf of the Comth. against persons who are supposed to be insolvents or Non inhabitants of this County, which was ordered and allowed by the Court and ordered to be certified

A Settlem of the estate account of William Smith dec. returnd and Recd said

Ordrd that Henry Welch, Joseph Fawcett, & John Gray or any two of them do examine state and settle the estate account of Elizabeth Shank dec with the admrs and make report to the Court

Nicholas Boughes Writ of Adgt being returnd into Court together with the inquest of the Jury thereto annexed, whereupon it is ordrd that the said Mill and dam be established agreable to the inquest of the said Jury —

Jacob Rineharts Writ of Adgt being returnd into Court together with the inquest of the Jury thereto annexed, whereupon it is ordrd that the said Mill and dam be established agreable to the inquest of the said Jury —

William Fletcher Jailor of this County produced in Court his account for dieting of Sundry Prisoners incarcerated in the said Jail, which was examined and allowed by the Court and ordrd to be certified to the auditor of Public accounts as the Law directs

On the Motion of Peter Lesueur who owns the lands on both sides of the North fork of the Shenandoah River and is desirous of building a Water Grist Mill on his said Land. the and to erect a dam across the said River for the purpose of working the said Mill It is ordrd that a Writ of Adgt be awarded him, to be directed to the sheriff of this County and to be executed on the 6th day of October Next Returnable here at October Court Next —

A View and report of an alteration in the Brocks Gap road. Made on the Petition of John and Amos Moore, which was examined by the Court and the said Alteration is ordered to be established agreable to the said report. and the overseer of the old road is hereby appointed to work on the said New road and Keep the same in good repair

On the Petition of William Fowler, It is Ordered that Jeremiah Kyle, Alexander Herring, Joseph Fawcett and John Weir or any three of them being first Sworn, be appointed to View the Nearest and most direct way for the road from the Mouth of Joyce Petitioners Lane, by the river, to where the old road enters George Coogles field North Adam Weirs — and Make report of the Conveniences and Inconveniences attending the said way to the Court.

Ordered that all the causes that have not been called on the docket this Setting —

Ordered that the Court be adjourned untill the 3d Tuesday in October Next

John Irvin

At a Court of Oyer & Terminer held at the Court House of Rockingham the 2d day of October 1813. for the Trial of David a Negroe man Slave the Property of Zachary Shackelford for Burglary who stands charged with feloniously breaking and entering the dwelling house of Philip Getts.

Present

John Ewen, Asher Waltsman George Newton Archibald Rutherford & Walter Davis & G. Justices.

The said Prisoner was led to the bar in custody of the Jailor and being arraigned plead Not Guilty, whereupon Sundry Witnesses to wit. Philip Getts, Zachariah Shackelford and Joseph Cravens were sworn and examined touching the said felony, and the said prisoner being heard in his defence by his attorney. The Court upon consideration of the Case, that he is Guilty of Burglary, and that he be taken from whence he came thereto remain until the Second Friday in November next and from thence to be taken to the place of execution and there to be hung by the neck until he is Dead, and the Court doth Value the said Negroe Slave to Three Hundred and fifty Dollars and it is further ordered that the Sheriff of this County cause this Judgment to be executed.

And the Court adjourned

John Ewen

Certificate allowed to Z. S.

Tuesday to wit

At a Court held for the County of Rockingham the 19th day of October 1813

Present

John Crow, George Newton, Arch'd Rutherford & G. Gustey & Peachy Harrison

David Kyle's Petition to discontinue a road Ordered by order of Court

Magill's Petition on account of Adgt. Damron discharged by order of the Court

A Power of Attorney from Fields Exr to A. Smith acknowledged by the Parties in the State of Kentucky and certificate ordered to be recorded

A Deed from Wright &c to Mongars proved by the oaths of Peachy Harrison, Henry K. Cochran & Henry J. Gamble Esqrs. the witnesses & a commission & Privy examination of his wife returned certified and was acknowledged by the Matthias Lang, John Long, Barbara Roffenyer, and M. Deck and wife, she being first privily examined and ordered to be recorded

A Deed from Whistler to Miller acknowledged & Ord

A Deed of trust from Maggart to Miller &c in Trust for Barbara Alder acknowledged by said Maggart and Ordered &c

A Deed from Z. Fields to G. Harriston acknowledged by Henry Smith attorney in fact for said Fields &c

A Deed from Rader Exr to Clere, acknowledged in the State of Ohio & Certified &c

A Deed from Harriston &c to Roleman fully acknowledged by their said Wives, they being first privily examined & Ordered to be Certified

A Deed from A Hamilton Exr to G Hamilton acknowledgt & ordd to be Recd

A Deed from G Hamilton Exr to M Miller . . . same

A Deed from A Hamilton Exr to Mears . . . same

A Deed from Boughter Exr to Connel acknowledgt & ordd to be Recd

A Deed from Connel Exr to Boughter . . . same

Ordd that George Deeston & Joseph Jarrett Gardner Williams be appointed to examine into the capacity, and fitness of John G Herring to act as a Surveyor of this County, and make report to the court.

A Deed from M Collester Exr to Price proved by the oaths of Henry V Bingham and Jos Graham and ordd to be Recd

A Deed from Bingham Exr to Bowen acknowgt & ords acknowdg taken &c

A Deed from Tuttle Exr to Rader . . . same

A Deed from Taylor to Taylors acknowdgt &c

A Deed from Betchy &c to Kemper acknowledgt before the Mayor of the City of Baltimore &c &c

A Deed of the estate of Peter Burkholder dec Returned &c

Barbara Doffemyer Widow of David Doffemyer came into Court and Relinquished her Right of administration, whereupon on the Motion of John Long administration of the estate of

the said David is Granted him, he having made oath thereto, and entred into bond with Security as the Law directs, and It is ordered that Michael Shelor, Henry Long, Benjamin Kite and Martin Kite or any three of them being first sworn do appraise the estate of the said David and make report to this Court.

Deed Release from Preston to Sharp acknowledged & O R

Deed from Sharpless to Harper proved by the oaths of Richard Austin, John Mackall & John Carthrea & O R

Deed from Sharpless to Carthrea proved by the oaths of John Mackall and William Harper & Ordered to be Certified

Deed from the same to the same ——— same

Deed from J Carthrea Exr to Harper proved by the oaths of Jos Graham, John Carthrea & Richard Austin & Ordered to be Recorded

An appraisment bill of the estate of Thomas Yates dec'd returned & O R

Ordered that Henry Hoover be appointed overseer of that part of the Brooks Gap Road in the room of Henry Funk and that all the Tithables within two Miles on each side of the said Road within the said Bounds be attached for his Hand to open work thereon & Keep the same in Good repair

Ordered that Adam Vanbarger be appointed
Overseer of that part of the road leading to Frederi-
-sburg. Beginning at the River to the beginning of
the Turnpike, in the room of John Maggart and
that the tithables heretofore appointed to work on the
said road be attached for his Gang &c

Ordered that the Overseers of the Poor bind Samuel
Ryger orphan child of —— ~~age~~ 17 years old the 9th
the 19 March 1814. to Isaac Boling to learn the
trade of Shoe and Boot Maker as the Law
directs who agrees to give him £15 for freedom dues

Elizabeth Kessler Widow of Peter Kessler dec'd came
into Court and relinquished her right of administration
thereupon on the Motion of Samuel Chandler administ-
ration ~~of the estate of~~ of the estate is granted
him, he having first into bond with security &
made oath thereto as the Law directs, and it is
ordered that George Clem, Peter Brown, George
Arguright and John Beal or any 3 of them
do appraise the said estate and make report to the
Court

Deed from Jane Reese to J. Smith acknow-
-ledged in the County Court of Cabell by said James,
which with the Commission & Privy examination of
his said wife returned certified are ordered to be Recd

Ordered that William Robertson be appointed
Overseer of the road in the room of Henry Kephart
and that hands heretofore (as per list) allotted to work on
the said road be appointed for his Gang to open
work thereon and keep the same in Good repair

On the Petition of George Cook. It is ordered that John Maggart, Adam Hansbarger, Christian Miller & Henry Hansbarger or any 3 of them being first sworn do View an alteration in the Public Road leading to Fredericksburg so far as the same passes through the lands of the Petitioner or near his Powder Mill, and make report of the convenience and inconveniences attending the said alteration to the court

Ordered that Joseph Mauzy, Jacob Bear and John Sellars or any two of them do examine state and settle the estate accounts of Jacob Rundle dec'd with the administrators thereof and make report to the Court

Ordered that Joseph Mauzy, Tobias R. McGahey and John Sellars or any 3 of them do examine state and settle the estate account of Frearson Hayes dec'd with his exors and make report to the court.

Joseph Fawcett & George Weston who was appointed to examine into the capacity of John S. Herring to act as a Deputy Survey of this County reported that they had examined the said Herring and found him duly qualified, who appeared in Court and took the oath of office as the Law directs

Overseer Poor to Mary Shefflet an acknowledged as the father of a bastard child of Ann Rains, on the Motion of the Defendant by their attorney and for reasons appearing to the court the said Recognizance is ordered to be quashed, from with opinion of the Court the attorney for the Overseers of the poor excepted, and which was signed and sealed as the law directs and ordered to be made apart of the Record

A Deed from Harrison Lee to Howard acknowledged
was acknowledged taken & ord

Samuel Lewis Deputy Sheriff for Charles Lewis sheriff
Returned a list of Delinquents and Lds insolvents in the
Revenue Law for the year 1813 which was exam and
allowed by the Court and ord to be certified to the
Auditor of Public accounts

Joseph Byrnes & John Byrnes Deputies for Sevedar Kerby
late sheriff and Charles Lewis present sheriff Returned a list of executions
which issd from the Office of the County Court of Rockingham against Sundry persons therein mentioned which list was exam and
ord to be certified

Sally, Thomas & Caty Gilmore orphans of Thomas
Gilmore decd. came into Court and made choice
of John Gilmore as their Guardian who entered
into bond with Security as the Law directs

Daniel Ragen Deputy Sheriff for Sevedar Kerby.
late sheriff Returned a list of executions which issd from
the Office of the Superior Court and County Court.
of Rockingham against Sundry persons therein Mentioned
which was exam & allowed by the Court & ord to be certified.

Samuel M'Williams Clerk produced in Court an
account for Sundry Public Servces which was exam and
allowed by the Court & ord to be certified.

Rachel Ragen orphan of Bazel Ragen dec came
into Court and made choice of Daniel Ragen as her
Guardian who entered into bond with Security as the
Law directs

Ordered that Archibald Rutherford and Henry Gamble be appointed Commissioners, to have such Repairs done to the Court. as shall appear to them Necessary, and Return an account of the expences thereof to the Court.

Present.

George Newton.

Ordered that ~~Reuben Harrison~~ be appointed Commissioner of the Revenue Law for the ~~South West~~ District, and Eugenia Erwin Commissioner for the South East District. in ~~the Counties of Montgomery~~ for the County of Rockingham for the ensuing year, and that they take the oaths of office as prescribed by Law and enter into bond with security as the Law Directs ——

The Writ of Edg? awarded to Peter Erwin at the last term ~~being~~ returned "Not executed" whereupon the Motion of the said Peter Erwin a New Writ is awarded him, to be executed on the first Thursday in November next Returnable here at the next Court ——

Ordered that the Court be adjourned until the 3? Tuesday in November next. John Erwin

Tuesday to wit held

At a Court for the County of Rockingham and the 16th day of November 1813

Present

Joseph Baxter, George Purston, Archibald Pentherson & Jacob Kyser & G Yeakley

Ord Deed from Stalp &c to Bear acknowledged & ord

Ord Deed from Showalter Exr to Burkholders acknowledged with a Memorandum thereon & ord

Ord Bill of Sale from M Campbell to Davis acknowledged & ord

Ord Bill of Sale from Lamb to Same ... Same

Kyser v Showalter &c. John Baker Gilbert for Philip Baker.

Ord Release from Garbett to Smith acknowledged & ord

Ordered that the Rules be held in the Clerks office on Thursday the 18th day of this Instant and on the days after the 3d Tuesday in December and January Next as the Law directs —

Ord Deed from Smith to Fenton proved by the oaths of Joseph Fawcett Henry K. Cochran, & William Cridwell & ord

Grand Jury Sworn to wit

William Reed (Foreman) George Cook, George Hook Jacob Kisling, Jacob Persley, Henry Perce, John Baker, Samuel Hemphill, Abraham Fisher, George Gaffey, John Dalton, Christian Determore, Philip Boston, Henry Stalp Henry Shaver, Henry Sipe & Solomon Matheny, of Jacob Miller who was Sworn, and received their charge to consult on their presentments, and after some time Returned into Court & made the following an Indictment against David Long for Perjury & Subornation, and no Persons (John Roberts Jr. &c) appearing it is ordered that the Grand Jury be discharged and that process Issue on the said Presentments Returnable here as the Law directs.

A Deed from Hughes to John Dundore acknowledged and ordered to be Recorded

A Deed from Shipman &c to Whetmore acknowledged proved acknowledged taken &c

A Deed from Christian Kyger and David Kaine to Carter P. Breckinridge for land lying in the County of Orange acknowledged &c certified

Rebecca Roberts orphan of John Roberts dec'd came into court and made choice of Jacob Snyder as her Guardian, who entered into bond with Security as the law directs

Comth v. D. Long on an Indictment
On the Motion of the attorney for the commonwealth It is ordered that the said Indictment be quashed at the costs of John Eaton who is bound as the prosecutor

Decree from v. Baker &c on Duly bond & Notice proved as to Roler & Draper & Execution awarded

A Deed from Vandenbelt &c to Taggart fully acknowledged by Baker &c. proved acknowledged taken & certified

A Deed from Erwin &c and Land &c to Curry acknowledged by the parties, proved acknowledged taken &c

A Deed from Taggart &c to Leonard acknowledged proved acknowledged taken &c

A Deed from Kenyon &c to Whetmore proved by the oaths of Henry G Gambill, Henry K. Cochran and Gordon M Williams, which with commission of this proved acknowledged being taken & certified &c

Benjamin Denton appeared in Court and took the oath of fidelity to this Commonwealth &c

On the Motion of George Gilmore administration of the estate of Peter Turnpaugh is Granted him he having entered into bond with Security, and made oath thereto as the Law directs, and It is ordered that Christian Kyger, Peter St. Nicholas Jacob Nicholas & Jacob Kepling or any 3 of them being first sworn do appraise the estate of the said Peter and make report to the Court

Byrnes v Nober George Mallow Jr Gilbert

On the Motion of George Kyger administrator of the estate of Henry Probst is Granted him he having entered into bond with Security, and made oath thereto as the Law directs, and It is ordered that George Mallow Adam Fester, Jacob Kepling and John Rush or any 3 of them being first sworn do appraise the estate of the said Deceased and make report to the Court

Ordered that George Kyger be appointed Guardian for Reuben, Delilah, Harriet & Malinda Probst Infants children of Henry Probst dec'd who entered into bond with Security as the Law directs

Mary Southers orphan of John Southers came into Court and made choice of John Graham Jr as her Guardian who entered into bond with Security as the Law directs

Henderson v Wine The Defendant appeared in Court and confessed a Judgment for the Debt in the Declaration mentioned with Cost Costs and the said Defendant was Delivered up by his bail

Deed from M Culloch &c to Gillett acknowledged in Court.

