

**ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA**

MINUTE

BOOK

29

1857 - 1858

State of Virginia

At a Court held for Rockingham County at the
Court-house thereof on Monday the 19th day of
January 1857

Present Isaac Hardisty, P. S. P. & C. C. Shulung

Anderson dep. Curran & Andrew Houch 3 C. Justices

The clerk of this court presented in Court a list of deeds &
other writings admitted to record in his office during the month
of December last, which being seen and inspected by the
Court is ordered to be entered on the minutes as follows to wit

- ✓ of \ A Deed of Bargain & Sale from Thomas M. Harnsberger Comr. to John B. Beard
- ✓ \ Same from James Beard to Same
- ✓ \ Same from Thomas Harnsberger Comr. to James Beard
- ✓ \ Same from Garrison & Grady wife To David G. Whitmore
- ✓ \ A Deed of Trust from James Beard to John Woodson Trustee for D. B. Beard
- ✓ of \ A Deed of B. S. from Jacob Rush to Mary Perkey
- ✓ of \ Same from Samuel Shacklett & trustees to Conrad Long
- ✓ of \ Same from Jacob Sanger wife to Anthony Showalter
- ✓ of \ Same from Jacob A. Mitchell wife To Balser (Dingleline)
- ✓ \ A Deed of Trust from Louisa Bryan To Wm. H. Hartmann Trustee for Wm. Hartmann
- ✓ \ A Deed of Emancipation from Mary H. Lofton to her slave Wm. L. Linn
- ✓ \ A Deed of B. S. from George & C. F. wife to Jonathan Thunick
- ✓ of \ Same from John Litcher Trustee To C. F. C. F. & Co.
- ✓ of \ Same from H. J. Huffman & wife To Henry Gilmer
- ✓ \ Same from John & Beery wife To Henry Buse
- ✓ \ An Agreement between Samuel Baser & Mary Ann Buse
- ✓ of \ A Deed of B. S. from Adam Rader wife To Peter Thomas
- ✓ \ Same from A. D. & A. Shiff To Tazew. Cole
- ✓ of \ Same from Joseph Miller's admr. to George W. Cooper
- ✓ of \ Same from Willis Powee & To Polly Shiflett
- ✓ \ Same from David McKyle wife To Morris Lowenbach &
- ✓ of \ Same from Samuel Hartman wife to Emma H. H. H.

- ✓ of Affid of Bargain & Sale from George W Cooper wife to Rebecca Gyer
- ✓ of Same from Joshua Pence wife to Robert Nyger
- ✓ of Same from Elias Hollen wife to Philip Keller
- ✓ of Same from John Hawley to Michael Weiner
- ✓ Same from Daniel Miller to Reuben Kisting
- ✓ of Same from Willis Powell wife to Beverly Powell See another Decd
- ✓ Same from Susan Clem wife to Isaac Hunt
- ✓ Same from Jacob Rush to Reuben Kisting
- ✓ Same from John Freed to Joshua Conster
- ✓ Same from Jacob Mitchell wife to Jackson Sloan
- ✓ of Same from Peter Thomas wife to John M Brown
- ✓ Same from Same to David Secret
- ✓ of Same from Meritt Hendrick to Reuben May
- ✓ of Affid of Trust from Nelson Keyser to J M Mullen Intend for Rebecca M Mullen
- ✓ Affid of B & S from Peter Heil wife to Meritt Jordan
- ✓ of Affid of Trust from A G Sprinkel to Wm B Ruffin Intend for Mrs B B Cock
- ✓ of Affid of B & S from Julia A Baughen to Asa S Baughen
- ✓ of Same from Jackson Bryant wife to Same
- ✓ Affid of Trust from Wm Rand to Helverson Intend for Wm D Manden
- ✓ Affid of Loan from Andrew Doremann to Richard Blatterbach
- ✓ Affid of Trust from Brannen Brecken to Helverson Intend for Mrs Swartz
- ✓ Affid of B & S from Anthony Shewalter to Benjamin S Brierly
- ✓ of Same from David Ramsburg wife to Amos Scott
- ✓ Same from James M Dove to Richard S Stephens
- ✓ Same from Joseph Beery wife to Sarah Cuff
- ✓ of Same from Giles Dever to Wmly Thompson
- ✓ of Same from Elizabeth Seigler to Emmanuel Hoover
- ✓ of Same from Emmanuel Hoover wife to Loral May
- ✓ Affid of Trust from David Ralston to Mrs Ralston Intend for Mrs C Hopkins

Settlements of the estates of Joseph Byerly decd? Jacob Hill decd? Thomas Lewis decd? John Stahl decd? Jacob Runkle decd? - Mrs Dil & an? Jacob Mave decd? Jacob Martz decd? Mary Martz decd? - having been filed in the office for the time prescribed by law were presented in Court & no exceptions being offered thereto the same are ordered to be recorded.

4
Ordered that John W. Shefferson be appointed a School
Commissioner in the room of Enos Kugel removed

On the Motion of Moses Gordon a Free man of color and
he having produced satisfactory evidence to the Court of having
paid his register as a free man & that he has paid him it is ordered
that the Clerk of this Court furnish the said Moses Gordon
with a written copy of his register

John S. Effinger Plaintiff

agt

Upon a Notice

Abraham S. Byrd Sheriff & others Defendants

Worked and continued until the next Court

Wm. S. S. S. Plaintiff

agt

Upon a Notice

John H. Austin Defendants

Worked and continued until the next Court

Thos. H. Haynes In Chancery

This cause came on to be heard this 19th
day of January 1857 upon the bill filed & Exhibits & the
Subpoenas having been returned & executed more than one
month upon the Defendants the same is taken as confessed
as to them whereupon the arguments of Counsel being heard
the Court doth order a Judge and does that P. P. Rooty
Madison Moore & Wm. W. Carpenter & Abraham Harrison be
appointed Commissioners to partition the land in the bill
mentioned

Peter Koff

Plaintiff

agt

Upon a Notice to give a new Bond

John Andes

Defendant Plaintiff's security as Guardian of Andes

On the Motion of the Plaintiff by his attorney it is ordered that
the powers of John Andes Guardian of Adam Andes be and
the same are hereby revoked he having failed to give

now specially according to the order of this Court made at its last Term and the Plaintiff, none of the Defendant's costs by him about his motion in that behalf expended

On the Petition of Cyrus G. Turley Executor of Adam Hordyshore's Estate who was the security of John Hais as Guardian of John Hais Infant Children it is ordered that the Summons be amended against the said John Hais to show cause why he should not give a new bond or additional security

Franklin Pierce vs Edward F. Williams upon a Notice ^{to give a new} ~~or security~~ bond as administrator of the estate of Albert G. Maury deceased notice given and docketed the Court continued until the next Court

~~an assignment of~~ ^{to} ~~Warren~~ Allen vs Bryan H. T. H. Warren vs Wm R. Warren upon a Notice to give a new bond as administrator of Henry Morjes deceased notice acknowledged and the Defendant appeared in Court and refused to give a New Bond Therefore it is considered by the Court that his powers as such be revoked and annulled

Ordered that the Clerk of this Court register according to Law a Mary Freeman a free negro 34 years of age a Mulatto 3 1/2 feet four inches high a scar from a cut on the fore finger of the right hand and was free born in the County of Rockingham