Comth vs Garrott M G and Sworn and Jury Sworn to try the Issue, Timothy Mahony, Perrin Overly, Dan'l Pickering, Robert Dunlap, William Dunlap Jr George Argenbright, Conrod Cook, Thomas Stenton Jacob Roads, Jacob Cowan, John Cowan, & Philip Miller Verdict for that the Defendant is not Guilty —

Ordered that Benjamin Thompson be Summoned to appear there at the Next Court, to shew cause why his Children should not be taken away from him and be bound out it being Suggested to the Court by the Overseers of the Poor that he is not in Circumstances to raise and Educate them in a Decent Manner

Overseers Poor vs Lambert Dinnis?

Cook ets vs ~~Cook~~ Cook Pro Arrest Cook Gilbail

Welch vs Cook Judgm confsd as for Specialty with Interest & Costs

Ordered that Michael Moyer Jr be Summoned to appear here at the Next Court to shew cause if any he can or Know to say why his Children should not be taken away from him and be bound out, it being Suggested to the Court by the Overseers of the Poor that he is not in Circumstance to raise and Educate them in a proper Manner.

Deed from Shaver Exr to Feltey acknowledgd Mrs acknowledgt taken &c

Carryer vs Caldwell Continued on Writ Return

Thayer & Co v Brown the Defendant was brought into Court, and confessed a Judgm for the Debt in the Declaration Mentioned & 8th Dols Costs, and the said Defendant was Delivered up by his Bail

Ordered that the Court be Adjourned until to Morrow Morning 10 Oclock

Joseph Baxter

Wednesday the 17th day of November 1813.

Present

George Newton, Archibald Butherford
George Dove & Jonathan Chapman } S G Justices

Ordered that Tobias R M Gahey be appointed Guardian for William Right an Infant under the age of 14 years and heir of George Right dec'd who entered into Bond with Security as the Law directs

Duffy v M Campbell & Perry Welch & John Wylie Gilbail offered Judgm set aside pay't & Issue and Continued

Comth v Good & Meder, Orac Information be filed & Summ awarded to answer the same, returnable here 1st February Court Next

Comth v Mathias (3 Cases) N G & Issue in each Case and continued

Comth v March N G & Issue and Jury Sworn to wit
John Hoover, Samuel Hoover, Lauranus Bowers, Joseph Cochenour, Henry Leonard, Jacob Chelsezer, Cuthbert Shangler, Zachariah Hoy, Silas S. Foster, Isaac Southers Jacob Miller, and Joseph Mahoy, Verdict for the Defendant is Guilty & Judgment

Comth v Mellbarger Ven Levis awarded

Comth v Spitzer N. Levis to answer Information

Comth v Detmore N. G & Issue Jury Sworn
to wit Henry Phelps, William Mathews, Jacob
Miller, Henry Powell, George Leonard, George Conrod
Timothy [illegible] Mahoney, William Rains, George
Engst, Abraham Shotts, John Embrey & George
King. Verdict Defendant Not Guilty [illegible]
[illegible] and Judgment
agst Eve Miller the Prosecutrix for Defendants Costs.

Comth v Seits Deft call'd Order Information be
filed and Levis award to answer the same returnable
to February Court Next.

Comth v Evelsizer Deft call'd, fined 25/ for swearing
five profane oaths, and Costs.

Comth v Clayton dismiss'd

Comth v Fletcher dismiss'd

Comth v James Clayton dismiss'd

Comth v Joseph Clayton dismiss'd

Costar v M Campbell, John Graham Jr Gilbail
Office Recognr set aside Capt & Issue and entered.

Comth v Conrod parties heard and Determined.

Donaghoo use v Bateman Continued for the Plaintiff

Deff v Memphell plea war? & Judgment Confessed
as per specialty with Interest & Costs (saving equity)

Eversole v Blair &c . . . . . same

Hopkins v Leonard &c . . . . . same

Blackburn v Hopkins &c . . . . . same

[illegible]

Graham v Herring Plea waved and Judgmt Con
Sp. as per Specialty with Interest Costs (saving equity)

Graham v Land . . . . . The same

Galvage v Dalton . . . . . same

Miller v Blair &c . . . . . same

Guy v Funk . . . . . same

Carbaugh v Mealow &c . . . . same

Dever v Cook . . . . . same

Graham v Arnow . . . . . same

Ordered that the Court be adjourned until to Morrow
morning 10 Oclock

Jas. Preston

Thursday the 18th day of November 1813

Present

Asher Waterman, George Preston Archibald
Rutherford & Jonathan Shepman . . . . Js. Justices

Otts son v Carthrae &c Continued

Smiley v Arnow &c. Continued

Roler v Gentlemen Continued for award

Wallis v Mathews Continued for Defendants

Heilig v Dove Continued for award

Lear v Funk Continued for award

Campbell v Crocers Continued for award

Lamb v Shoemaker Disms. agreed

Messrs v Patton Office Judgmt set aside to pay costs and
Plea and Continued

Roland vs Duff Jury Sworn to try the Issue to wit, William Rains, Joseph Mahoy, Samuel Hoover, Jacob Weller, George Leonard, George Cline, Parmenus Woods, John Lawson, Joseph Thornton John Emby, John Hoover, Isaac Southern, whereupon William Rains one of the said Jurors was withdrawn and the rest of the Jurors from retireing their Verdict was discharged, and the Cause is Continued Mem! on the trial of this Cause a bill of exceptions was taken & when was signed &c

Pattan vs Deets, Julia S. Foster Gilbail offers Judgm set aside as to the bail

Mary Denton Widow of Peter Denton dec from under her hand Relinquished her right of administration, On the Motion of John and Thomas Denton administration of the estate of the said Peter is Granted them they having entered into bond with Security and made oath as the law directs, and it is ordered that Lewis Stephens, Peter Zeller, Henry Woolf and Zebulon Harrison or any 3 of them being first sworn do appraise the said estate and make report to the Court

Funk vs Anderson Offer Judgm set aside Judgm and Issue and Entered

Graham vs Williams . . . . . same

Strayer &c vs Shotts . . . . . same

Cremmy vs Neely Offer Judgm set aside Covenants performed Issue and Continued

Kipling vs Cooper Offer Judgm set aside Judgm and Issue and Continued

Messick v Teany Offer Judgt set aside Judgt & Iss. and Contd

Lane v Fowler Offer Judgt set aside Def agreed

Allen v Berry Offer Judgt set aside Judgt & Iss. and Contd

Baxter v Berry Offer Judgt set aside Judgt for the said & Iss. and Contd

Ordered that the Court be Adjourned until the 3d Tuesday in December Next

A Waterman

At a Court of Oyer & Terminer held at the Court house of Rockingham County on Saturday the 4th day of December 1813 for the trial of Sam. a negro man Slave the Property of Denis Lanahan charged with Felony.

Present

Ezekiel Harrison, Asher Waterman, George Huston, John Dunn, & Joseph Baxter, } Esquires

The prisoner being led to the Bar, and charged with the Felony, plead Not Guilty, and George Harrison was appointed by his counsel. Whereupon came Denis Lanahan, Joseph Bywaters, Thomas Clarke, Peter Hineberger, & Duncan Quinn who were sworn and examined touching the said Felony, and the said prisoner being heard in his defence, by his Attorney, the Court upon the consideration of the case, are of the opinion that he is guilty of grand Larceny, and the prisoner praying the benefit of Clergy

It is Ordered by the Court that he be burnt in the hand and that the Sheriff execute the same in.

the presence of the Court, which was done accordingly

and the Court arose

Eg. E. Harrison

Rockingham County to wit

At a Court held for the said County the 21st day of December 1813

Present.

Ezekiel Harrison, Joseph Baxter, Walter Davis
& Peachy Harrison & Henry Welch . . . Gent. Justices

A Settlement of the estate of Mathias Kerns dec'd returned & ordered to be Recorded

Sufferance v. Reed upon an attachment Continued

Otto v. Sinclair upon a Note, the Note proved and Continued

The last will and Testament of Aaron Foster dec'd was presented in Court and was proved by the oaths of Philip Koontz, Joseph Foster and John Roop, and ordered to be Recorded and on the Motions of Joseph Foster and George Roads executors therein named who entered into bond with Security, and made oath thereto according to law and a certificate is granted them for obtaining a probate in due form. and It is ordered that John Moore, Reuben Harrison, Henry Marks and William West or any three of them being first sworn do appraise the estate of the said Aaron Foster and make report to the Court

A Deed Release from Henton exon to Whisler acknowledged & ord. to

Ordered that the several Causes on the docket that has not been Call'd be Continued

George Hayns orphan of Jonas Hayns did came into Court and made choice of Jacob Cash as his Guardian who entered into bond with Security, and &c as the Law directs —

On the Motion of Rev Jarvis Paynter, who produced in Court a Testimonial of his being in Regular Communion with the Methodist Episcopal Church, and he having taken the oath of fidelity, and entered into bond with Security as the Law directs a Testimonial is Granted him for Celebrating the rights of Matrimony according to the forms of the said Church

Jarvis Boswell (a free Negro) who was Recognizanced to appear this day, Charged with feloniously receiving stolen Money from Sarah a Negro Man Slave then belonging to Dennis Lanahan, and for the trial and examination of the said offence a Court was ordered to be held on the 4th day of this Instant but which Court did not Meet) appeared in Court in discharge of his Recognizance, the said Jarvis being arraigned and charged with the felony plead Not Guilty, whereupon, Sarah a Negro Man Slave (late the property of Dennis Lanahan) Joseph Bywaters and Peter Wenslager were Sworn and examined touching the said offence, the Court upon Consideration of the Circumstances of the case are of the opinion that he is not Guilty, of the same and that he be acquitted

C Dennis Poor vs Thompson Costs
C Same vs Moyers Jr. Costs.

G. Conrod v Grady &c on a Motion on Dely bond Notice proved & Execution awarded

" Ragan v Barly upon attachment Continued

" Overseers Poor v Bowen on a Recognizance &c Continued until the Next Term

G. Replogin adm v Rankin &c on a Dely bond Notice proved as to Sal Rankin, Execution awarded

Ordered that the sheriff Summon all the acting Majistrats in this County to appear here on the 3rd Tuesday in January Next for the purpose of Recommending Meteted Officers, and such other Business as shall be laid before them —

M. Jas C. Thomas v George Perry &c on a Dely bond Note proved & Execution awarded

M Byerly exrs v Perry &c ..... same

G Doak ..... v Perry &c ..... same

Ordered that the Court be Adjourned until the 3rd Tuesday in January Next. E J C Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 18th day of January 1814.

Present

Ezekiel Harrison, Joseph Baxter, George Dunlow & Walter Davis . . . . . Js. Justices

A Deed from Cook &c to Messrs acknowledged, which with Privy examination of his wife returned certified and ordered to be Recorded

A letter of the estate Hugh Douglass dec'd returned & Recorded

A Deed of trust from John Dickey &c to Harrison in trust for Jno Bryan's wife acknowledged taken & Recorded

A Deed from Jacob Lamb to Baker acknowledged & Recorded

A Deed from Mellenbergers &c to Fesler acknowledged wife's acknowledgment taken & Rd

A Deed from Peter Setty &c to Mericks . . . . same

A Deed from Graham &c to Boston . . . . same

A Letters of the estate of Elizabeth Shank returned & ordered to be Recorded

A Deed of trust from Sheridan to S. Gelmore in trust for Thomas Gelmore acknowledged by said Sheridan & Recorded

A Letters of the estate of John Perkey dec'd returned & Rd

A Power of attorney Thos Lewis Jr to Charles Lewis acknowledged & Rd

A Letters of the estate of Sarah Perkey dec'd returned & Rd

An appraisement bill of the estate of Mary Rumble dec'd returned & Rd

A Sale bill of the estate of Mary Rumble dec'd returned & Rd

A Deed from John Chrisman &c to Gunn &c proved by the oaths of David Lock & Catharine Warren and acknowledged by his wife she being privily exam'd & Ordered to be Recorded

A Deed from Blosser &c to Brannaman proved by the oaths of Joseph Bywaters John Bywaters & Henry Gambill as to all the parties except Coconour and acknowledged by him &c

A Deed from W. Hopkins to A. Roalston acknowledged &c

A Deed from Arch? Hopkins exor to Roalston same

A Deed from Arch? ~~Hopkins~~ to Roalston exr to W Hopkins acknowledged wife acknowledgm't taken &c

On the Petition of Thomas Harrison, It is ordered that Dorman Holland, Daniel Rager, Jacob Huggans & Michael Howard or any 3 of them being first sworn do View an alteration proposed by the Petition in the main road leading from Harrisonburg to New Market Beginning about 40 poles above the 4 Miles post and to continue a straight course so as to intersect the old road about twenty poles below the said 4 Miles post, and make report of the convenience and inconvenience attending the same to the Court.

On the Motion of George Sprinkle It is ordered that a License be Granted him to Keep a tavern in this County (Given 1st December 1813) until the 1st day of May Next he having paid to the Clerk $4. and his entering into bond with Peter Sprinkle his Security as the Law directs

Catharine Loar widow of Peter Loar dec'd. proved under her hand relinquished her right of administration, whereupon the Motion of John Loar

administration of the estate of the said Peter is Granted him. he having made oath thereto and entered into bond with Security as the Law directs and it is ordered that Oliver McCausland, David Good, Abraham Peery and Thomas Beech or any 3 of them being first sworn do appraise the estate of the said Peter Loar and make report to the Court

Ord from Montgomery exon to Peab acknowledged & R

On the Motion of Jacob Lamb administration of the estate of Nicholas Lamb dec'd is Granted him. he having entered into bond with Security, and made oath thereto as the Law directs, and it is ordered that George Fawly, George Shoemaker, Jams Ferrier, & Peter Roadcap or any 3 of them being first sworn do appraise the estate of the said Lamb, and make report to the Court

Ord from Dumbolton Exr to Barber proved by the oaths of Thomas C. Fletcher, Saml M'Williams & Henry J Gamble & Recorded

Ordered that Aaron Solomon, Henry Smith, Reuben Harris & George Clem. or any 2 of them do examine state and settle the state accounts of Michael Whitmore dec'd & Make report to the Court.