Commonwealth vs ^{Shay} for unlawful Slating The Person by his Counsel appeared in Court and for reasons appearing to the Court it is ordered that the prosecution be continued until the next term

The Commissioners appointed to lay off and assign to Lydia Beem her dower in the lands of her deceased Husband Tobias Beem returned their report into Court which was examined & ordered to be recorded

Effinger vs Byrd Sheriff upon a Note The Defendant
by his counsel moved the Court to grant the Note upon the
Ground that the Plaintiff remedy is not by suit but by out
whole in view the Court overruled to whole opinion of the
Court the Defendant by his counsel except whole exceptions
are *regna sola* and *in media* and ordered to be made a part
of the Record

Harrisburg

Plaintiff

agst

Law Chancery

Gelmer

Defendant

This Cause came on to be heard this 19th day
of January 1857 and it appearing to the Court that the
Defendant George K Gelmer having paid the several sums
of money required to be paid by the Decree of November 1856
it is ordered that this Cause be dismissed

On the Motion of Thomas Moore who made oath that he
according to Law and together with John Moore his security
who I certify (as to his sufficiency) entered into bond in the
penalty of \$2000 conditioned as the Law requires ^{the Court being satisfied that} Annis Moore
the widow of the said Thomas Moore refused to qualify as testatrix is granted
the writ of administration as granted the said Thomas Moore
on the Estate of Reuben Moore I in due form made and ordered
that Madison West William S Sepile Samue Roller and
Samue Marby or any three of them being first sworn do appear
the Estate of the said Reuben Moore and make report to the
Court

Comth v Braithwaite upon a rule the Defendant appeared
in Court and for cause appearing to the Court is ordered
that the said rule be discharged

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

J. H. H. S. P.

At a Court held for the County of Rockingham
at the Court house thereof on Monday the 16th
day of February 1857

Present

+Naason Bar. J. Allen & M. D. Harris } Gent.
+A. Newman & Benjⁿ Crover } Justices
+Sam. Ruelink

The Clerk of this Court returned into Court a list of Deeds & other writings admitted to record in his office ~~since~~ during the month of January 1857 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- 1 ✓ \ A Deed of Bargain & Sale from Archibald Hopkins wife to H. B. Carnallenger
- 2 ✓ \ same from John J. Hoare & wife to Samuel Petry
- 3 ✓ \ same from William Welfer wife to John Carpenter
- 4 ✓ \ same from J. H. Woodson & Trustees to David Pence
- 5 ✓ \ same from George E. Denale wife to Thomas Kennedy
- 6 ✓ \ same from Jacob & Albert v. to Lewis Leopold
- 7 ✓ \ same from Wm. Gailey to John Leotes Intuit for Sam. Coates v.
- 8 ✓ \ same from Jacob & Albert v. to Marquis & Kelley
- 9 ✓ of \ A Deed of Trust from Harrison & wife to J. Albert Intuit for R. Kogler v.
- 10 ✓ of \ same from Wm. J. Gailey to John W. Melhorn Intuit for Thomas Lindau
- 11 ✓ \ A Deed of B. Sale from Jacob Wene wife to Samuel Brebaugh
- 12 ✓ \ same from Jacob & wife to Eli Kevan
- 13 ✓ \ A Deed of Trust from Wm. Ranaid to J. H. Woodson Intuit for H. Meyer & Effert
- 14 ✓ \ A Deed of B. Sale from Wm. Showalter to David Wene
- 15 ✓ \ same from Jacob & Albert v. to George Meyersmith
- 16 ✓ \ A Deed of Trust from Melamp McGuire to W. James Intuit for J. P. Lavinian
- 17 ✓ of \ A Deed of B. Sale from Sam. W. H. Ellinger to James M. & Corn
- 18 ✓ of \ same from Geo. Hefner wife to John Swank
- 19 ✓ of \ same from John E. Brown com. to Wm. J. Thompson
- 20 ✓ \ A Deed of Trust from J. M. Jones to Wm. D. Frost Intuit for Geo. W. H. Kieck

Settlements of the estates of Joseph Smith Jr. dec^d Jacob Dinkler dec^d
Allen & Leahy dec^d Abraham Murry dec^d & George Connor dec^d
having been filed in the office for the time prescribed by Law

were presented in court and no exceptions being offered
the same are ordered to be recorded

Settlements of the accounts of the Guardians of Ann Eliza
Keller, Caroline & Kyle, Mary Beery & Rebecca Lermer
Susanial Hoades, No B Whitmore & Mary Hoades having
been filed in the Office for the time prescribed by law &
no exceptions being offered the same were presented
in court and confirmed and ordered to be recorded

Hopewell & Hockman

Plffs

vs

Lemima Gallihue

Def

} upon a warrant brought before
a justice of the peace

The amount in controversy in this cause exceeding the
sum of twenty dollars was on motion of the Def removed to this Court
for trial. And on motion the same is ordered to be docketed

It is ordered to be entered of record
that John G Coates who has been duly elected a justice of the
peace for the 8th district of this County produce a certificate
of a justice of the peace for this County setting forth that this said
John G Coates had took the several oaths required by law
to be taken by a justice of the peace

Wm C Chrenoweth Sheriff of Randolph County presented in
Court an account against the Commonwealth amounting
to \$30.63 which being sworn to was examined and allowed
by the Court and ordered to be certified to the auditor of
Public accounts

George McLennance presented in Court an account agt the
Commonwealth amounting to \$23.⁰⁰ which being sworn
to was examined and allowed by the Court and ordered
to be certified to the auditor of Public account

Isaiah Baker Lessor of Randolph County presented in

four an account against the Commonwealth amounting to \$2.90 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Uriah S Roller who has been heretofore appointed a Notary Public in and for the County of Rockingham appeared in Court and together with Peter S Roller his security entered into and acknowledged a bond in the penalty of \$500 conditioned according to law which bond is ordered to be recorded and certified to the auditor

An Instrument of writing purporting to be the last will and testament of Edward Allman dec^d was presented in Court and proved by the oaths of Jacob Williamson & George Lockman two of the subscribing witnesses thereto and ordered to be recorded and it appearing from said will that the testator has appointed no executor and on the motion of Sarah Allman who made oath thereto according to law and together with Jacob Williamson her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of eight hundred dollars conditioned as the law requires. Certificate is granted the said Sarah Allman for obtaining letters of administration in due form & form with the will annexed of the said Edward Allman dec^d. It is ordered that Geo Lockman, William Libert, Mem Cook & Jacob Williamson Jr. do appraise the estate of the said Edward Allman dec^d & report thereon according to law

Jane Maria Gost orphan of John Gost dec^d being upwards of 14 years of age by an instrument of writing under her hand and acknowledged before a justice of the peace made choice of Maria B Gost as her guardian and thereupon the said Maria B Gost appeared in Court &

together with Jacob H. Post, her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires, which bond is ordered to be recorded.

Sarah Ann Sheets, Lucinda, Jane Sheets & Simon P. Sheets orphans of John Sheets dec'd. being upwards of 14 years of age, by a certificate made choice of Adam Pifer as their guardian, and thereupon the said Adam Pifer together with Pleasant A. Clarke his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one hundred dollars conditioned according to law, which bond is ordered to be recorded.

George Brill Guardian for Joseph Sowers son of John Sowers appeared in Court and resigned his trust as such guardian which is ordered to be entered of record.

The Court doth appoint Zebulon D. Gilmer Guardian for Joseph Sowers child of John Sowers who is under the age of 14 years, and thereupon the said Zebulon D. Gilmer appeared in Court and together with Melverton Le. Ammon & Thomas L. Hancey his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$5000 conditioned as the law requires, which bond is ordered to be recorded.

George W. M. Simms who has been duly licensed to practise law in the Courts of this Commonwealth, on his motion is permitted to practise in this Court, thereupon he took the several oaths required by law.

cf. John Koonts is appointed surveyor of precinct No 53 in the place of Jonathan Beale

Gibbons is Harist. and Bond. Notice proved & extra awarded

(Daniel Huffman is appointed Surveyor of precinct No 12
 in the place of Anthony D Huffman resigned

Peter Rhodes is appointed surveyor of precinct No 1. in the
 of room of John Long Jr

(~~Daniel Bourman~~ orph David Miller orphan of Joseph
 Miller dec^d being upwards of 14 years of age appeared in court
 and made choice of Daniel Bourman as his guardian, and
 thereupon the said Daniel Bourman appeared in court and
 together with the court doth appoint the said Daniel Bourman
 guardian for Anna Miller, Polly Miller, Benjamin Miller
 Isaac Miller, Hiram Miller, Elizabeth Miller & Joseph Miller
 orphans of said Joseph Miller dec^d who are under the age of 14
 years, and thereupon the said Daniel Bourman appeared
 in court and together with John Bourman his security (who
 justified as to his sufficiency) entered into and acknowledged
 a bond in the penalty of \$1000. conditioned as the law requires
 which bond is ordered to be recorded

On the motion of Solomon Burtner & Hiram Coffman who
 were oath there to according to law and together with George
 P Burtner & William H Burtner their securities (who justified as to
 their sufficiency) entered into and acknowledged a bond in the
 penalty of \$1200. conditioned as the law requires. Certificate
 is granted the said Solomon Burtner & Hiram Coffman
 for obtaining letters of administration in due form upon
 the widow of said decedent having in writing relinquished her right to administer
 the estate of Henry Burtner dec^d. and it is ordered that
 George Miller, Daniel Bourman, Joseph Coffman and Solomon
 Garber do appraise the said estate of said Henry
 Burtner & report thereon according to law

McEue vs Sprinkel on D Bond notice provided for awarded
 Gilman vs Bear on D Bond The same order
 Handyschee vs Acuff on D Bond The same order
 Bryant & Woodson vs Sanger on D Bond The same order

On the motion of John Smith, Cyrus Rhodes Beachy (Dorron James Bolton. the Court doth appoint George Rhodes Eli & Kossitz & Jacob Barley commissioners to make partition of the real estate of Martin Baker dec'd. among the devisees agreeably to his will and make report to the Court at the next term

Cyrus Parly ex of Adam Conway shell Plff }
 vs } upon a
 John Haws. Guar for Katharine Haws Def } notice

This day came the parties & thereupon the said John Haws together with David Hedder his security entered into and acknowledged a new bond in the penalty of \$300.00 conditioned as the law requires: and it is considered by the Court that the Plff recover against the deft his costs in this behalf expended

(David Ly Whitmore orphan of John Whitmore dec'd being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Joseph Byrd as his guarantiam. and thereupon the said Joseph Byrd together with Allen De Brown & Elijah Dundore his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$600.00 conditioned as the law requires which bond is ordered to be recorded

Margaret E. C. Burtner orphan of Henry Burtner dec'd being upwards of 14 years of age by an instrument of writing duly acknowledged made choice of William Coffman as her guarantiam. and thereupon the said William Coffman together with George Miller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1200.00 conditioned as the law requires which bond is ordered to be recorded

Greavick Smith a free negro this day applied to be permitted to be registered which application the Court doth reject

George H. Chiseman

Plff

vs
 Thomas W. Gordon & David Gordon admors Defts } upon a notice
 of John Gordon

This day came the parties and thereupon the said Thomas W. Gordon & David H. Gordon appeared in Court and together with J. Addison Gordon & J. Newton Gordon their securities (who testified as to their sufficiency) entered into and acknowledged a new bond in the penalty of one thousand dollars conditioned as the law requires, and it is considered that the Plff recover against the Defts. his costs in this behalf expended.

On Motion of Mezes Shoemaker & Dove they have leave to transfer their license as merchants to Reuben W. Harrison

Wm. H. Bailey is appointed School commissioner for District No 3 in this County in the place of Dan Harrison removed

An instrument of writing purporting to be the last will & testament of Polly Perkey dec^d was presented in Court & proved by the oath of John Gouint one of the subscribing witnesses thereto and continued for further proof

The Court doth appoint Hiram Coffman Guardian for his son William H. Coffman who is a grandson of Henry Burdette being under 14 years of age and thereupon the said Hiram Coffman together with Joseph Coffman his security (who testified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000 conditioned as the law requires which bond is ordered to be recorded

The last will & testament of Polly Perkey dec^d was this day again presented in Court and further proved by the oath of Alexander Ryger another subscribing witness thereto and ordered to be recorded

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and it appearing from said will that the testator has appointed no executor. and on the motion of Michael J. Meyerhoeffer, who made oath thereto according to law and together with Abraham Miller & Lewis P. Meyerhoeffer (his securities) (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$750⁰⁰ conditioned as the law requires. certificate is granted the said Michael J. Meyerhoeffer for obtaining letters of administration in due form with the will annexed of Polly Perky dec^d and it is ordered that John Gouint. Daniel Miller. Isaac Longt. Alex. Nyger or any three of them being first duly sworn do appraise the estate of said Polly Perky dec^d.

An instrument of writing purporting to be the last will and testament of Elias Keister dec^d was presented in Court & proved by the oaths of Moses Joseph & Albert Joseph two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Moses Joseph the executor named in said will who made oath thereto according to law and together with Albert Joseph his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$700⁰⁰ conditioned as the law requires. certificate is granted the said Moses Joseph for obtaining a probat of said will in due form. and it is ordered that John Blain. John Robinson. William Gilley & John Robinson Jr. or any three of them do appraise the estate of said Elias Keister dec^d & report thereon according to law.