Carrier v Carstens &c on Delty bond Notice proved & Execution awarded

Koontz v Carstens &c . . . . . same

Crages exors v Marshall &c . . . . same

Crages exors v Marshall &c . . . . same

Ordered that the Overseers of the Poor bind Ezekiel a black Mulatto boy 18 years of age the 5 of March 1814. to John Koontz (of K.) to learn the trade of a Tanner, as the Law directs who is to receive $20 for freedom dues.

Ordered that the Overseers of the Poor bind Robert Travis orphan of John Travis deceased 18 years of age in July next. and (who is at present bound to Felix Shepherd) to Francis A. Peto to learn the trade of a Tanner as the Law directs. who is to have for freedom dues $20

Beech a free Negro appeared in Court. and having been examined by the Court It is ordered that a copy of the Register be granted him.

Overseers Poor vs Thompson. New Summons awarded

On the Motion of Adam Vansberger, It is ordered that a Certificate be granted to the Register of the Land Office that Henry Nell is the father and legal representative of Jacob Nell deceased, who died without any Land

Overseers Poor vs Moyers Jr. New Summons awarded

Ordered that the overseers of the Poor bind Millicard Shoemaker orphan of Lewis Shoemaker deceased 6 years old the last of August 1813 to George Mallow to learn the trade of a Weaver, as the Law directs, who is to have for freedom dues $16.

Ordered that Henry J Gambill be appointed a Commissioner for the purpose of having such Repairs done to the Offices or Cases in the offices, for the Securing of the Papers and Records as shall be Necessary, and return an account of the expenses to the Court.

A Deed from Shepman to Franks proved by the oaths of Robert Gray, Henry K Cochran, and Henry J Gamble Esqrs

Ordered that Dorner Hoffard, Thomas Harrison and David Harrison or any 2 of them do examine state and settle the estate Accounts of Isaac Depoy dec'd with the exrs and make report to the Court

Ordered that Joseph Mauzey, Tobias R. M Gaby, & Peter Nicholas or any 2 of them do examine state and settle the estate account of Jonas Hayes dec'd with the admrs and make report to the court

On the Motion of John Hayes administrator of the estate of ~~Dorothy~~ his Wife Dorothy Hayes decd is Granted him, he having entered into bond with security and made oath thereto as the Law directs,

On the Petition of John Ward who owns the Lands on both sides of Fork Run, and is desirous of building a Water Grist Mill on his said Land, It is ordered that a Writ of Adquod be awarded him, to be directed to the Sheriff of this County, and to be executed on the Second Wednesday in February Next returnable to February Court Next—

Samuel Storms Writ of Adquod-Damnum being returned into Court with the Inquest of the Jury held thereon, and no persons objecting to the establishment of the said Dam It is ordered that the said Mill and Dam be established agreeable to the said Inquest.

Peter Cline's . . . . . The same

Nicholas Carns . . . . . same

Henry Harshbarger . . . . . same

Letters of the estate of Frederk Hayes decd ordered to be Recorded

On the Motion of Stephen Matheny & Phelps Wesman administration of the estate of Jacob Peltz decard is Granted them they having entered into bond with Security and made oath thereto as the Law directs, and It is ordered that Abraham Smith (Son of John) Hugh Dever Jr. Abram Newman and Phelps Peeler or any 3 of them being first Sworn do appraise the estate of the said Peltz decard and make report to the Court

Ragen vs Barly upon an attachm the sheriff having returned on the attachm executed on Sundry Property as per writ, the said Defendant appeared in Court and confess a Judgm for $88.40 cents Debt with Interest from the 18th January 1814 Costs to said, and It is ordered that the sheriff make sale of the aforesaid attached property, and pay the Money arising from such sale to the Plff in discharge of this Judgm.

(Copy Judgm Docket) (Copy Hoopy)

~~and pay the overplus if any to the said Defendant~~

Ordered that Joseph Estavens, Charles Clark and Hugh Dever Jr or any two of them do examine state and settle the estate accounts of Abram Shanklin decard with the administrator and make report to the Court.

Preston vs Barly upon an attachm the sheriff having returned on the attachm executed on the said property that Ragen attachm was executed, and the said Defendant not appearing to reply the same, Judgm is awarded the Plff for $21.15 cents Debt with Interest on $11.50 part thereof from April 1812 (Title) to said Costs and It is ordered that the sheriff pay the amount of this Judgm. out of the Money arising from the sale of said property, if so much there shall be after first paying the amount of said Ragens Judgm. and that he have execution for the residue &c

Sufferance v Read upon an attachm. the Constable having returned on the attachm. executed in the hands of David Brumfield and summoned him as Garnishee who appeared in Court & sworn declars that he is the admin-
istrator of Thomas Gilmore decd. and that he has in his
hands as administrator, claims in favour of the said
Read (now due from sundry persons) to the amounting to
the sum of £67 or £58, And the said Defendant being
Call'd and not appearing to Reply the said Inquest is
awarded the said Plaintiff for $66.66 cents as per
Note with Interest and Costs, and It is ordered that
the said Garnishee pay the ~~sum~~ amount of this
Inquest to the Plff. when ever so much of the said
Money shall ~~be~~ come into his hands.

View and report of an alteration in the Road leading
Fredericksburg made by the Viewers agreable to the Petition
of Gorge Cook being returned in Court and the Court
having examd the same. It is ordered that the said
alteration be established agreable to the said report.

Present Henry Welch

Ordered that the following Persons be Recommended
to his Excellency the Governor as proper and fit
persons to be Commissd as Officers in the 2d Battalion
of the Regt of the Militia in this County.

William Taylor Capt in the room of Abraham
Bowers Removed out of the Regt.

Ephraim Salvage Lieutenant in the room of said
William Taylor,

John Coffman Ensign in the room of Ephraim
Salvage promoted.

Abraham Rader Lieutenant in room of John Trumbo
Removed.

Henry Cleno Ensign in the room of said Abraham
Rader promoted

Ordered that Jerry Welch, Jeremiah Sullaven & John Gray or any two of them do examine state & settle the estate accounts of Adam Foreboogh Jr decd and make report to the Court

Jacob Etts

Jeremiah Sullaven } upon a Notice to him for failing to return an execution which was put into the hands of his Deputy William Adams, Notice proved and the said Deft ~~[illegible]~~ thereby fined ~~[illegible]~~ at the rate of $1.25 Cents per month on 28/11/11, from the 22nd day of February 1811 to the 18th day of January 1814. and Judgm for costs.

A View and report of a way for a road made on the Petition of William Fowler being returned into Court, on the Motion of the said Fowler by his attorney the said report is refer back to the said Viewers, ~~to wit~~ to

Averses Poor vs Bowers on Recogz Continued

Shadrick Hill a free man of Colour, appeared in Court and was examined by the Court and found to be duly Registered, It is ordered that a copy the Certificate hereof

On the Motion of Jeremiah Sullaven, and for reasons appearing to the court It is ordered ~~that~~ to be Certified that he is a person of Honest Demeanor, and is upwards of twenty one years of age; applied for himself

Ordered that John Gray, William McMahan and Jeremiah Sullaven or any two of them do examine state and settle the estate accounts of John Durnford decd with the administration and make report to the Court

Ordered that the Court be adjourning until the 3rd Tuesday in February Next

Wm Harrison

Tuesday to wit

At a Court held for the County of Rockingham the 15th day February 1814:

Present.

Ezekiel Harrison, Walter Davis, Jonathan Shepman & Joseph Bantz . . . . . Js. Justices

Ord. that the Rules be held in the Clerks office on Thursday the 17th day of this Instant and on the days after the third Tuesday in March and April Next as the Law directs.

Weis adm. v Erwin adm. dismissed agreed.

Deed from Boston Burr to Jacob Ashworth ack. & ord. to be certified

Deed from Jas. Perry dec. to Saml. Perry . . . . same

Deed from William Hopkins, to Jos. Deck for land lying in the County of Harrison, was produced in Court and acknowledged by said Hopkins and ordered to be certified

Wm. Self by J.K.B.

Kemper v Rittenhouse dismissed agreed

Grand Jury Sworn to wit

William Rice Foreman), Frederick Kyle, Henry Lepo, William Shrinkle, Peter Whetzel, Hugh Brassey, Peter Koontz, Solomon Perkey, Stephen Conrod, Adam Vansbarger, Aaron Kyle, John Cook, Henry Miller, Henry Smith, David Roalston, Christian Garber, Jacob Rice, & John Whitmore, who received their charge and retired from the bar to consult of their Presentments and after some time returned into Court and made the following presentments viz Presents George Deck &c and Nothing further appearing the said Grand Jury be discharged and their process ffieri Returnable here as the Law directs.

Deed from Walter Davis Exr to M. Dever acknowledged & acknowledgm. taken by 2 Magistrates and certificate ordered to be Recorded

Deed from Fiscus Exrs to Rosenbarger ... same

Deed from Meyer to Roberts fully proved by the oaths of Peter Fiscus ordered to be certified

Shroff & c vs Peters &c on a Delivery bond. Notice proved and Execution awarded

Grove vs Woods John Bowers Jr Esquire bail

Catharine Dedrick Widow of William Dedrick decd. came into court and Signified her consent that John a Mulatto Boy the property of the Estate of said Dedrick and who was left free by the said will to the 1st of September 1810. should have his freedom. Robert Gray and George Gilmore having appeared in court and agreed to indemnify the parish on account of the said boy being so set free —

The Last will and Testament of Peter Eaton decd was presented in Court and proved by the oaths of John Strickler and Henry M'Atee and ordered to be Recorded. and on the Motion of Tobias M M'Gahey the executor therein named, who entered into bond with security, and made oath thereto as the law directs, a certificate is Granted him for obtaining probate in due form and it is ordered that Adam Fisher, George Mallow, Jacob Keplinger, and Henry M'Atee or any three of them being first sworn do appraise the estate of the said Peter Eaton deceased & return to the court

Rudolph Exrs vs Freeholders &c on a Delivery bond Notice proved as to said Freeholders and Dever and Executions awarded

Deed from M. Pickering to Noy proved by John Morgan one Witness thereto, and ordered to lay for further proof

Deed from M Gahey to Knapp acknowledged &c

Overseers Poor vs Miller & Nolen proved as to G. Miller & Yoker, Judgt for $20 with Costs and Costs

Costs cast for Pltf & Def

Mesheck vs Burns Robert Gallaw Sheriff of Jefferson Judgt set aside as to the Bail.

Present.

Thomas Moore & John Pearson.

Absent.

Wallis Davis & Joseph Baxter.

Dever & Quinn vs Shem Funk William Travers Special Bail

Deed from Thomas Hopkins to John Penn acknowledged and ordered to be Recorded

Deed from Stoutsmire to Earhart acknowledged &c

Overseers Poor vs Bowers in Recognizance, as the father of above born Child of Sally Taylor, the said Defendant appeared in Court, and the Witness being heard, It is considered by the Court that the said Bowers pay to the Overseers of the poor of the County of Rockingham for the support of the said bastard Child the sum of $42. payable in the following Manner to wit $20 within one Month from the date hereof and then $20 annually commencing from the last Mentioned date until the said sum be paid, and that he enter into Recognizance with Security agreeable to the above order, and that he stand Committed until he find such Security, whereupon the said John Bowers with Michael Zerman his Security appeared in Court and severally acknowledged

themselves to owe and to be indebted to his Excellency James Barbour Governor of this Commonwealth and his Successors in Office the sum of £42 to be Levied of their respective Goods and Chattels, and for the use of the Overseers of the Poor to be rendered upon this Condition Nevertheless that the said John Bowers shall pay to the said Overseers of the Poor the said sum of £42 in Manner and form aforesaid, for the support of the said bastard child then the above Recognizance to be Void else to remain in full force &c

Ordered from J. Carthrae Jr Esq to Johnston Prosp by the oaths of Charles Lewis and of John Carthrae Jr. and ordered to be Recorded

Ordered from Hammer Esq. to Kerby acknowledgt of Deed to be Recorded

Ordered that Daniel Rager pay unto Henry J. Gamble the sum of $53.79 cents. being the balance in his hands due the County, including the County Levy for 1810, and it is further ordered that Lenclair Kerby late Sheriff pay unto the said Gamble the further sum of $24.46 cents out of the Deposites for the years 1811 & 1812, which sums appears to be due the said Gamble for work done to the Court and in the Clerks office, by order of the Court as per account rendered

(Def. self)

On the Motion of John Maggart It is ordered that a Licence be Granted him to keep a tavern at his house in this County until the 1st day of May Next, he having paid to the Clerk $3.49 cents & he entering into bond with John Hammer his security as the Law directs.

Comth v Spitzer dismd. by order the attorney for the Commonwealth

Comth v Toler or Pursuit. abates by return

Comth v Peters on Prest. dismd by order the attorney for the Commonwealth

Overseers Poor v Moyers Jr New Sums awarded returnable here at the Next Court.

On the Motion of Jacob D. Williamson It is ordered that Rebecah, John, George & Elizabeth Phelps Children and heirs of George Phelps decd be summoned to appear here at the Next court to show cause if any they can why in order to make choice of their Guardians, they being above the age of 14 years —

Comth v Long on Indictment Continued.

Campbell v Sperry & John Miller Jacob Deary Gilbail. Judgment set aside as to the said Jacob Deary who makes his appearance bail

Comth v Robertson New Sums awarded returnable here at the Next Court

Comth v Millbarger on a presentment of the Grand Jury Parties heard and Defendant fine $2.50 for not keeping the road in repair & Costs.

~~Comth vs Adams Road Information~~

Comth v Montjoy abates by return

Comth v Adams information ordered and Summons awarded to answer the same returnable here at the Next Court

Ordered that the Court be adjourned until to Morrow morning 10 Oclock

E J Harrison

Wednesday to wit

At a Court continued and held for the County of Rockingham the 16th February 1814.

Present.

Ezekiel Harrison, Jonathan Chapman
Henry Welch & John Peirce . . . & G. Gustey

N. Donaghe exor &c vs Jacob Markwood & Michael Markwood & Henry Welch. debate as to Michael Markwood & Henry Welch and Judgment confessed by Jacob Markwood as per bond Specialty with interest and Costs, and was by the Plfts attorney prayed in Custody, whereupon the said Defendants Delivered in a Schedule of his estate, and took the oath of an insolvent Debtor, the said plaintiff by his attorney waiving the formality of a Notice

Hopkins vs Swartz Peter Good Special bail

Allen from Grady Exr to Strickler acknowledgt
Hopkins acknowledgt later 20th

John Pence who was this day summoned to attend as a Juror was Solemnly Called and not appearing It is ordered that he be fined $8 unless good cause be shewn for such his non attendance at the next Term

Comth vs Long Mg & Assd and Continued.

Comth vs M. Peter Mg & Assd Jury sworn to wit John Cathcart, Mathias Armor, John Clarkson John, Norman Jacob Funkhouser, Peter Good, John Roland Alexander M Cartney, Phineas Swartz & Henry Hammer & John Hammer, Abraham & Isaac Southers

Verdict Defendant Not Guilty.

Comth vs Smelser Continued

Allen Deed from Peter Leonard Exr to G. M. Harrison for John & Joseph Krotzer & George Leonard) acknowledged by said Leonard & Harrison and Ord

Comth v Good. N G & Spec. Jury sworn to wit
Joseph Loconour, Henry Mungar, Michael Deck, Henry
Eyman, Christian Detimon, John Fulwiler, Jacob Hart
Sarger, John Penn, Philip Boston, John Graham, Jr
Benjamin Lewis & Solomon Mathews Verdict that Deft is
Guilty and assessit $7. and Judgmt Mtn? on the
trial of this cause and exception was taken to the opinion of
the Court which was signd and sealed as the Law dirt and
ordered to be made apart the Record

Comth v. Mathews 3 Cases Continued

Overseers Poor v Thompson Continued

Comm v Miller on Writ Adjd Continued

Carstens v Mackall Continued

Carpenter v Smith & Co Continued

Leonard v Miller Ses Continued

Harrison v Koontz . . . Continued

Koontz v Harrison . . . Continued

Hetty v Bear . . . Continued

John Koontz Writ Adjd Continued

John Nave . . . Ditto

Carryer v Caldwell upon a Writ Replevin Continued

Ottenas v Carstens Continues

Smelly v Arrow &c Jury sworn to try the Spec
John Clarkson, John Norman, Jacob Deitch, Peter Good,
John Roland, Alexander M Carty, Phineas Swartz,
Henry Hammer, John Hammer, Andrew M Clellan &
Isaac Luther & John Sherrard by consent Alexander
M Carty one of the said Jurors is withdrawn and the
Cause is Continued for Defendants

Adm Lap Loth v Arnold dismissed agreed

Roler v Stoutenburg continued for an and

Wallas v Mathews ... Continued

Jones v Mathew Daniel Mathews, Gilbert and the Defendant appeared in Court and confessed a Judgment for the Debt in the Declaration Mentioned with Interest and Costs

Roland v Duffy. Jury sworn to try the Issue to wit John Mackall, John Lipe, Daniel Mathews, John Hammer, Phineas Swartz, Henry Hammer, Mary M'Clellan, John Clarkson, John Homan, Jacob Pierce, John Sheridan & Peter Good - Verdict for the Plaintiff for $13 33 cents Damages and Costs. Mem! On the trial of this Cause the Plaintiff tendered a Bill of exceptions to the opinion of the Court which was signed and ordered to be made a part of the Record.

Beard v Perrin Daniel Bagen Gilbert, Office Judge Set aside as to the appearance bail

On the Motion of John Pence, and for Reasons appearing to the Court It is Ordered that the Writ issued against him this day for non attendance as a Juror, be Quashed.

Wiseman Ho. v Grady, Defendant appeared in Court & Confessed a Judgment for the Debt in the Declaration Mentioned & for the Interest & Costs with the Stay of Execution untill the 1st of April Next

Costs Cad.

Ordered that the Court be adjourned untill to Morrow Morning 10 o'Clock

Gl Harrison

Thursday the 17th day of February 1814.

Present

Joseph Baxter, George Hustor, Jonathan Shipman & Henry Welch . . . . . Esqrs

Robertson & al vs Watson Judgmt. plea waived, Judgmt Confessd for the Debt in the Declaration Mentioned with Interest and Costs, & no stay of execution for 6 Months

Costs taxed

Beard vs Herring, Office Judgmt. set aside, payment and Issue and Continued

Dowell vs Campbell office Judgmt set aside pays for the appearance Cause & Issue and Continued

M'Henry exor vs Eyman &c . . . . . same

Foster vs M'Campbell Robert Grattan Gilbert in room of J. Graham

Suter vs Krug, exor office Judgmt set aside & fully administered & Issue and Continued

Fulk vs Anderson plea waived & Judgment Confessd as per Specialty with Interest and Costs saving equity

Strayer & Co vs Shotz . . . . . same

Foster vs M'Campbell . . . . . same

Costs taxed

Keysling vs Cooper . . . . . same

Meyseck vs Feamy . . . . . same

Sand vs Pattan . . . . . same

Allen vs Herring . . . . . same

Duff vs M'Campbell . . . . . same

Costs taxed

Baxter vs Berry . . . . . same

Present Jacob Hyson Gent

Absent Henry Welch Gent

Smily vs Arrow &c. Jury sworn to try the Issue
Christian Detimore, Samson Quinn, John Gray,
~~Matthew Stockton~~, William Rains, Christian Krozer,
Benjamin Fawcett, John Krozer, Jacob Deary,
Joseph Arnold, Kemp Gains & Nathan Chandler
Verdict for Defendant & Judgment.

Craig vs Carthrea & Charles M. Carthrea Sd Bail
for said John Carthrea

Stultz vs Dove Continued for award.

Lear vs Funk continued for award

Cocanour vs Krozer adm Jury sworn to try the
Issue to wit Henry Hammer, John Hoover
George Leonard, George Nader, Solomon Matheny
Henry Cyphan Jr, John Maggart, Samuel Hoover
George Comptons, Thomas Logan, Jacob Leggett &
Conrod Harshbarger, whereupon by consent the Jury
was dismissed until to morrow morning 10 Oclock

Ordered that the court be adjourned until to
Morrow Morning 10 Oclock

J. J. Harrison

Friday to wit

At a Court continued and held for the County of Rockingham the 18th February 1814

Present

Ezekiel Harrison, John Ewin, Joseph Bartlett & George Huston ..... & J. Justices.

Cocconour v Krotzer adm. The Jury empannelled and sworn in this cause on Yesterday, appeared in Court agreeable to there adjournment. Verdict for the Plaintiff for $7 1/2 Damages and Judgment.

Costs &c.

Campbell v Crouse Continued for arrest.

Williamson v Messick Continued

Burns v Standly & Others Pleas of Non Assumpsit as to Rosanna Southers, and Insanity as to Jonathan Standly, (which pleas are filed in writing) to which the Plff's Attorny reply Generally and Issues. Nathan Chandler, John Clarkson, Christian Detamore, Joseph Cocconour Martin Burkholder, John Dallow, Dorman Hoffland, John Krotzer, Henry Nowell, Philip Weaver, George King and Martin Shank, Verdict for the Plff against the Deft. Sustained Damages for the Debt in the Declaration Mentioned & one penny Damages. Subject to the opinion of the Court upon the Demurrer, to evidence, filed in this cause as to the Issue of insanity we find for the Defendant, and by Consent of the parties this Cause is Removed to the Superior Court of Rockingham for trial —

Ordered that the Sheriff Summons all the Majestrats in this County, to appear Here on the third Tuesday in March Next, for the purpose of Recommending Majestrats, the Recommendation of Militia officers, the Examination

of Sheriffs insolvents, and also for the purpose of taking into their Consideration the subject of Classing themselves for the more effectual, and uniform mode of doing the business in Court and the sheriff is hereby directed to request the punctual attendance of each of the said Majestrates, on the day and aforesaid, and that he also make report to the Court how he executed this Order

Brumstrom v Koch N E set aside N A & Issue
Jury sworn to try the said to wit Nathan Chandler,
John Clarkson, Christian Detmond, Joseph Cocoman,
Martin Burkholder, John Dallow, Dorman Lofland
John Krotzer, Henry Howell, Philip Weaver, William
Rains & Martin Shank, Verdict for the Plaintiff for
£19 with Interest from 1st August 1804 Less paid & Costs

Heggan v Smith Continued

Neely v Crookshanks Dismiss agreed

Green v Lemly Continued

Peper v Leonard continued

Depp v Dallow N E set aside N A & Issue
Jury sworn to try the same Nathan Chandler, John
Clarkson, Christian Detmond, Joseph Cocoman, Martin
Burkholder, Dorman Lofland, John Krotzer, Henry
Howell, Philip Weaver, William Rains, Martin
Shank, Peter Brown & John Lawson whereupon by Consent
John Krotzer one of the said Jurors is withdrawn, and the
rest of the Jurors are discharged and by Consent all
Matters in difference between them in this Suit is referred
to the final determination of Jeremiah Kyle and
Ezekiel Harrison whose award or the award of their
Umpire in case of Disagreement is to be made

the Judgment of the Court, and it is further agreed between the said parties, that either party may proceed before the said Arbitrator, in the trial of this cause upon giving the other 10 days Notice, of such intention

Norman v Spears Continued

Woodly v Jefferson Continued

Graham v Sandy Continued

Donaghe adm v Bateman Continued

Graham v Hamilton Continued

Bush v Clarkson &c Continued

Delemond v Fulwiler Continued

Arnold v Dalton Continued

Continued. Miller v Comer Judgment per award.

Rice v Culp Continued

Croom v Brock Continued

Miller v Leonard Continued

Evans v Harrison Continued

Funk v Lincoln Continued

Freels v Robertson adm Continued

Mayson v Penn Continued

Orff v Koontz Continued

Evans v Krings adm Continued

Deets v Blair Continued

Graham v Williams Continued

Gains v Head Continued

Alspaw v Cherryholmes Continued

Crummy v Bull Continued

Lamachie Henderson & Co Continued

Reid v Smith . . Continued

Norman v Bowers . . Continued

Lincoln v Fenders Dec MEstablished and Judgment for Costs

Ordered that the Court be adjourned untill the 3d Tuesday in March Next.

J. J. Harrison

Tuesday to wit.

At a Court held for the County of Rockingham the 15th day of March 1814.

Present.

Ezekiel Harrison, Joseph Baxter, Arch.d Rutherford and Thomas Moore . . Esq.rs Justices

A further Settlem.t of the estate of Peter Heggans dec.d ordered & Recorded.

From Millers Town Works (in Augusta) to Samuel Millers Saw Mill in this County

A View and Report of a way for a Road, made on the Petition of said Samuel Miller being returned into Court. whereupon on the Motion of [illegible] Thrasher Tenschoorn through whose land the said road is to be conducted, a Writ of Adjud.d Damn.s is awarded him to be delivered to the Sheriff and to be executed on 10th day of this Instant returnable here at the Next Court

Barbara Campbell Orphan of Alexander Campbell dec.d appeared in Court and made Choice of William Letts as her Guardian who entered into bond with Security as the Law directs

Polly Randsbottom orphan of James Randsbottom deceasd came into Court and made Choice of Peter Deary as her Guardian, who entered into bond with Security as the Law directs

A Rest of Deeds admitted to Record in the Clerks Office of this County, which returned to Court by the Clerk and ordered to be entered on the Minutes as follows.

A Deed of Bargain & Sale from Mary Blair to John Burkholder, —

A Deed of Bargain & Sale from John Burkholder Sen to Saml Burkholder —

A Deed from John Blair &c to John Burkholder

Mary Bargaheiser orphan of Jacob Bargaheiser deceasd came into Court and made Choice of Peter Leonard as her Guardian, who entered into bond with Security as the Law directs

Mary Shular orphan of John Shular deceasd came into Court and made Choice of Henry Long as her Guardian who entered into bond with Security as the Law directs —

Rebecca Philips and Elizabeth Philips orphans of George Philips deceasd came into Court and made Choice of Martin Mauk as their Guardian who entered into bond with Security as the Law directs

John & George Philips orphans of George Philips deceasd came into Court and made Choice of Lewis Zerkle Jr as their Guardian who entered into bond with Security as the Law directs

A Sellem of the Personal estate of Isaac Depuy decad returned & Recorded

Catharine Thomas Widow of Jacob Thomas decad appeard in court and relenquished her right of administration, whereupon on the Motion of John Rader administration of the said estate is Granted him he having entered into bond with Security and made oath as the Law directs and It is ordered that Joseph Bowman Adam Shoots, Joseph Rife and Benj'a Yount or any 3 of them being first sworn do appraise the estate of the said Jacob Thomas and make report to the court.

The last will and Testament of Catharine Fry decad was presented in court Written in the German Language a translation thereof having been which was proved by the oaths of Martin Garber and William Stumpf and a translation thereof being also presented in court which was proved by the oaths of said Martin Garber and John Rader which is ordered to be Recorded and on the Motion of Joseph Bowman one of the executors in said will who entered into bond with Security, and made oath thereto as the Law directs, a certificate is Granted him for obtaining Aprobate in due forem.

On the Motion of Isaac Waggy executor named in the Last will of Philip Waggy decad who entered into bond with Security and made oath thereto as the Law directs, a certificate is Granted him for obtaining Aprobate in due form and It is ordered that John Black, Henry Smith Arthur Davidson and John Loffus or any 3

of them being first Sworn do appraise the estate of the said Peggy Waggy decd and make report to the Court

Graham v Herring &c on Debt bond Notice given & execution awarded

Graham v Herring &c . . . . . same

Done v Lyon &c . . . . . same

Duff v Semphill &c . . . . . same

A Settlement of the Guardian account of John Baker Guardian for Peggy Keplinger rec'd &c

An appraisement bill of the estate of John Keplinger dec'd return'd &c

A Sale bill of the estate of John Keplinger dec'd return'd & Recorded

Williamson v Phelps &c dismissed

Ordered that Thomas Moore, John Moore and David Mathews or any two of them do examine state and settle the accounts of David Roads & Martin who are the admrs of Phelitia Roads decased, who was the Guardian for the Children and heirs of George Phelps decased and make report to the court

Ordered that John Terebough be appointed overseer of that part of the Dry creek Gap road in the room of Jonathan Bolton, and that the hands heretofore allotted to work on the said road be his Gang to work thereon &c

18 March 1814.

Ordered that David Trefell be appointed overseer of that part of the Road leading from Brocks Gap to New Market in the room of George Leonard, and that the Tithables hereto for appointed to work on the said Road be attached for his Gang to open work thereon &c

18 March 1814

Ordered that James Turner be appointed overseer of that part of the road (leading through Brocks Gap to Pendleton) in the room of John Feith and that the Tithables heretofore appointed to work on the said road be attached for his Gang to work thereon &c

18 March 1814.

On the Motion of John Teeter for a View of an alteration in the ~~road~~ road (commonly call Grattans Road) so far as the same runs through his own land, It is ordered that David Rockston, David Newton, Benjamin Bowman Jr and Martin Burkholder or any 3 of them being first sworn do View the said proposed alteration, as also the old road and make report of the Conveniencies and inconveniencies attended both ways to the Court —

On the Petition of Christian Hyger, for a View of an alteration in the Road (Commonly call'd the Lawyers Road) so far as it runs through his own land. Beginning at the Mouth of Philip Teeters lane and from thence as straight course to the Mouth of Henry Perrins lane, It is ordered that Henry Perkey Henry Perrie Jr. George Gilmore and Peter Nicholas or any 3 of them being first sworn do View the

said alteration as also the old road, and make report of the Conveniens and inconveniens attending both was thereof to the Court

Present.