William Jones alias William Heyden who stands charged with a felony by him committed in this that he did on the 2nd day of January 1857. unlawfully maliciously and feloniously stab cut and wound Brightberry Shiflett with intent to maim disfigure disable and kill him the said Brightberry Shiflett." this day appeared in Court in discharge of his recognizance. and on the motion of the attorney for

the Commonwealth and for reasons appearing to the Court it is ordered that examination of the prisoner be continued until tomorrow and thereupon the prisoner was remanded to jail

George R Gibbons foreman, Henry Hartmann, John M Jacobs, George Brill, Robert Kyger, Addison Royer, Jonas Early, Samuel H Myers, Samuel Barley, John Moore, Jacob Moyers, Christian Sites, William McInturff, Christian Funk, Samuel H Clouffman, John Swartz & John Meperly were sworn a Grand Jury of request for the day of this County, and having received their charge withdrawn from the bar and after sometime returned into court and presented an Indictment against Henry Gilmer & Catharine Black for Lascivious Cohabitation "a true bill", an Indictment against Marcelles Gibson for unlawful playing with cards "a true bill", an Indictment against John Kelley Jr for unlawful playing at cards "a true bill", an Indictment against Elias Brownian for keeping a ^{"a true bill"} ~~res~~ shop, and an Indictment against Newman Peale & Andrew Garner for a ~~res~~ shop a panes & carrying "a true bill", and the Grand Jury not having further business before them are discharged

Ordered that Summons be issued against the several persons this day indicted, except Marcelles Gibson & John Kelley Jr. and made returnable to the 1st day of the next Quarterly term of this Court

Commonwealth

¹⁰⁵
John Kelley Jr
~~Marcelles Gibson~~

} upon an Indictment for unlawful gaming with cards

This day came as well the attorney press entering for the Commonwealth and the deft by his attorney who pleaded not guilty and filed a General Pardon to the indictment, and the trial of the case is continued until the next term

~~John & Marcelles Gibson~~ The same order

On the motion of G W Tulk an overseer of the Poor for this County. It is ordered that the said Tulk or some other overseer of Poor. bind Alfred a free negro son of Elijah to Solomon B Howley to learn the trade of a Shoemaker. and said Howley is to pay \$150⁰⁰ to the overseer of the Poor in the district in which said boy is at the time of his freedom

Commonwealth

vs } Upon an Indictment for
Marcellus Gibson } unlawful gaming with cards

This day came as well the attorney for the Commonwealth as the Deft by his attorney. who and the defendant appeared in discharge of his recognizance and filed a general demurrer to the Indictment & facts which issue was joined and the trial of the cause is continued until the next term

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

Naason Bare

Tuesday Feby 17 1857

Present

+ Naason Bare Clk + A M Newman Samuel } Gent
+ Ruebush Allen + M D Harris + Benj Hoover } Justices

Brill vs McGaheyth on (D Bond) on motion this docketed and

Spinkes vs Mauck on (D Bond) notice proved & extra awarded

Carpenter vs Burke & on (D Bond) Same order

Holbrook vs Harris & on (D Bond) Same order

Ryle vs Whitesell & on (D Bond) Same order

Efferger vs Whitesell & on (D Bond) Same order

Baughen vs Miller & on (D Bond) Same order

✓ Purcell & Co as Clifton & Co	on \$2000	Notice served & return awarded
✓ Gardner as Mauch & Co	on \$2000	Same order
✓ M. Dowell & Co as Geuley & Co	on \$2000	Same order
✓ Clifton & Co as Miller & Co	on \$2000	Same order
✓ Clark as Miller & Co	on \$2000	Same order
✓ Safley for as Miller & Co	on \$2000	Same order
✓ Harnberger as Austin & Co	on \$2000	Same order
✓ Carpenter as Burke & Co	on \$2000	Same order
✓ Little for as Miller & Co	on \$2000	Same order
✓ Austin for as Miller & Co	on \$2000	Same order

William Shay who stands charged with a felony by him committed in this that he did on the 17th day of December in the year 1856 in the County of Rockingham unlawfully maliciously and feloniously cut and stab Calahan McCarty with intent to maim disfigure disabl and kill him the said Calahan McCarty. was led to the bar in custody of the Sheriff of this County. and on motion and for reasons appearing to the Court the examination of the Prisoner is continued until Thursday next and thereupon the prisoner was remanded to Jail

William ~~James~~ alias William Hayden who stands charged with a felony by him committed in this was this day again led to the bar in custody of the Sheriff of this County. and on motion and for reasons appearing to the Court it is ordered that the examination of the prisoner be continued until the next term and thereupon the prisoner was remanded to Jail

On the motion of Harnberger & Coffman it is ordered that James Kenney be appointed trustee in the place of Samuel McSommers in a deed executed by S. M. Hunter to said Sommers bearing date the 7th day of January 1856 in trust for Harnberger & Coffman and which was admitted to record in the Clerk's office of this County on the 7th day of January 1856 the said Samuel McSommers having appeared in Court and acknowledged notice and declined to act as trustee.

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Richard Jannels } Upon an Indictment for retailing ardent
spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and thereupon the matters of law arising out of the Deft's demurrer ~~for~~ to the indictment being argued the Court upon deliberation doth overrule said demurrer and thereupon came a Jury to wit Jacob Roundbush, Abraham Andes, John Miller, Bramwell Rice, Fred Rhodes, George Schopf, Abraham Knopf, Henry Lamb, James R. McGahay, Henry Heymans, Elijah Huffmian, George Butner who being elected, tried and sworn the Jurors to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oath do say "We the Jury find the Defendant guilty." It is therefore considered that the Commonwealth recover against the Deft the sum of \$50 the fine imposed by law and the costs expended in prosecuting said indictment & thereupon the Deft moves the Court to set aside the Verdict & award a new trial which motion the Court doth overrule.

It is ordered to be certified that it was satisfactorily proven in open Court that William Crawford, Jonathan Crawford, Wade Crawford, Polly Crawford, Fannetta Crawford, & Ezekiel Crawford are the heirs and only heirs of Zachariah Crawford and that the said Zachariah Crawford died intestate since the date of the issue of Land warrant 50385 bearing date July 6 1856

Ordered that John D. Wise be appointed Surveyor of Precinct No. 1 Road No. 2 in place of Josiah S. Roller resigned

Commonwealth

10

John Gilmer } Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Defendants by his attorney and the attorney for

the Commonwealth by the consent of the Court, saith, that he will not prosecute further on behalf of the Commonwealth against the Def. It is therefore considered, that the said Indictment be dismissed and that the Defendant recover against Jacob Plogger the prosecutor, his costs about his defence in this behalf expended

Commonwealth

10.

Henry Lpinen

} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney, and the attorney for the Commonwealth by the consent of the Court, saith, that he will not prosecute further on behalf of the Commonwealth against the Def. It is therefore considered, that the said indictment be dismissed, and that the Defendant recover against Jacob Plogger who is the prosecutor in this cause, his costs about his defence in this behalf expended

Same

10

John Robinson Sen

} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney, and the attorney for the Commonwealth by consent of the Court, saith, that he will not prosecute further on behalf of the Commonwealth against the Def. It is therefore considered the said indictment be dismissed, and that the Deft recover against Jacob Plogger the prosecutor, his costs about his defence in this behalf expended

Same

10

Jackson Robinson

} Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney and the attorney for the Commonwealth, saith, that he will not further prosecute on behalf of the Commonwealth against the Def. It is therefore considered that the said indictment be dismissed, and that the Deft recover of Jacob Plogger the prosecutor, his costs about his defence in this behalf expended

James Tharp & Sarah Tharp who have been duly summoned to appear here at this Court as witnesses on behalf of the Commonwealth of Madison Beazley & as same being solemnly called and not appearing it is ordered that they be summoned to appear here on the 11th day of the next term to shew cause if any they can why they shall not be fined for their contempt in failing to attend as aforesaid

Wm H Schiff & Donald Morris witnesses on behalf of the Commonwealth vs Grandison Randol. The same order.

Sellers vs Hughes upon an Attachment Dismissed

Commonwealth vs McPeyton upon an Attachment for contempt the attachment last awarded in this cause not being returned executed it is ordered that a new attachment be issued against him returnable to the next Quarterly term of this Court

Same vs Same The same order.

Same vs Allen & Blain The same order

Same vs J. Ribble ~~upon~~ upon an Indictment

The capias last awarded in this cause not being returned executed. It is ordered that a new capias be awarded against him to be directed to the Sergeant of Richmond City and made returnable to the next Quarterly term of this Court

Same vs J. Smith upon an Indictment

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

Harrison vs Hackley On Motion this cause is dismissed

Peter Paul one of the assessors for this County presented in Court an account against the Commonwealth amounting to \$60 dollars which being sworn for in open Court was examined and allowed and ordered to be certified to the auditor of Public accounts and it is further ordered to be certified that 104 days were requisite to perform the duties of such assessor

Commonwealth }
 vs } Upon a Capias
 Madison Glover }

The Capias awarded in this cause being returned not executed It is ordered that a new Capias be awarded against him to be directed to the Sheriff of this County and made returnable to the next Quarterly term of this Court

Commonwealth }
 vs } Upon an Indictment
 John Bear }

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney who pleaded Not Guilty and filed a General Demurror to the indictment whereupon the issue was joined and the trial continued until the next term

Commonwealth vs Owens, same vs J. M. Dorman, same vs J. M. Dorman same vs Long, same vs Murry (7 cases), same vs Randall (30 cases), same vs Mitchell, same vs W. Miller, same vs Smiley, same vs Burgess, same vs Harrison, same vs Gordon, same vs B. Miller, same vs Miller, same vs Roller, same vs Brock, same vs Miswander, same vs Delaigton, same vs Hydecker (5 cases), same vs DeBear, same vs DeGilmer, W. Mitchell vs Commonwealth. An motion and for reasons appearing to the Court it is ordered that these aforesaid causes be continued until the next term

Commonwealth vs Stineback - an motion for reasons appearing to the Court it is ordered that this cause be dismissed

Fitchwiler's admors as Valley Turnpike Co. Harper's heirs as Grimmer Rockingham
 Turnpike Co as Bryan. Keister as Pultz White as Grove Lannady
 as Thompson. Hull as Anderson Harris as Keenale. Henton as Henton
 Offmann as Huley. Sager as Smith. Shaver as Holinger. Clarke as
 Blackaby. Sprinkel as Derron. Boyer as Boyer & Long as Muller
 Kenley as Same. Samers Same. Liskey as Stinespring. Worens of
 Poor as Albright. Rhodes as Perkins. Bear & Lewis as Thurmond. Hanson
 as O'Neal. Liggett as Mauck. Clifton as Crawford Rockingham
 Male & Female Seminary as Smith. Same as Reherd. Same
 as Swank. Same as Miller Jr. Same as Karselberger. Same as
 Ewing. Same as Jones. Same as Sterlingson. Same as Delaney & Son.
 Same as Bear. Same as Shanda. Same as McMiller. Same as Gamble.
 Dundore as Bateman. Wagerhoeffner as Roller. Harper as Rander.
 Myrtle as Holler. Same as Kline. Bear as Byrd. Penningbacker as
 Same. Same as Same. Lampbell as Gray. Rupert as Foster. Bushnell
 Leigler as Austin &. Pencer Williams & Moyers as Grim. On Motion
 of for reasons appearing to the Court it is ordered that the aforesaid
 causes be continued until the next term

Lamb as Beazlyth On Motion continued until the next
 term at the Costs of the Def.

Harper's admors as Hooke The same order

Be it remembered that on this 17 day of February 1857
 John Black. Reuben Shiflett David Webster & Henry Morris
 personally appeared in Court and acknowledged themselves
 to owe and be indebted to the Commonwealth of Virginia in
 the sum of one hundred dollars each to be levied of their
 respective goods and chattels, lands and tenements and for
 the the Commonwealth. Yet upon this condition that the
 the said John Black. Reuben Shiflett. David Webster and
 Henry Morris shall make their personal appearance
 before the County Court of Rockingham on the first day of
 the March term of this Court. then and there to give

evidence on behalf of the Commonwealth against William Jones alias William Heiders charged with felony, and a writ to depart thence without the leave of said Court, and then this recognizance to be void otherwise to remain in full force

Jones vs Billheimer ex on motion and for reasons appearing to the Court it is ordered that this cause be continued

John S Effinger

vs

Alfred late Shiff

} upon a notice

This day came the parties by their attorneys, and the Defts by their atts. moved the Court to permit the Sheriff to amend his return upon the Writ issued from the Circuit Court of Rockingham County in the name of John S Effinger vs John Porter which motion the Court with overrule and on the motion this cause is continued until the next term for the Defts.

Henry Lane

vs

Anderson Beazley

Deff

Defts

} upon an attachment

This day came the parties by their attorneys, and by consent of Parties, it is ordered that the officer who levied said attachment make sale of the attached effects according to law, and ~~make~~ return an account of such sale to the next term of this Court

Pritchett vs McEue & Gurne vs same on motion the said two causes are continued until the next term

Warren vs McGahey on Bond Notice provided & awarded

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

Naason Bare

Wednesday February 18th 1857

Present

+ Mason Base of + McNeuman + Samuel Audubon } Gent
+ Benj. Hoover + Wm. M. Harris } Defts

Beast Gordon as Bushholder and Bond not approved & set aside

Hamilton Culbarger vs Peff

vs

Robert Seckford vs Defts

McKaneery

This cause came on to be finally heard this 18th day of February 1857 upon the papers formerly read & the report of Marshall's Special receiver to which there is no exception, and it appearing from said report that all matters of dispute & contained in the bill & papers are now adjusted this cause is dismissed

Smith (Darnall use of David Miller Peff

vs

James T. Clark vs Defts

McDelt

This day came the parties by their attorneys and the Defts by attorney. with drew their plea and confessed Judgment (being equity) for \$500. the Debt in the declaration mentioned with interest and costs. It is therefore considered by the Court that the Peff recover against the Debt the said sum of \$500 with interest thereon to be computed after the rate of six per centum per annum from the 5th day of August 1853 till paid, and the costs by the Peff about his suit in this behalf expended

Joseph A. Mitchell who has been appointed a Notary Public in and for the County of Rockingham by a commission under the hand of the Governor of Virginia and the Great Seal of the Commonwealth bearing date the 30th day of Dec^r 1856 appeared in Court and together with Jacob A. Mitchell his

security entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires, and thereupon the said Joseph A. Mitchell took the several oaths required by law

Joseph L. Brathwaite Plff
vs
Abraham Seedy Deft } Chase

This day came the parties by their attorneys and thereupon came a jury to wit Charles A. Sprinkel, Wm. Harner, Jacob Rowdabush, George Lohr Jr., Henry & C. Weynant, Abraham Knopp, Joseph Crickenberger, J. M. Echeverry, Jeremiah Armstrong, Henry W. Martmann, Henry Lane & Bramwell Rice, who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into court and upon their oaths do say, "We the jury find for the Plaintiff and assess the damages at eighty two dollars and fifty cents with interest from the 18th day of February 1857" and thereupon the Deft moved the court to set aside the verdict aforesaid on the ground that it was contrary to the evidence, which motion was argued by counsel, the court doth set aside the verdict & grant a new trial upon the condition that the Deft pay the costs of the plff expended in this behalf.

Affairs of Stevens & Sheels v. Deane & on motion these causes are dismissed.