George Huston & Henry Welch,
Absent.

Ezekl Harrison . . . .

On the Petition of Philip Hartman &c for a View of a Way for a road, Beginning on the south side of a ridge where the road leading from Harrisonburg to Brocks Gap, crosses the line between the lands belonging to Allebaugh and Hartman, thence with said line to or near said Allebaughs corner, thence through said Hartmans land and passing near his house to the line between him and Henry Hoover, thence through part of said Hoovers land passing near his house & barn, and falling into an old Waggon Road leading from Linvills Creek to sundry places near the North Mountain, thence along said road passing near Jacob Brunks house and barn, by Jacob Whistles crossing Brocks Creek, passing John Lincolns Tanyard, house, and Basar Mechant Mill, and falling into said Great Road leading from Harrisonburg to Brocks gap, where it is also called the Mountain Road, It is Ordered that George Chrisman, Christian Hawz, Philip Ready, and Jacob Barrolt, or any 3 of them being first sworn do View the said proposed way for a road, and make Report of the Conveniency and inconveniency attending the same thereof to the Court.

Harrison a Rea upon Demurrer filed to the bill of the Complainant.

This Cause came on to be heard this 15 day of March 1814. upon a Motion to dissolve the said Injunction

upon the bill, and Demurrer, and was argued by Counsel, upon consideration whereof the said Demurrer is overruled, and the Defendant permitted to answer, and it agreed that the said Defendant may at any future day move the Court to dissolve the said Injunction —

D. Johnston v Adams &c. Order, bond Notice proved and execution awarded

C G. Sampson v Byrd &c. on Order bond Notice proved as to Byrd and Sedgwick Execution awarded

Present.
Ezekiel Harrison. & George Dove

The Court doth Recommend to his Excellency the Governor, the following Gentleman as proper and fit persons to be Commissioned as Justices of the peace for the said County. as follows
Sch by post 18 March 1814. Daniel Mathews, John Shaver and Jacob D. Williamson, and it is further ordered to be Certified that the acting Magistrates was summoned and to attend for the above purpose but that a Majority did not attend —

On the Petition of Asher Waterman for a View of an alteration in the road leading to Jerry River gap, on his own Land Near Muddy Creek, It is ordered that Joseph Denton, William Crawford Joseph Jerry and Gabriel Paine or any 3 of them being first sworn do View the said alteration and make Report of the Conveniences and inconveniences attending the same to the Court.

Ordered that Byrd Hawkins be summoned to appear here on the third Tuesday in April next to shew cause if any he can why his children should not be taken away from him and be bound out by the Overseers of the Poor, it being suggested by the said Overseers that he is not in circumstances to raise and educate them in a proper manner,

Ordered that Archibald Rutherford, Jeremiah Kyle and Joseph Fauntleroy or any two of them do examine state and settle the estate accounts of Alexander M'Kenny decd with Andrew M'Cleland his administrator, and make report to the Court ——

An appraisement bill of the estate of Alexander M'Kenny decd returned &c.

A sale bill of the estate of Alexander M'Kenny decd returned &c.

On the Motion of George Rumney, administration of the estate of William Grant decd is granted him. he having entered into bond with security and made oath thereto as the law directs and It is ordered that Andrew M'Cleland, George Seitz, John Rumney, and Elisha Rutherford or any 3 of them being first sworn do appraise the estate of the said Grant and make report to the Court

Ordered that the Court be adjourned until the 3rd Tuesday in April next

Wm. Harrison

Tuesday to wit

At a Court held for the County of Rockingham and the 19th. April 1814.

Present

Ezekl. Harrison, Joseph Baxter, Archibald Rutherford, Walter Davis, & Peachy Harrison Esqrs. Justices

A Test of Conveyances ordered to be Recorded this in the Clerks office of the said County from the fifteenth day of March 1814 (being the day of the last Term) and 19th. day of April 1814. as follows.

A Deed of Bargain & Sale from Peter Sheckly and Mary his wife to Daniel Sheckle for Land lying in the said County, acknowledged by the Parties thereto — before the said Clerk.

A Deed of Bargain & Sale from same to Peter Sheckle Jr. for Land lying in the said County duly acknowledged by the Parties before the Clerk.

A Deed of Bargain & Sale from John Miller & heirs of Mathias Miller dec'd to Jacob Miller for Land, lying in this County, acknowledged by the said Parties before Abraham Woolf. a Justice of the Peace for Berks County State of Pennsylvania, and duly Certified, and &c

A Deed of Bargain & Sale from Michael Kepps and Catharine his wife to Nicholas Nolan for Land, acknowledged by said Michael &c

A Deed of Bargain & Sale from Jacob Roads and Catharine his wife, to Peter Sprenkle for Land, duly acknowledged by the said Parties —

A Deed of Bargain & Sale from Clement Smith and Patsey his wife, to Henry Smith for Land lying in the said County, acknowledged by the said Parties in the County Court of Fayette and State of Kentucky and duly Certified &c

A Deed from the same to same . . . . . Order,

A Deed from same to same . . . . . Order

A Deed of Bargain & Sale from Philip Gitts & Christena his wife to Christena Miller for Land, acknowledged by the said parties —

A Deed of Bargain & Sale from Jacob Moyer & Barbara his wife to Christena Moyer for Land, duly acknowledged by the said Parties —

A Deed of Bargain & Sale from Martin Deter & Catharine his wife to Daniel Miller (for Land) acknowledged before Hugh Andrew a Justice of the Peace for Fairfield County State of Ohio, and duly Certified —

A Deed of Bargain from John Gilmore & Ann his Wife to Henry Culp, for Land, duly acknowledged by the Parties.

A Deed of Bargain & Sale from John Mackall & Peggy his wife to John Carstarphen Jr. (for Land) duly acknowledged by Jno. Mackall only.

A Deed of Bargain & Sale from John Knapp Jr. & Mary his wife to George Custer (for Land) ~~acknowledged by the said John Knapp~~ proved by 3 Witnesses thereto —

A Deed from Peter Sprinkle and Nancy his wife to Henry Welch (in trust for Lewis Stephens for Land) acknowledged by the parties thereto —

A Deed from Robert Gray & Sarah his wife to Joseph Thornton (for Lots in Harrisonburg) acknowledged by the parties thereto.

A Deed Release from Mathias Merrick to Henry Boushong for Land, acknowledged.

A Deed from Adam Harshbarger & Catharine his wife to John Maggart, acknowledged by the said parties

A Deed from Joseph Coconour & Barbara his wife to James Craig (for Lots in Harrisonburg) acknowledged by the parties.

A Deed from same . . to William Peter (for Land) . . same

A Deed from same . . to W. Peter . . (for Land) . . same

A Deed from Casper Moyer and Ann his wife to Jacob Moyer (for Land) acknowledged by the parties

A Deed from Samuel Nemphell and Clarendy his wife to Joseph Cravens (in trust for Jeremiah Kyle on Land) acknowledged by the said Samuel and Jeremiah —

A Deed from Rachel & Arnold Dare to Peter Sprinkle for (Lots in Harrisonburg) acknowledged in the Court of Common Pleas for Pickaway County State of Ohio duly certified —

A Deed from Jacob Rohr and Deborah his wife to Felix Shettsman for (Lots in Harrisonburg) acknowledged by the said Parties

A Deed from Charles Bears to Joseph Rosenbarger Attorney for Land duly acknowledged

A Deed from Michael Yount & Hannah his wife & Noah Yount to John Hoover for Land acknowledged by Noah Yount only —

A Deed from Adam Albright to Henry Alsler for Lots in (New Haven) acknowledged —

A Deed from Henry Pence & Margaret his wife to George Pence for Land, duly acknowledged by the said parties

A Deed from John Carthrae Jr & Mary his wife to James Johnson for piece of Land near Port Republic) proved by one Witness

A Deed from George Pence to John Pence (Farmer) in trust for Henry Pence (Son of George) on Land, acknowledged by the parties thereto —

A Deed from Henry Culp & Fanney his wife to John Ayers (for Land) duly acknowledged by the parties —

A Deed from John Ayers & Caty his wife to George W Harrison (in trust for Henry Culp on Land) acknowledged by said John & George W. Harrison

A Deed from Jacob Yount & Caty his wife to Abel Gebbons, (for Lots in Harrisonburg) acknowledged by said Parties —

A Deed Release from George W. Harrison to Henry Culp for Land, acknowledged by said

The above and aforegoing List of Deeds, was presented returned to Court by the Clerk, and the Court having duly examined the same, do order the said List to be entered on the Minutes, according to Law —

On the Motion of Samuel McWilliams, It is ordered that Nicholas Bethurum, George Seitz, Jacob Leedy and John Crumley Or any three of them Being first sworn do View and an alteration in the road leading from the Widow Smith to Kesells Town so fair as it run through the Land of said McWilliams and William Seitz and make report of the conveniences and inconveniences attending the said alteration to the Court

Ord

Cp

Ord

Cp

Ord

Cp

On the Motion of Jeremiah Delaven, who took the several oaths prescribed by Law he is admitted to practice as an attorney in this Court

Catharine Warren orphan of Thomas Warren decd came into Court and made choice of John Krozer as her Guardian who entered into bond in the penalty as the Law directs —

On the Motion of Jacob Ettinger, administrator of the estate of Michael Ettinger decd is granted him he having with security entered into bond and made oath thereto as the Law directs, and It is ordered that Gordon McWilliams, Daniel Mathias Solomon Mathias and Benjamin Tallman or any 3 of them being first sworn do appraise the said Michael Ettinger decd and make report to the Court —

On the Motion of the Executors of Thomas Harrison decd It is ordered that John Brooks Thomas Hopkins and George Cline be appointed to aid the said Executors in the Division of the Lands willed to Westly and Robert Harrison by the said Thomas, agreeable to his will ~~and~~

Schroff & Peters &c on a Delay bond Notice proved and execution awarded

Shirley v Balthaser &c on Delay bond Notice proved, Jacob, Daniel & Wm Williams Negroes, & a Notice acknowledged by Balthaser execution awarded

Walter v Claybaugh &c on Delay bond Notice proved & Execution awarded

Ordered that the court be adjourned until to morrow morning 10 o'clock.

Ezekl Harrison

Wednesday to wit

At a Court continued and held for the County of Rockingham the 20th April 1814.

Present

Ezekl Harrison, Joseph Baxter, Archibald Rutherford & Thomas Moore . . . . . Gentlemen Justices.

Ordered that George Elens be appointed overseer of the Road from Harrisonburg to George Elens the new mill & he is ordered said George Elens, in the room of Samuel Garber, and that the Tithables heretofore allotted to work on the said Road, be his Gang to open work thereon and keep the same in Good repair —

21. April

Ordered that George Sprinkle be appointed overseer of a part of the road leading from Keezletts Town to New Market, in the room of Samuel Glyn, and that the Tithables heretofore appointed to work on the said road be his Gang to open work thereon &c

Ordered that Samuel Harrison be appointed overseer of that part of the road from a White oak Stump in the road to the Big Spring in the room of Thomas Bear, and that the Tithables heretofore appointed to work on the said road, open work thereon and keep the same in Good repair —

Ordered that Gordon McWilliams be appointed overseer of a part of the road from New Market to Keezletts Town, in the room of Zachariah Hoy, and that the hands heretofore allotted to Work on the said road, be his Gang to open work thereon and keep the same in Good repair.

Ordered that Sinclair Hitty late Sheriff pay unto Henry J Gambill the sum of $55,79½ cents being the amount of Sundry Repairs done to the Court house, and Jail, and also for blank books, which Sum (also includes $20) for painting the Court house Steple, as per account rendered, which sum is to be paid out of the County Depositum for the year 1812, due in the County in the hands of Sd Sheriff

Copy to H. J. G.

An allotment of the hands of the overseers of * aparts of the following roads to wit the Hamden road &c was returned into Court, which was established by the Court agreeable to the said allotment which is ordered to be Recorded, and that the said hands, are hereby excused from working on any other of the Public roads &c ——

Recd at the end of the Minutes of the Court.

An appraisment bill of the estate of James Lolar, C deed was returned & Recorded

A Sale bill of the estate of James Loker decd C returned & Recorded

The Court Proceeded to Regulate the rates for Tavern Keepers in the County of Rockingham, which is as following —

| | | |
|---|---|---|
| For | Dinner | 37½ .42 Cents |
| " | Breakfast | 25. 34. " |
| " | Supper | 25. 34 " |
| " | Lodging | 12½ |
| " | Madeira Wine per quart | $1.50. |
| " | Port Wine per ditto | 1.00. |
| " | Teneriffe per ditto | 1.00 |
| " | Sherry or Alicant Wine per ditto | 1.00 |
| " | Malaga Wine per ditto | " 50 |
| " | Best Spirits per half pint | 25. |

For French Brandy per half pint ..... $0.25 Cts
" Best Holland Gein per half pint ..... 25.
" Best Whistey ... per Ditto ..... " 12½
" Peach Brandy ... per Ditto ..... " 25.
" Cedar per quart ..... " 12½
" Porter by the Bottle ..... " 50.
" Good Beer per quart ..... " 12½
" Hay & Stablage per 24 hours ..... " 25.
" Corn & Oats per Gallon ..... " 12½
" Pasturage per day ..... " 8.

C Heath v Allman on appeal Continued

Graham v Wason ..... Same

C Blair

John Nares Writ of Ad q d to establish a Mill dam was returned into Court, and on the Motion of the said Nard. the said Mill Dam is established or ordered to agreeable to the inquest of the Jury

C Adam Blair .. appellant
v
Simeon Fry .... appellee Continued by consent of said parties

C. Ord'd Writ to Jno. Kepler,

On the Motion of Mary Kepler Widow of John Kepler decd. It is ordered that John Kercolm, John Rader and John Shaver, or any two of them do divide and lay off the said Mary Kepler right of Dower in her said Husbands Land — and make report to the Court.