On the motion of David B. Croushorn who made oath thereto according to law and together with Robert Black, James Wheelbarger & John A. Dice his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2500 conditioned as the law requires, certificate is granted the said David B. Croushorn for obtaining letters of administration in due form upon the estate of George Croushorn decd. and it is ordered that Wm. Smith, David M. Weston, Jacob Anderson & Wm. Shewalter or any three of them do appraise the estate of said George Croushorn.

Ephraim Daryl Plff }
 vs } In Case
 Wm K Gailey Def

This day came the parties by their attorneys
 and by consent, It is considered by the Court that the Plff
 recover against the deft the sum of \$61.93 Damages
 with interest thereon to be computed after the rate of six
 per centum per annum from the 21 day of March 1855
 till paid, and the fees by the Plff about this in this
 behalf expended

Blain vs Bligh, Sumner vs Case, Flook vs Byerly & Denton
 Brathwaite vs Kelly, Haynes vs Haynes, Leedy vs O'Rourke
 Campbell vs Roadcap's ex. Heirn Nicholas vs How, Merrick
 Mayes vs Reed, Mitchell vs Reedy, Robinson vs Smith and
 Houch & Melhorn vs Flook, on Motion severally continued
 until the next term

P. D. Roller & Thomas Chapman who have been duly
 summoned to appear here at the ~~next~~ term as witnesses
 on behalf of Mr. D. Campbell vs Stephen Roadcap's ex
 being solemnly called and not appearing, it is ordered
 that they be summoned to appear here on the second day
 of the next Quarterly term to show cause if any they can
 why they shall not be paid for their failure of service

Daniel D Brewer Plff }
 vs } In Case
 Jacob D Effinger Def

This day came the defendant by his attorney
 and it appearing to the Court that the Plff has removed from
 this County, it is ordered that this suit be dismissed at the next Quarterly
 term of this Court, unless security for the payment of such costs and damages
 as may be awarded the deft and also of the fees which will become due and
 from the Plff to the officers of this Court, be given with the Clerk of this Court
 within sixty days from this time

De Coursey Lafferaud & Co. Plffs } In Debt
 Shipman & Roller. Defts }

This day came the Defts by their attorney and the Plffs though solemnly called, came not, nor is their suit further prosecuted. It therefore ordered that this cause be dismissed.

On the motion of John B. Kogler Sheriff of this County John H. Silbert is admitted as his deputy, and thereupon the said Silbert took the several oaths required by law.

Mc Henton vs Mc BR Co. continued for Plff

Beery vs Hall continued for Defendant

Bernard Hall Plff } In case upon a warrant sued
 out before a Justice of the peace
 George K. Mayers Deft }

Same Plff } In case upon a warrant sued out
 Same Deft } before a Justice of the peace

This day came the Parties by their attorneys and by consent it is ordered that the above two causes be consolidated and that the Plff pay the costs of this order and the costs of the Deft in defending one of the warrants up to this date and thereupon sundry witnesses being sworn and examined touching the premises and the case upon deliberation it is considered by the Court that the Plff recover of the Deft \$14 with legal interest thereon from the 3rd day of April 1853 till paid and the costs by the Plff in this behalf expended.

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

Naason Bare

Thursday February 19th 1857

Present

+ Wilson Bore of Samuel Ruelish A.M. } Gent.
+ Newman & Benj. Harrover & M.D. Harris } Justices

Bernard Hall }
is }
George K. Moyers }
Def. } In Case

This day came the parties by their attorneys on the motion of the Def. it is ordered ~~that~~ to be certified that the ~~perpetrating~~ amount in controversy in this cause exceeds the amount of twenty dollars

County from Miller & notice proved & execution awarded
Leffman vs. Armentrout & The same order

Ordered The Sheriff of this County having reported to the Court that Samuel Bryan & Sandy Bryd having failed to pay their taxes in the shff hand against them. It is therefore ordered that the Sheriff hire them out according to law.

On motion of W. G. Smith attorney for Elizabeth Overhaule the wife of Edward Overhaule, complainant & credible witnesses were introduced into Court whereupon the Court after hearing the evidence determined upon the following facts viz
1st that William Carroll is the identical person that served during the war of 1812 & 1814 between this Country & Great Britain and that he was in service at _____
2nd that Elizabeth Overhaule the wife of Edward Overhaule is the legitimate daughter of said William Carroll now deceased, that the widow of the said William Carroll is now dead, that the said Elizabeth Overhaule was on the 10th day of January 1857 an infant under the age of twenty one years, and that at that date she was the only infant child of her said parents.

An Instrument of writing purporting to be the last will and testament of Elizabeth Smith dec^d was presented in Court and proved by the oaths of N L Blakemore & Warren Farrow the subscribing witnesses thereto and ordered to be recorded. and on the motion James S Davis the executor therein named who made oath thereto according to law and together with Nathaniel Blakemore his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500⁰⁰ conditioned as the law requires. Certificate is granted the said James S Davis for obtaining a probat of said will in due form. It is ordered that Nathaniel Blakemore, Robert C Spindle Jacob Bloce and Isaac Heuffman or any three of them being first sworn as appraisers the estate of said Elizabeth Smith dec^d and report thereon according to law.

William May late of Rockingham County who stands charged with felony. was this day again led to the bar in custody of the Sheriff of this County. and sundry witnesses being sworn and examined touching the premises. and upon mature deliberation the Court are of opinion that there is not probable cause to charge the prisoner with the felony aforesaid. it is therefore ordered that he be discharge from custody.

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

Nelson Bare

Friday February 20th 1857

Present

Nelson Bare J. Samuel Ruelush & M Newman Gent
Otway R Sterling } Justices

Henry Lamb

vs

Anderson Beazley

off

off

upon an Attachment

This day came the parties by

their attorneys, and thereupon it is considered that the
 Plff recover against the Deft Anderson Beazley the
 sum of \$150.00 with interest on \$167 from the 3^d of Sept 1854 on
 \$30 from the 25th of Decr. 1855 on \$41 from 24th of April 1856 on
 \$8. from 24th of Aug 1855 till paid and the costs by the
 Plff in this behalf expended, and it is ordered
 that the officer who levied said attachment make sale
 of the attached effects (except the property is dispute) and
 make report according to law

Leah Bear vs John McBear. On motion & for reasons
 appearing to the Court it is ordered that this cause be dismissed.

Mitchell & vs Reedy & Liggett vs Purcell Bears Brick, Gilmer
 vs Sites, Perry & Co vs Daugherty & Co. On motion severally continued

Hearick's admission vs Weyert on motion. Dismissed.

George W McFarland	Plff	} In case
vs		
Abraham Storer	Def	

This day came the parties by their attorneys and
 thereupon came a jury to wit. John E. Crum Abraham Anderson
 James McGahey Jacob Rhodes George Brantner Henry Lamb.
 Bramwell Rice Charles A Spinkler Henry P Hartmann
 Joseph Brickentlager Adam McDoug & William Harner
 who being elected sworn and sworn the truth to speak upon
 the issue joined, and after hearing the evidence retired from
 the bar to consider of their verdict, and after some time returned
 into court, and upon their oath do say, "We the jury find
 for the defendants" and thereupon the Plaintiff moved
 the Court ~~move the Court~~ to set aside the above verdict, which
 motion the Court doth overrule. - It is therefore considered that
 the Deft recover against the Plff in this behalf expended
 his costs about his defence in this behalf expended

Andrew Couch for Jellison) Plff } In case
 vs
 John Foster Def

This day came the parties by their attorneys and neither party requiring a jury the court proceeded to execute the writ of enquiry. It is therefore considered that the Plff recover against the Def the sum of \$154.92 with interest from the 22^d day of December 1855 till paid and the costs by the plff in this behalf expended.