C Lewis Lemer v Caltrout & On appeal from a Judgment Recovered by the said Caltrout agst the said Lewis before Jos. Baxter Esq

This day came the appellant by his attorney, and the Court having seen and inspected the said Record & proceedings It is considered by the Court that the said Judgt and proceedings be Reversed, and the Court proceeding to give such Judgt as the said Magistrate ought to have given, the said Warrant is ordered to be discharged.

Negh vs Woolf on appeal Continued.

Overseers Poor vs Thompson upon a Summons to shew cause why his Children should not be taken from him &c The Defendant being call'd, not appearing it is ordered that the said Children be bound out by the said overseers, that they provide proper Masters & Mistresses for the said Children and make report to the Court

Overseers Poor vs Moyer Continued

Same . . . vs Byers Hamstein Continued & New Issues awarded

Continued vs Mashall on Writ adq. Continued

Conrod vs Miller . . . . . Same

Carpenter vs Smith &c. . . . . Same

Leonard . vs Mellenheen . . . . . Same

Harrison vs Rowntz . . . . . Same

Rowntz vs Harrison . . . . . Same

John Rowntz Writ of Adq. to establish his Mill dame, being returned into Court in the inquest of the Jury thereon, It is Considered by the Court that the said Mill Dam be established agreeable to the said Inquest —

Kertty vs Bear on a Writ of Adq. to establish a Mill Dam. on the Motion of the said Kertty It is ordered that the said Jacob Bear be Summoned to appear here at the Next Court to shew cause if any he can by the said Mill Dam should not be established agreeable to the inquest of the Jury

Saml Miller vs Funkhouser &c on a petition for a road Continued

Furschoorer to J. Miller or a Writ of Adg. (Continued.)

Vansburger & Coogler &c. Petition v. William Fowler, the said Viewers appointed to View the Road agreable to the said Petition having returned their report to the Court, whereupon the said William Fowler, appears in Court by his attorey, and also a View and report of a Survey for a road made on the Petition of William Fowler, whereupon said Henry Vansburger & George Coogler, appears in Court by their attorey, and the Court having examined, the said Petitions, and report of the Viewers, and hearing the arguments of the Counsels, and Consider and Order that and by consent of the said Partis their Several Petitions are Confirmed —

Ordered that Joseph Purton be appointed Overseer of that part of the Road, leading from the Ford of McCaylans Gulding Mill to Joseph Byerly's Mill, in room of John Knapp, and that the Tithables heretofore appointed to work on the said Road be allowed for his Gang to open work thereon and Kep the same in Good repair

Ord the 21st April

On the Motion of Thomas Buck, It is ordered that Henry Lefo, Barnard Peak and Jacob Perley or any two of them being first sworn, do View an alteration lately made in the Public Road leading from Jennings Gapp to Friedsburg (which alteration is on said Bucks land) and make report to the Court, Specially whether the said alteration is in as good order as the Old Road, and It is further ordered that if the said Commissioners shall be of the opinion that the said alteration is in as good Order as the said old Road taking unto View all Circumstances) that the Overseer of that part of the said old Road (so to be closed) Recive the said New Road, and work thereon as the Law directs —

Ord the 21st April (Ctd)

Ordered that Jonathan Shepherd, Clement Erwin and Andrew Erwin or any two of them do examine state and settle the estate account of Jane Erwin decd with Robert Erwin the administrator and make report to the Court

An appraisment bill of the estate of Daniel Tindle decd returned & ordered to be Recorded

Sinclair Skelly Esqr came into Court and resigned his commission as a Majistrate of this County, which is ordered to be certified —

Thomas Lewis Deputy Sheriff for Charles Lewis returned a list of Delinquents in this County and parish Levy for the year 1813 which was examd and allowed by the Court.

Ordered that the Court be adjourned until the 3d Tuesday in May next —

Wm Harrison

An allotment of the hands of the Overseers of the following parts of the Roads herein Mentioned, & established at April Court 1814. and Ordered to be Recorded, which hands are to work on no other Road.

John Flora Overseer of the Staunton road from George Cleins to Jacob Hysons — his hands all on the lands of John Early.

Ditto . . . Benja Winger,
Ditto . . . [illegible]
Ditto . . . Henry Smeltz,
Ditto . . . Abram Wingers
Ditto . . . Christy Neswanger Jr
Ditto . . . Peter Moyers,
Ditto . . . Henry Wingers
Ditto . . . Daniel Whistler,
Ditto . . . Jacob Early,
Ditto . . . Jeremiah Hyle
Ditto . . . John Broeks
Ditto . . . Abram Neswangers

Henry Early from the Mouth of Jo. Groves Land to the Staunton road at George Cleins . . . . .

The hands on Jacob Blosers. Land
Ditto . . Danl Smeltz (Call'd old place now occupyed by Jno Graham)
Ditto . . Michael Sensmen . . .
Ditto . . Aaron Solomon ——.

John Showalter, Overseer from Cooks Creek to Byerly Mill on Swift Run Gap road &c.

The hands on Walter Davis Land
Ditto . . . Danl Dovells
Ditto . . Solomon Huffmans.

Joseph Byerly Overseer from Byerly Mill to the Rockingham line.

The hands on Ditto . . . Joseph Byerly's
Ditto . . . John Byerlys,
Ditto . . . Danl Byerly heirs
Ditto . . . Frederick Roads
Ditto . . . Solo. Huffmans (homeplace)
Ditto . . . Geo. Huffmans
Ditto . . . Conrad Dulvey.

Peter Swope Jr. Overseer of that part of the road from Harrisonburg to Millers Iron Works Beginning at Daniel Garbers Meadow to Doctor P. Harrisons.

The hands on Doct. Harrisons Land
Ditto . . D. Smeltz . . Ditto
Ditto . . Jo. Grove . . . .
Ditto . . Danl Lincoln
Ditto . . Abram Whitmore
Ditto . . Jno Whitmore . .
Ditto . . David Grove
Ditto . . David Coffman
Ditto . . William Gouk
Ditto . . Adam Gouk
Danl Harshbarger.

Test. S. W. Williams

Tuesday to wit

At a Court held for the County of Rockingham the 17th day of May 1814.

Present.

Ezekiel Harrison, Joseph Bartis, Peachy Harrison & George Harrison Gentlemen Justices

A Deed from John Seyffred to George Seyffred &c for Land proved by 3 Witnesses thereto & admitted to Record

A Deed from the same ... to same for Personal Property proved by the Witnesses thereto & admitted to Record

A Deed from Christian Miller to Jacob Argenbright for Land proved by 3 Witnesses thereto & admitted to Record

A Deed from John Brock & Ann his wife to Jacob Cole for Land acknowledged and admitted to Record

A Deed from Jacob Cole & Mary his wife to John Brock for Land acknowledged & admitted to Record

A Deed from John Craig & Sarah his wife to William Harper for Land acknowledged & admitted to Record

A Deed from Joseph Seevely & Elizabeth his wife to Adam Garbaugh for Land acknowledged & admitted to Record

A Deed from Henry Armentrout & Elizabeth his wife to Philip Armentrout for Land, acknowledged, and admitted to Record

A Deed from Philip Armentrout & Magdalene his wife to Henry Armentrout, for Land acknowledged and admitted to Record

A Deed from the same to Philip Deeds, for Land acknowledged & admitted to Record

A Deed from James Smith to Joseph Cocanour for Land, acknowledged in the County Court of Monroe and Certified and admitted to Record

A Deed from Enos M'Koy & George F. Strother to Michael Yount. for Land acknowledged, and admitted to Record

A Deed from . . . Same . . . to Christian Peter for Land acknowledged & admitted to Record

A Deed from . . . Same to Jacob Cocomour for Land . . . Same

A Deed from . . . Same to Nicholas Peary for Land . . . . Same

A Bill of Sale from Sarah Johnson to Sally & Isaac Johnson, for Personal estate acknowledged & admitted to Record . . .

A Deed from Reuben Harrison & Mary his wife to Daniel Rager for Land acknowledged and admitted to Record

A Deed from Jonathan Shepman to Abraham Whetmore for Land & acknowledged and admitted to Record

A Deed from Enos M'Koy & George F. Strother to Nicholas Peary & Jacob Cocomour, for Land proved by 3 Witness & admitted to Record

A Deed from George Baker & Margaret his wife to Jacob Argubright for Land acknowledged and admitted to Record

A Deed from Julius S. Foster and Martha his wife to James Johnson for Land, acknowledged and admitted to Record.

A Deed from John Sharp & Margaret his wife to John Burkholder for Land, acknowledged before 2 Magistrates of Bath County and Certified and admitted to Record

A Deed from Robert Blain & Sally his wife to John Burkholder for Land acknowledged before John Reid Clerk of Washington County Kentucky & Certified & admitted to Record.

The aforesaid Conveyances, admitted to Record in the Clerks office of the said County, between April Court last and May Court following, (that is to say) from 19th April 1814 to the 1st May 1814, was this day presented to the Court, which being examined, is ordered to be entered of Record. according to Law. —

Ordered that the Rules in the Clerks Office on Thursday the 19th day of May 1814. and on the days after the 3rd Tuesday in June & July Next.

Dever & Quarin vs Frantz & Williams Leave to Gilbert

On the Motion of Peter Nicholas, and Tobias B McGahey, and they having paid to the Clerk $22.33 cents each. It is ordered that Leave be Granted them to Keep Taverns in this County until the 1st of May 1815 on their entering into bond with Henry J Gamble this security as the Law direct

John Reis the same with John M Caulans his security.

Dennis Lanahan the same with Henry J Gamble his security

The last will and Testament of Henry Lehr deced was presented in Court and was proved by the oaths of Abraham Byrd and Morgan Moore Witnesses

Grand Jury sworn to wit
Samuel Chandler Foreman) Jacob Shantz, Peter Thomas, John Dallow, Daniel Barraman, Christian Detimore, Henry Penn, Jr Daniel Dellar, John M Cauley, Bernard Peal, Henry Bear, John Koontz Daniel Harrison, Solomon Mathias, Gordon Rogers, Frederick Best, John Gray, William Rissell, John Rock, Jacob Rehmond and Thomas Harrison who received their Charge and retired from the bar to Consult of their presentments, and after some time returned into Court and made the following, we Present &c and Nothing further appearing the said Grand Jury was discharged, and It is ordered that process issue on the said Presentments, returnable here as the Law Directs

Smith & Williams vs Disnipes agreed, by order of the Plaintiff (costs Case).

On the Motion of Jacob Perkey and he having paid to the Clerk $22.33. It is ordered that according to Granted him to Keep a Tavern in this County, until the 1st of May 1815. on his entering into bond with Henry Gambold his Security. as the Law dirts

John Maggart the same with Henry Gambold his Security

Joseph Graham the same with John Graham his Security

Derick v Williams & John Shellman Gilbaith for Williams Williams

Rein v Williams & John Shellman Gilbaith for Williams Williams

On the Motion of Ebenezer Martin, and he having taken the oaths Prescribed by Law. he is admitted to practice as an attorny in this Court

Penn v Burgess & al on Deby bond Notice proved & Judgm & Execution awarded.

Gray v Williams, (two suits) Samuel M Williams & William Fletcher, Gilbaith, and the Defendant Delivered up by his said bail, and was by the Plffs attorny prayed in Custody

Lanahan v Burgess & Jacob Tabey, Gilbaith, (he having justified) Office Judgm set aside Payt & Stay and Costs

Snodden v Baker & George Kesler Gilbaith for said Baker (he having justified)

Connor v Funk & al on Deby bond. Notice proved and Execution awarded

Talbage v Dalton & al on Deby bond Notice proved and Execution awarded

Magill v Perry & al on Deby bond Notice proved as to Perry and Execution awarded —

Overseers Poor v Hawkins, for Reasons appearing to the Court. the prosecution is ordered to be Dismissed.

In Chancy

Krotzer v Dunkerson, Desrs agrd at the Defendants Costs

Gray v Campbell &c Judgment confessd by Campbell for the Debt & the Declaration Mentiond with the stay of execution untill august Court Next

On the Motion of Conrad Custer, and he having paid to the Clerk $22.33 cents, It is ordered that a Licence be Granted him to Keep a tavern in this County for twelve Months from the 1st day of May 1815. on his entering into Bond with Henry Gambill his Security as the Law directs

M'Mahay v Profitt adms, the said Defendant appeard in Court and confessd a Judgment for the Debt in the Declaration Mentiond with Interest & Costs

The same v The same . . . . . same

Eleazer a free man of Colour, who was Committed to the Jail of this County on Suspicion of Felony, and charged with feloniously Stealing a Waggon Cover from John Coffman, (and upon whom a Call'd Court was ordered, which was to have been held on the 2d day of May 1814, but ~~the Court not~~ a sufficient Number of the Justices not attending to hold a court the said Persons ~~was~~ was continued over to this court) was led to the bar, and being charged with the said felony plead not Guilty, and the Testimony being heard and the argument of the Counsel being heard. It is considered by the Court that he is not Guilty, and that he be discharged.

Overseers Poor v Brown upon a Negg. Desrs. by order of this atty for the Overseers.

Hopkins v Swartz Office Judgt set aside desrs agreed.

Ordered that the Sheriff Summon all the acting Magistrates of this County to appear here at this Next Court, for the purpose of Recommending Meetet Officers, and for the purpose of Laying the County Levy for 1814. and also for the purpose of examining Sheriff Delinquents &c

Dec 24 dism.

C Dever & Quinn vs Shoots Williams Harrison Gilbert,

C Dever & Quinn vs L. Justices, Officer Judgmt set aside payment for the appearance bail & Officer discharged

C Dever vs W. Justices &c . . . . . same

C Gray vs Fallecks, James Mallory. Gilbert (In two Suits)

C Overseers Poor vs Sol. Peters, dismissed for absenting his apprentice George McCoy, the said Defendant appears in Court and the Court having heard the evidence, do order that the said apprentice return to his said master.

C Dever Thos a Davis Zephemiah Wade, Gilbert Officer Judgmt set aside payment & Officer discharged

C Counts vs Douth parties heard and Dismissed

C Counts vs Smeller, the Defendant appears in Court and confesses a Judgment for the Costs of this Prosecution. Plaintiff dismissed

Ordered that the overseers of the poor bind Nicholas a free boy of Colours, (supposed to be 10 years of age at this time) to Volentine Miller, to learn the Trade of a Black Smith as the Law Directs, and the said Miller agreeing to pay unto the said Nicholas $20 for freedom dues.