George Fawcett Plff } In case
 vs
 George W Entwisle Def

This day came the parties by their attorneys and neither party requiring a jury thereupon the court proceeded to execute the writ of enquiry. It is therefore considered that the Plff recover against the Defendant the sum of \$50. damages with interest from this day and the costs by the Plff about his suit in this behalf expended.

Elizabeth Morris adm^r Plff } In case
 vs
 Jacob Lincoln Def

This day came the parties by their attorneys and thereupon came a jury to wit. George Lohr Jr. Jacob Rhodes Aaron M Long George Hull James W McGahy Henry Lane John Miller Charles A Sprunkel David Cuffman Jacob Rowa alush Abraham Koroff & George Burtner who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into court and upon their oath do say "We the jury find for the defendant." It is therefore considered that the Def recover against Philander & Corring for whom benefit said suit is intended his costs by him about his ^{defence} ^{in this} ^{case} ^{half} expended.

Daniel B May for Plff }
 vs In Debt
 John Miller Deft }

This day came the parties by their attorneys and thereupon the defendant withdrew his plea and confessed judgment (saying equity) for \$4,68 59 with interest therein at the rate of six per centum per annum from 20th day of August 1856 and the costs by the Plff ~~at~~ ^{and} in this behalf expended

Kinney vs Snell - Crawford vs Murry & Byers vs Smith on motion it is ordered that the aforesaid causes be dismissed

Glickel vs Peale, Peale vs Peale on motion it is ordered that these causes be continued until the next term of the court of Plff

J D Campbell Plff }
 vs upon a warrant issued out before
 Silas Skelton Deft } a Justice of the peace

This day came the parties by their attorneys and the defendant by his attorney pleaded that he has been discharged by the United State Court as a bankrupt to which plea the Plff replied generally and the issue is continued until the next term

John Hoga for Plff }
 vs In Debt
 A H Brewer & Co Deft }

This day came the parties by their attorneys and thereupon came a jury to wit, John H Erwin Bramwell Rice Abraham Andes, Andrew J Van Delt, George W Miller Elijah Heuffman Francis Flick Joseph Leichenbarger Henry Heffymant Henry Westmann Wm Harnard Jeremiah Ammentons, who being sworn and sworn the truth

to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into court and in their oath do say We the jury find for the Plaintiff the debt in the declaration mentioned subject to a credit of twenty dollars paid Sept 23^d 1856. and we refuse to allow the offsets of defendant, as they were obtained after notice of the assignment. It is therefore considered that the Plff recover against the debt \$75 the debt with interest from the 29 day of August 1856 till paid and costs by the Plff in this behalf expended. this judgment is subject to a credit of \$20 paid 23^d Sept 1856. On Motion of the Deft he has leave to withdraw certain offsets placed by him upon leaving attached copies with the Clerk.

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

Naason Bare

Saturday February 21st 1857

Present

Naason Bare J. J. M. Newman & O. S. Hurlinger } Gent.
Samuel Ruelus & Wm. M. D. Harris } Justices

Elizabeth F. Morris adm^r } Plff
vs } In Case
Jacob Lincoln Guad } Deft

This day came again the parties by their attorneys and thereupon moved the Court to set aside the Verdict & Judgment rendered in this cause which motion the Court doth overrule & refuse to grant a new trial.

My R^d Company to Augustine Hedder. This day came the Plff by att. It is considered by the Court that the Plff recover of the Deft \$350. with interest thereon from the several times specified in the notice & the costs by the Plff in this behalf expended. (Per Ord. \$20. Sept 15 1856.)

Manassas Gap Rail Road Company. Plff }
 vs } Upon a Notice
 Joseph S. Effinger Def

On Motion of the Plff. it is ordered that
 this cause be dismissed

White vs Liggitt This day came the parties by their
 attorneys and the Deft pleaded non apum pait to which
 the Plff replied generally and the issue is continued
 until the next term

George Lee McFarland Plff }
 vs } Mcase
 Abraham Stoner Def

This day came the parties by their attorneys and
 the Plff by his attorney rendered ^{two} bills of exception to
 an opinion of the Court delivered in this cause which exceptions
 in these words "Geo" & ~~in the word~~ "George"
 were signed sealed and enrolled and ordered to be made
 a part of the record

Commonwealth }
 vs } Upon an Indictment
 Richards James

This day came again so will the attorney for the
 Commonwealth as the Deft by his attorney who rendered a
 bill of exceptions to an opinion of the Court delivered in
 this cause which exception is in these words "Commeth"
 which were signed sealed and enrolled and ordered
 to be made a part of the record

On Motion of Wm D C Covington who made oath thereto
 according to law and together with Joseph H Conrad and
 Wm Kite his recusers (who justified as to their sufficiency
 entered into and acknowledged a bond in the penalty of \$150
 conditioned as law requires certificate is granted the

said M^{rs} O'Leary for obtaining letters of administration
in and from upon the estate of Joseph Baker deceased

Benjamin F. Thomas Plff }
vs } In Case
Reuben Rains or Defs }

This day came the parties by their attorneys
and thereupon the Def^y by attorney pleaded Non assumpsit
to which the Plff replied generally and the issue is continued

Jas Campbellson Plff }
vs } In Case
John Billhimer Def }
The same order

John S. Calvert Plff }
vs } In Case
Jacob Barley Def }

This day came the parties by their attorneys and
the Def^y by attorney pleaded Non assumpsit and Statute of
Limitation to which the Plff replied generally and the
trial of the issue is continued until next term

Commonwealth for Plff }
vs } In Debt upon a bond with
George W. Henley } Def } collateral conditions

This day came the parties by their attorneys and
def^y pleaded saith that George W. Henley hath well and truly
observed and performed and condition of the writing obligatory
in the Declaration mentioned to which the attorney for the
Plff replied generally and the issue is continued

Richard Christie vs. Bushness, Tailor or Taylor. on motion and
for reasons appearing to the Court it is ordered that this alone
named cause be continued

McWhorter for Deft } In Debt
 vs
 McSmith Deft }

This day came the parties by their attorneys and
 the deft saith that he hath well and truly paid the debt
 in the declaration mentioned and at the same time filed
 a list of set off which he desires to prove upon the trial
 of this cause to which plea the Deft replied generally and
 thereupon the judgment obtained in the office be set aside
 and the issue is continued

Decd Geo Deatrick for as Conveyer The same order
 Plecker for as learn pleth The same order
 Kezle vs Barrett The same order
 Bnet vs Rookingham Turnpike Company The same order

Warren for vs Huffman This day came the parties
 by their attorneys and the deft filed certain Special
 pleas to which the Deft replied generally and the
 issue is continued until the next term

Roadcap vs Garbora Keyler Leupke Steeter & Deneale
 A Caff vs Stewart & Bayner Shoenmakers & Dove on motion of
 reasons appearing to the Court it is ordered the foregoing causes
 be dismissed