Ord Bind N. Solomons

C Ordered that the Sheriff summon Henry Detimore to appear before the Court of this County, on the third Tuesday in June Next. to shew cause why his Children should not be taken away from him, and be bound out. It being suggested to the Court by the overseers of the poor that he is not

in Circumstances to Raise and educate them in a proper manner

Comth v George Deck on a presentment of the Grand Jury
Comth v Charles Clary, On the Motion of the Defendant by his attorney, and for Reasons appearing to the Court. It is ordered that the said Presentment be quashed And on the Motion of the attorney for the Comth It is ordered that the attorney for the Comth do issue a Subpena against George Deck on the said Presentment (as a) Witness and Charles Clary being entered as the prosecutor

Cv
Cp

the said Defendant be Summoned to appear here at the Next Court to shew Cause why an Information should not be filed against him on the said Presentment, now used as an affidavit, Charles Clary being entered as the prosecutor.

Daniel Mathews who Produced in Court a Commission whereon he is appointed a Justice of the Peace for this County and he having taken the several oaths prescribed by Law is ordered to be certified

Ordered that the Court be adjourned until to Morrow morning 10 o'Clock Ezk Harrison

Wednesday the 18th day of May 1814

Present

Ezekiel Harrison, George Purlow
Henry Welch & Daniel Mathews & G. Gresley

Otts exon v Cathcart & Dismissed by order of the Plaintiffs attorney —

Cp

Comth v Herring New Summons awarded Returnable here at the Next Court.

C

Comth v —— Overseers of Road &c. Attached by Return

Kysor v Shoemaker & Daniel Rogers Sp Bail as to Benjamin Grove

C Comth v Mathias 1st Jury sworn to try the Issue to wit David Mentz, Henry Hoover, Michael Neuman and Tobias Smith, George Bowyer, Peter Kelly, John Cook, Lewis Keller, William Bateman, Silas S. Foster, David Caldwell & John Eaton Verdict Deft Guilty & Judgment.

C Comth v Mathias 2d Jury sworn to try the Issue, Henry Sepo, Philip Eppert, George Eppert, Charles Airy, Jacob Runkle, Isaac Johnson, John Sheridan, Jacob Pirsey, John Carthrea, Thomas Adams, David Long & Henry Leonard Verdict Defendant is Guilty & Judgment.

C Woody v Sufferens By consent all Matters in this suit is Referd to the final Determination of Archibald Ruthrufs & Joseph Fawcett whose award, or the award of there umpire in case of disagreement is to be made the Judgm of the Court.

C Comth v Mathews Continued Desires with the Agreement of the attorny for comth at said Defts costs.

C Comth v Robertson On Apprehendment for Swearing. The Defendant being call? and not appearing, fined 20/. for Swearing 4 oaths, with Costs.

C Comth v Adams Continued — A.G & Jones and Continued

C Comth v Tho. Pain on Presentment. The Defendant call? and not appearing, fined 10/ for Swearing two profain oaths and Judgm for costs

C Comth v T. Pain on Pursuit. The Defendant call? and not appearing; fined 10/ for Swearing two profain oaths and Judgm for Costs

C Comth v Price Miller Continued

Overseers Poor v Moyers Continued,

Cantlin v Mackall on Writ of Error Continued

Conner v Miller . . . Continued

Carpenter v Smith . . . . Same

Leonard v Millerstown . . . Continued

Harrison v Koontz . . . Continued

Koontz v Harrison . . . Continued

Kelly v Bear . New Summons Returnable here at the next Court.

Counts v Davis Leave by consent of the attorneys for the Comments and with the assent of the Court. The Motion is ordered to be discharged

Kyger v King & Barnard Peab Gibbard—

Counts v D. Long Continued—

Magell v Henry Cantlin, on Delivery Bond, Notice Confessed by Jno. Cantlin & Execution awarded

Carryer v Caldwell on a Writ of Replevin, a Plea and Replication filed and Issue, Jury Sworn to wit Henry Sipe, George Eppert, Philip Eppert, Charles Airy, Isaac Johnson, Jacob Pirsey, John Cantlin David Long, Andrew McClellan, Lauran Bowers John Graham & John Cook, whereupon by Consent the Jury is adjourned until to Morrow Morning 10 Oclock

Ordered that the Court be adjourned until to Morrow morning 10 Oclock

D. L. Harrison

Thursday the 19th May 1814

Present

Ezekiel Harrison, John Ewen, Peachy Harrison & Henry Welch . . . . Js. Justices

C Whisler v Whisler. In Chancy. Dismissed by order of the Plaintiffs attorney —.

C B. Whistler v Whisler. In Chay. . . . . same

C Reid v Dep. plea Warr. and Judgment confessed as per specialty with Interest Costs saving Equity.

C Graham v Williams . . . . . same

C Dowell v Campbell . . . . . same

C M'Kensey exor v Cyman &c. . . . . same

C Dever &c v Fourth Office Judgt set aside payment &c Issue and Continued

C Strayer &c v Moore Jr. Office Judgt set aside payment for the appearance bail & Issue Continued

C Strayer &c v same . . . . . same

C Strother v Leonard &c. . . . . same

Cd Carrger v Caldwell, The Jury impannelled and sworn in this Cause on Yesterday, appeared in Court agreable to there adjournment, Verdict for the Defendant, Whereupon it is considered by the Court that the Defendant recover of the Plaintiff $100 Damages and that appeal Double the amount of the rent claimed by the said Caldwell of the said Carrger and the Costs of Defending the said suit, Motion on the trial of this Cause a Bill of exceptions was taken to the opinion of the Court which was signed and sealed as the Law directs and ordered to be made apart of the Record.

Boler & Stouttemire Continued for award.

Stultz & Dove ... Continued for award.

Lear & Funk ... Continued for award

Campbell & Crouse ... Continued for award.

Graham & Hamilton By consent a commission is awarded the Defendant to examine and take the Deposition of Henry Burgess Jr. residing in the County of Christian & State of Kentucky on his giving the Plff. reasonable Notice of the time and place of taking the same, and it is further agreed that the said Depositions may be taken by any two Majestrates residing in the said County, who will certify themselves to be such. and the cause is Continued —

Dinkle & Rohr. James Craig Gilbaich, Offrs Judgm set aside payment & Ofrm and Continued

Wardman & Martin Philip Boston Gilbaich offrs Judgm set aside payt & Ofrm & Continued

Waterman & Martin Philip Boston Gilbaich offrs Judgm set aside payt & Ofrm & Continued

On the Motion of Samuel M Williams who owns the land on both sides of Cub Run, and desiring to build a saw and Water grist Mill on his said Land, the bed of the Creek, belonging to himself or to the Commonwealth, a Writ of Ad quod damnum is awarded him to be Directed to the sheriff of this County and to be executed on the [illegible] day of June Next. Returnable here at the Next Court —

Barry & Cadwell, On the Motion of the Plff by his attorn who prays an appeal from a Judgment of this Court this day pronounced against him) to the Supreme Superior Court to be held for this County

Ordered that the court be adjourned until to morrow morning 10 o'Clock

Dft Harrison

Friday the 20th of May 1814.

Present

Ezekiel Harrison, John Ewen, Archebald Rutherford, & Jacob Hyson . . . . . Esqrs Justices

Wallis v Matthews (Rules)

Williamson v Messick (Continued)

Leggam v Smith Jury sworn to enquire of the Damages &c. David Mintz, John Reid Jacob Leggett, Samuel Manlan, William Baldwin, Benjamin Harrison, Hugh Rackford, John Reid Jr, George King, David Wallace Michael Newman, & Christian Determan, Verdict for the Plff for $25 Damages with Rules for 4 Dec 1810 Costs paid & Judgt for Costs, and order of sale

Carryer v Caldwell, The Plaintiff by his attorney moves the Court, to set aside the Judgment rendered on the Verdict in this case on Yesterday, and for leave to file errors in arrest of the said Verdict, which motion upon argument, was overruled by the Court, to which opinion of the Court the Plff excepts, tendered a bill of exceptions, which was signed and sealed by the Court and ordered to be made a part of the Record.

Peyer v Leonard Continued

George Grim vs Joseph Sevely, By consent of the parties by their attorneys, this Suit is Removed to the Superior Court of the said County, for trial —

On the Motion of William McMahan, and he having paid to the Clerk $22,33 cents, It is ordered that a License be Granted him to Keep a tavern in this County until the 1st day of May 1815. on his entering into bond with Henry J Gambill his security as the Law directs —

Duff vs Dalton, Judgment per award with Costs.

Norman vs Spears Continued

Graham vs Sandy Continued

On the Motion of James Duff, and he having paid to the Clerk. $22.33 cents. It is ordered that a License be Granted him to Keep a tavern in this County until the 1st day of May 1815. on his Entering into bond with John Bynum his security as the Law directs.

Donaghe vs Bateman, Jury sworn to try the Issue to wit David Wallace, Michael Newman, John Perce, Daniel Murty, Christian Detemore Samuel Rankins, Hugh Rutherford, Jacob Leggett Benjamin Harrison Jr John Penn, Peter Brower & James Duff who Return for the Defendant and on the Motion of the Pltf by his Atty, the said Verdict is set aside and a New trial is awarded him to be had at the next term on his paying the costs of this Court on the trial of this cause the Pltf excepted to the opinion of the Court which was signed and sealed as the Law directs & ordered to be made apart of the Record

Bush &c Clarkson &c Continued for Defendant

Suter &c Krings adm By Consent of the parties by their attorneys, a Commission is awarded the said Suter to examine and take the Depositions of Thomas Davis and Samuel Evans, residing in the County of Woodford in the State of Kentucky, upon his Giving the Defendant reasonable Notice of the time and place of taking the same, which Depositions may be taken by any two Magestrates in the said County who will certify themselves to be such, and the cause is Continued

Norman &c Boren Jury sworn to Enquire of the Damages, John Graham Jr, John Gray, Charles Clark, Harden Quinn, Thomas Clark, Andrew McClean, John Dalton, Thomas Cummins William Bateman, John Carthrae Jr and John Tidwell, Verdict for $607,07 cents Damages with Interest on $333.33 Cents part thereof from the 2d day July 1810, till paid and Interest on $263.74 cents the balance thereof from 1st June 1811 till paid. and Costs.

Ordered that the Court be Adjourned until the 3d Tuesday in June Next Ezl. Harrison

Tuesday to wit

At a Court held for the County of Rockingham and the 21st day of June 1814.

Present

Ezekiel Harrison, John Ewen, Joseph Baxter, George Sheston & Walter Davis . . . Gent. Justices

A List of Conveyances admitted to Record in the Clerks office of this said County, since the 17th day of May last, was presented to the Court by the Clerk, and being examined by the Court according to Law, is ordered to be entered on the Minutes,

which Lett is as follows to wit

A Deed from Williams Swanson to Tobias McGahey proved by 2 Witnesses and admitted to Record

A Deed Release from George Duston to John Reid Jr for Land acknowledged & admitted to Record

A Deed from John Reid Jr & Martha his wife to Samuel McWilliams for Land acknowledged & admitted to Record

A Deed from John Reid Jr & Elizabeth his wife to Samuel McWilliams for Land acknowledged & admitted to Record

A Deed from William Phelps & Elizabeth his wife to Peter Byrd for Land acknowledged & admitted to Record

A Deed from John Chrisman to Malachia Brannan for Land proved by 3 Witnesses & admitted to Record

A Deed from Tobias Smith & Phebe his wife to John Depp for Land acknowledged & admitted to Record

A Deed from Asher Waterman & Sally his wife to Andrew Bassett for Land acknowledged & admitted to Record

A Deed from said ... to John Land & Philip Shoemaker for Land acknowledged & admitted to Record

A Deed from Betsey Kepler to Peter Dunkle for Land acknowledged & admitted to Record

A Deed from Henry Harshbarger & Elizabeth his wife to Henry Etter for Land acknowledged & admitted to Record

A Deed of Release from Henry Gambell to Andrew B. Davidson for Land acknowledged & admitted to Record

A Deed from of Trust from Alexander Herring to Joseph Fawcett for John Smith) acknowledged and admitted to Record

A Deed from Christian Eyman & Susanna his wife to Jacob Lincoln for Land acknowledged before Walter Franklin, Judge of the 2d District of Pennsylvania & Certified & admitted to Record

A Deed from Wesley Harrison & Margaret his wife to Jeremiah Hyle for Land acknowledged & admitted to Record

A Deed from Alexander Painter & Mary his wife to Mathias Meller for Land acknowledged & admitted to Record

A Deed from Michael Trout & Hannah his wife to Noah Trout for Land acknowledged & admitted to Record

A Deed from said to Henry & Alexander Trout, for Land acknowledged and admitted to Record

A Deed from John Foster Esq his wife to Gordon & Williams for Land acknowledged & admitted to Record

A Deed from Peter Fly and Abraham Godshalk to Adam Shultz for Land acknowledged by Christian Funk attorney in fact for said Peter & and admitted to Record

A Deed from the said to Jacob Ulmer . . . . . said

A Deed from Philip Deed & Elizabeth his wife to Abraham Dashler, for Land acknowledged and admitted to Record

A Deed of Trust from Abraham Dashler to Henry Armintrout for Philip Deed, acknowledged & admitted to Record.

A Deed from Archibald Realston & Betty his wife to David Denton, for Land acknowledged & admitted to Record

A Deed from Jacob Keplor & Peggy his wife to John Bowman for Land acknowledged and admitted to Record

A Deed from Joseph Craven & Polly his wife to George Sites for Land acknowledged & admitted to Record.

A Deed from George Sites & Elizabeth his wife to Joseph Craven for Land. acknowledged & admitted to Record.

A Deed from Abraham Hamilton & Gracy his wife to Barnis Denton for Land, acknowledged & admitted to Record

A Deed from Alexander Stephenson &c to Abraham Hamilton for Land, acknowledged by Mathew Stephenson their attorney in fact and admitted to Record.

A Deed from Alexr Stephenson &c by Mathew Stephenson their attorney his fact to Abraham Hamilton, proved by 3 Witnesses thereto & admitted to Record

Ordered that the Overseers of the Poor bind John George age 16 years old the 1st day of May last to Thomas T. Noel, to learn the trade of a shoe and boot
Cp maker, who agrees to give him for freedom dues
# $20 —

Ordered that the overseers of the Poor bind Betsey Weaver orphan of William Weaver deceased 13 years old the 3rd day of April last to John Lesemann as the Law direct who
# ~~agrees~~ agree to give her for freedom dues $20.

An appraisment bill of the estate of Peter Loar dec'd
C returned & Recorded

Ordered that Jacob Earbock be appointed Overseer of that part of the Mountain Road, in the room of Anthony
Cp Miller, and that the tithables heretofore appointed to
Dft. to J. 13. 23 June. work on the said Road be allotted for his Gang to
# open work thereon and keep the same in Good repair

An appraisment bill of the estate of Philip
C Waggy Decd returned & R

A Settlement of the estate of John Keplinger deceased
C returned & Recorded

A Settlement of the estate of ~~Jno~~ Jonas Hayes deceased
C returned & Ordered to be Recorded

Ordered that Jacob Rife, John Lemon, and John
C Shaver or any two of them do ascertain state and
Cp settle the estate accounts Catharine Fry dec'd with
the executor and make report to the Court

Ordered that Jacob Weggam be appointed Overseer
of that part of the New Market Road from the
Cp & Dft. pro. to 23 June 1813. four mile ~~last~~ post to Jacob Weggams house, in

the room of said John Howard, and that the Constable heretofore appointed to work on the said road be allowed for his Gang to open work thereon and keep the same in Good repair

Ordered that Archebald Rutherford, Henry Welch and Joseph Fawcett or any two of them, do examine state and settle the estate account of Mathew Harrison decd with the administrator and make report to the Court.

A Sale bill of the estate of Laurans Seltzer decd returned and order to be Recorded

A Sellers of the estate of Laurans Seltzer decd returned Ord

The last will and Testament of Henry Shoemaker dec'd (written in the German Language) which was proved by the oaths of Anthony Miller and Jacob Carbock, two of the Witness thereto, and a translation of the said Will being produced in Court, which was also proved by the oaths of Joseph Krotzer Jr. and Benjamin Bowman, which Translation is ordered to be Recorded. and on the Motion of David Ingell and George Miller, the executors therein named, who entered into bond with security, and made oath thereto as the Law directs, a certificate is Granted them for obtaining a probate in due form, and it is Ordered that Andrew Ardis, Jacob Carbock, Jacob Bear, and Joseph Baxter or any three of them being first sworn do appraise the estate of the said Henry Shoemaker and make report to the Court.

The last will and Testament of Peter Marsh dec'd was presented in Court, and proved by the oaths of Barnard Hoy and Jacob Cowan, and order to be Recorded

Orders that John Layman be appointed overseer of that part of the Public Road leading from old Store Gap to the Forks of Jacob Roads, and that the tithable heretofore appointed to work on the said road be allotted for his gang to work thereon and keep the same in good repair

Cp. to dev. to Jas. B. 23 Jand.

Molly and Rebeccah Armentrout orphans of Christopher Armentrout dec'd came into court and made choice of Philip Armentrout as their Guardian who entered into bond with security as the Law directs

Catharine Armentrout orphan of Christopher Armentrout dec'd came into court and made choice of Henry Sipe as her Guardian, who entered into bond with security as the Law directs.

A View and report of an alteration in the road leading from Swift Run gap to Staunton, made on the Petition of Charles Kemp, was returned into court which was examined by the court, and the said alteration is hereby established agreeable to the said report. Ord.

On the Motion of Robert Sulser administration of the estate of Henry Sulser dec'd is granted him with will annexed, who entered into bond with security and made oath thereto as the Law directs and it is ordered that Andrew Byrd, Jacob D. Williamson, William West and Thomas Moore, or any three of them being first sworn do appraise the estate of the said Henry Sulser dec'd. and make report to the court

Cp.

Examination Rateliffe of

Bowman vs Morrison upon an attachment Continued.

On the Petition of John Rader &c for a View of away for a road, the Nearest and best way from King Mill to the Main road leading to Woodstock (Commonly call the back road), It is ordered that Joseph Baxter, Nich. Rutherford, Reuben Harrison, and Thomas Baxter or any three of them being first Sworn, to View the said proposed way, and Make report, of the Conveniency and inconveniency attending the said Way, to the Court.

The Writ of Adjunct-Damnum awarded Samuel McWilliams at the last Court being Returned into Court with the Ingquest of the Jury thereto annexed and the Court having examined the same, It is ordered that the said Mill and Dam, be established agreeable to the said Ingquest &c

Ordered that George Cook be appointed overseer of that part of the road, leading to Swift Run Gap, in the room of George Conrad, and that the tithables heretofore appointed to work on the said road be allotted for his Gang, to open work thereon and keep the same in Good repair

On the Petition of Jacob Rechenord and Benjamin Bowman, for a View of an alteration, in the road leading through their Plantation, to take it out of the old road near John Crews and running them contiguous to the said Bowmans Machine, on North River Shanandoah from thence along down the river bank to Philip Steffys Mill, to where it entersects the said old road, It is ordered that Samuel Moffett, John Roller, Lewis Driver and Richard Thomas or any three of them being first sworn do View the said alteration, as also the old road and make Report of the Conveniencies and inconveniencies attending both

ways to the Court.

Philip Koontz, who is hereby Continued in the Office of
// Constable for the year from the date hereof, appears
in court and entered into bond with Security and took
the Several oaths of Office as the Law dirt

Harrison v Koontz and
Koontz v Harrison . . . upon Writs of Adjourned
By consent a commission is awarded the said John Koontz
to examine and take the Depositions of Jeremiah Craven
and Margaret his wife, Polly Lacey & Reuben Harrison,
witnesses residing in the County of Christian and State
of Kentucky, which Depositions may be taken by any
two of the Justices of the peace for the said County, who
will certify themselves to be such, upon the said Koontz
Giving the said Harrison Reasonable Notice of the
time and place of taking the same.

The Court proceed to Recommend the following, as
proper and fit persons to be Commissioned as Officers
in the 116th Regiment of the Militia, to wit.

2 Battalion

Philip Wolf Ensign in the room of John Coffman
who refuses to serve.

Abraham Rader, Captain in the room of George
Leonard Resigned.

Henry Klein Lieutenant in the room of said
Abraham Rader.

Zepheniah Wade Lieutenant ~~of~~ in Rifle company
belonging to the 1st Battalion of said Regiment in the room of William
Campbell Resigned.

Thomas Newlon Ensign in the room of said Wade

Abraham Moffatt
Isaac Thomas Lieutenant (in the 1st Battalion) in the room of John Miller Resigned
Abraham Moffatt Ensign in the Room of said Isaac Thomas.

An appraisment bill of the estate of Henry Keyser dec'd returned & Recorded

A Sale bill of the estate of said Henry Keyser dec'd returned & Recorded

Present Jonathan Shepman, Archibald Rutherford,

Ordered by post 24 June

The Court doth Recommend to his Excellency the Governor the following as proper and fit persons to be Commissioned as Officers in the 5 & 6th Regiments of the Militia in this County.

2d Battalion

Joseph Mauzey Major in the Room of Jeneaio Kerby Resigned —

Jennison Lucas Lieutenant in the room of Reuben Fulty Declined to serve

John Mallow Captain of Rifle Company in the room of Joseph Mauzy Promoted

Andrew Nelson ensign . . in room of said Jno Mallow

1st Battalion.

John Negus Lieutenant in the room of William Carr Removed

Henry Berry Ensign in the room of Isaac Shipman Removed

Richard Gains Ensign of Light Infantry in the room of William Philips Resigned

John Fesher Ensign in the room of Abram S. Hopkins Resigned Refuses to serve

The Court Proceeds to lay the County Levy for the year 1814 (Commencing at December Court 1813) a Statement whereof is as following.

(Ct. 6 Dec. Sheriff's acct.)

| | |
|---|---|
| To Robert Gray Attorney for the Commonwealth for one year ending at December Court next | £ $100.00 |
| To Charles Lewis for his Public Servis | 25.00 |
| " Samuel M Williams for his Public Servis | 25.00 |
| " William Fletcher Jailor for one year ending at December Court next (for fire Wood &c) | 25.00 |
| " Perry Gambill for paper for the use of the County to December Court next | 5.00 |
| " William Fletcher for Keeping the Court house for one year ending December Court next | 25.00 |
| To Adam Lamb for two old Woolf Scalps | 20.00 |
| " Jacob Crotts for one old Woolf Scalp | 10.00 |
| " Isaac Mills for 8 old Woolf Scalps @ $10 each | 80.00 |
| * " Abraham Neswanger for work on the road | 5.00 |
| " Daniel Harshberger for Ditto | 5.00 |
| " John Snapp Jr for Ditto | 4.50 |
| " Joseph Weston for Ditto | 2.50 |
| * " Abraham Neswanger Ditto | 5.00 |
| * " John Flora for Ditto | 5.00 |
| * " Ezekiel Harrison for Ditto | 5.00 |
| * " John Flora for Ditto | 4.37 |
| * " Ezekiel Harrison for Ditto | 5.00 |
| * " Daniel Harshbarger for Ditto | 5.00 |
| " David Dealwood for Ditto | 2,00 |
| " Deanna Smith for Ditto | 2,50 |
| " John Blosser, Packager for Ditto | 5.00 |
| | $370,87 |

| | | | |
|---|---|---|---|
| | Amount brought forward | | $370.84 |
| | To John Carthrea for work on the road | | 5.00 |
| — | " Reuben Harrison for work done on road | | 5.00 |
| | " Gordon Rogers for | Ditto | 8.00 |
| | " William Gowd for | Ditto | 2.50 |
| | " Dorimon Hoffland for | Ditto | 6.00 |
| * | " Martin Whitmore for | Ditto | 2.00 |
| | " Zephaniah Wade for | Ditto | 6.00 |
| * | " Abraham Deal Jr. for | Ditto | 2.00 |
| * | " Ditto for | Ditto | 2.00 |
| | " Abraham Deal Jr for | Ditto | 4.00 |
| | " John Snapp Jr. for | Ditto | 2.00 |
| * | " Martin Whitmore for | Ditto | 5.00 |
| | " George Sloer for | Ditto | 2.00 |
| | " Joseph Aldopher for | Ditto | 2.00 |
| | " Mathias Routh for | Ditto | 2.00 |
| * | " John Fercough for | Ditto | 2.50 |
| * | Ditto for | Ditto | 7.50 |
| | " Henry Hoover for | Ditto | 2.00 |
| | " Thomas Harrison for | Ditto | 5.00 |
| | " Martin March for | Ditto | 2.50 |
| | " Michael March for | Ditto | 7.50 |
| | " Thomas Hogan for | Ditto | 5.00 |
| | " David Emmons for | Ditto | 2.00 |
| | " Samuel March for | Ditto | 5.00 |
| | " Solomon Perkey for | Ditto | 2.50 |
| | " Henry Sepe for | Ditto | 2.50 |
| | " Jacob Nicholas for | Ditto | 6.00 |
| | " Thomas Moore Jr. | Ditto | 3.00 |
| * | " Abraham Deal Jr. | Ditto | 2.00 |
| | | | $481,37 |

| | | | |
|---|---|---|---|
| Amount brought forward | | | $481.37 |
| To Michael Miller for work done on the road | | | 2.00 |
| " Samuel Miller for | Ditto | | 2.50 |
| " Jacob Whitmore for | Ditto | | 2.00 |
| " John Depp for | Ditto | | 7.00 |
| " Philip Fereburgh for | Ditto | | 5.00 |
| " Peter Swoope for furnishing Power which was expended on the road | | | 1.12½ |
| " John Eaton for 69 hours patroling @ 75 cents for every 12 hours | | | 4.32 |
| " John Davis for 30 hours | Ditto | | 1.77 |
| " John Fulweiler for 9 hours | Ditto | | " 57 |
| " Thomas Floyd for 18 | Ditto | | 1.12 |
| " John Cook for 12 | Ditto | | " 75 |
| " John Argabright 18 | Ditto | | 1.12 |
| " George Deets 12 | Ditto | | " 75 |
| " John Miller 36 | Ditto | | 2.25 |
| " Jacob Argabright 21 | Ditto | | 1.01 |
| " Abraham Shrecklee 12 | Ditto | | " 75 |
| " Charles Bery 12 | Ditto | | " 75 |
| " Joseph Maas 9 | Ditto | | " 57 |
| " John Bery 12 | Ditto | | " 75 |
| " Richard Turner 12 | Ditto | | " 75 |
| " George Conrod 18 | Ditto | | 1.12 |
| " Jacob Ammon 6 | Ditto | | " 37 |
| " Jacob Bloss 6 | Ditto | | " 37 |
| " Israel Eblen 6 | Ditto | | " 37 |
| | | | 520.45 |
| To Sheriff Commission & Deposites | | | 265.07 |
| | | | $785.52 |
| By 3273 Tithables @ 24 cents | | | $785.52 |

Ordered that Charles Lewis Sheriff Collect from each Tithable person in this County 24 cents that being the County proportion for the year 1814 —

Thomas C. Fletcher Deputy for Charles Lewis returned his Delinquent in the County Levy for 1813 which was examd and allowed by the Court and ordered to be certified

Ordered that the Sheriff pay unto Philip Boston two Dollars and 32 cents out of the Deposites for the year 1813 as per for so much paid on account of his taxes for the year 1809 —

A View and report of an alteration in the old brooks Gapp Road, made on the Petition of John Peeler being returned in Court, by the Viewers, which was examined and approved by the Court and the said alteration established agreeable to the said report, but the said ~~alteration is not to~~ old road is not to be stopped untill the said alteration is opened and put in good repair by said Peters &c

On the Motion of Peter Keller, for leave to alter the road leading to Port Republic, so fair as it runs on his own land, It is ordered that Abraham Boon, George Wise, Henry Sholder sen, & Thomas Alford or any 3 of them being first sworn do view the said proposed alteration as also the old road, and make report of the conveniencies and inconveniencies attending the same to the Court

Jos Bywaters Deputy for Charles Lewis returned his List of Delinquents in the Revenue & County Levy for the year 1813. which was examined and allowed by the Court and ordered to be Certified

On the Motion of Joseph Byerly. It is ordered that George Deuster, Jeremiah Kyle, Samuel Chandler and Henry Berger, or any three of them do lay off the Dower of Sally Byerly late Sally formerly the wife of David Byerly Deceased in the said Defendants Lands and make report to the Court —

John Byrnes Deputy for Charles Lewis returned his list of Delinquents in the Personal tax and County Levy for the year 1813, which was ordered and allowed by the Court and ordered to be Certified —

Ordered that the order made at April Court last appointing Gordon McWilliams overseer of the road in the room of said Zachary Noy be Rescinded —

Ordered that all the causes set for trial at this Court be Continued.

Absent Ezekiel Harrison &c

Ordered that Ezekiel Harrison, George Deuster and Jacob Kysor, be Recommended to his Excellency Jas Barbour Governor, as proper and fit persons to be Commissioned as Sheriff for the ensuing year.

Ordered that this Court be adjourned until the 3rd Thursday in July next.

Joseph Baxter

Cp. Sent by Mail 24 June