John H Austin wife Deft } In Debt
 vs
 Fayette Ceale Deft }

This day came the parties by their attorneys
 and by consent the Deft confessed judgment for fifty
 dollars with interest from this day. It is therefore
 considered that the Deft recover against the Deft the sum of
 \$50 with interest thereon to be computed at the rate of 6 per centum per
 annum from this day and the costs by the Deft in this behalf expended

Cootes is Hollers on motion of for reasons appearing to the Court it is ordered that this cause be continued at the Court of Sept

Hockman & Long Plff }
vs } In Case
John H Bocoock Def

This day came the parties by their attorneys and thereupon came a jury to wit Francis Flick John Miller Charles A Sprunkel Henry T Martmann Abraham Knopp Daniel Loffman George Lohr & James W McGahey Elijah Huffman John H Egan Jeremiah Ammerhout & Drarnwell Rice who being elected tried and sworn the truth to speak upon the case joined and having heard the evidence retired from the Court to consider of their verdict and after some time returned into Court and upon their oath do say "We the jury find for the Defendants". It is therefore considered that the Deft recover against the Plff his costs about his defence in this behalf expensed

George Michael & Henry E Sipe who have been duly summoned to appear here ^{at this term} as witnesses on behalf of John Hlearick's admits against David Gilman being solemnly called and not appearing it is ordered that they be summoned to appear here on the third day of the next term to shew cause if any they can why they shall not be ~~forced~~ for their failure aforesaid

Hlearick's admits is Gilman on motion continued until the next term at the costs of Plff

David Fadely Plff }
vs } In Case
Emmanuel Roller Def

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

Kent Bain & Kent vs Smith & Straus. Alder & Hartman vs
Stinespring on motion continued at the next of the next.

Eliehan McDollard who has been duly summoned to
appear here as a witness on behalf of David Stinespring
and Straus Alder & Hartman being solemnly called and
not appearing it is ordered that he be summoned to appear
here on the 3rd day of the next Quarterly term of this Court
to show cause if any he can why he shall not be fined
for his contempt of process.

Ordered that the following named persons be allowed
the amounts affixed to their respective names to be
for jury service during the present term to be paid by the Commonwealth
Certified of
June 1857

Henry Lamm	\$ 50	John Miller (of Chipp)	50
Jacob Rhodes	50	James V McGahey	50
Bramwell Rice	50	Leucob Rowdabush	50
Elijah Huffman	50	George P Burtner	50
Henry H Weyman	50	Geo Lohr Jr	50
Abraham Knopf	\$ 50	Abraham Ardes	50

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

Ordered that the following named persons be allowed the sums
affixed to their respective names for jury service rendered during
the present term to be paid by the County of Rockingham Vis

Henry Lamm	\$ 3.25	John Miller (of C)	3.25	Jacob Rhodes	3.25
Jacob Sanger	75	Geo W Miller	3.75	Jacob McGahey	3.25
Charles Mason	75	Bramwell Rice	3.25	Jacob Rowdabush	3.25
John H Neff	75	Elijah Huffman	3.25	Wm L Ruffner	75
John H Erwin	3.75	Geo P Burtner	3.25	Le Crickensberger	3.75
Jeremiah Ammentron	3.75	Wm L Lamm	3.75	David Coffman	3.75
Hy H Weyman	3.25	Geo Lohr Jr	3.25	Alm Knopf	3.25
Adam M Long	3.75	Abraham Ardes	3.25	Seben Sprinckee	3.75
Leah Alpinkie	3.75	Hy H Weyman	3.75	Wm L Ruffner	3.75
Anance Alrich	3.75	Lamm L Ruffner	75	Geo Miller	3.75

and it is ordered that the Sheriff of this County pay the aforesaid sums
to the persons entitled to the same.

Siggett is heard on motion it is ordered that this cause be dismissed

Stricklers vs Deneale & Horton & Holler on motion continued until the next term at the cost of the Defs

Sheers vs Golladay & Blatterbach & Widen on motion of Parties the aforesaid cause are continued

Joseph Brathwaite Plff }
vs } In Case
Abraham Seedy Deft }

This day came again the parties by their attorneys and the Plff by his attorney tendered a bill of exceptions to an opinion of the court delivered in this cause which exceptions are in these words: "Pl's" which was signed sealed and enrolled by the court and ordered to be made a part of the record

George E. Deneale Plff }
vs } In Case
Charles Chandler & Deft }

This day came the parties by their attorneys and thereupon came a jury to wit: Adam Mc Long, Alfred Sprinkel, Jacob Rowdabush, George Kull, Bramwell Rice, Abraham Andes, George P. Burtner, Charles A. Sprinkel, Henry H. Heyman & John Miller, Jeremiah Armentrout & Jacob Rhodes who being elected tried and sworn the truth to speak for the parties joined and having heard the evidence, retired from the bar to consider of their verdict and after some time returned into court and not being able to agree upon their verdict, by consent of Parties Charles A. Sprinkel one of said jurors is withdrawn and the balance from rendering a verdict were discharged and cause continued until the next term.

Miller vs Smith continued until the next term as the cause is at Def

Warren McGahey Jr. ~~Plff~~ } In Debt
 Bushrod W. Hainshaw ~~Def~~

This day came the parties by their attorneys and the deft by his attorney withdrew his plea and confessed judgment for the debt in the declaration mentioned with interest and costs. It is therefore considered by the court that the Plff recover against the Deft the same ~~sum~~ debt with interest thereon to be computed after the rate of six per centum per annum from the time the same became due and payable ^{the day of} 1857 till paid and the costs by the Plff about his suit in this behalf expended

Ordered that all the causes on the Pocket noticed or otherwise disposed of be continued unto the next term

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

Naason Bare

All Court held for Rockingham County
 at the Court house thereon Monday the
 16th day of March 1857

Present

Naason Bare Pl. & Daniel Smith & Christian J. Gent
 Mayers } Justices

The Clerk of this Court returned into Court a list of deeds and other writings admitted to record in his office during the month of February 1857, which being seen and inspected by the Court is ordered to be entered on the Minutes as follows to wit

- 1 ✓ of \ Deed of Bargain & Sale from Abraham Simmens wife to George Shank
- 2 ✓ of \ Same from Delbert Coffman to John Coline
- 3 ✓ \ Deed of Trust from John McKay to A. H. Brewer Trust for Mendel Barley
- 4 ✓ \ Same from Abraham Simmens to John L. Woodson Trust for Same
- 5 ✓ \ Deed of BtS from Pleasant A. Clarke to John D. Myers
- 6 ✓ \ Same from David Link wife to Anderson Brick
- 7 ✓ \ Deed of Trust from Lindsey Morris to J. C. Carrier Trust for J. H. Cronen
- 8 ✓ \ Deed of BtS from Henry Tarfinger wife to Timothy Brink
- 9 ✓ of \ Same from Henry Larnier wife to John McElearner
- 10 ✓ \ Deed of Trust from Benjamin Bowman to B. B. Williams for L. S. Warden &
- 11 ✓ of \ Same from Henry Arnold to J. B. Byrd Trust for A. W. Brown &
- 11 1/2 ✓ \ Same from Mrs. H. C. Harris to John K. Riser Trust for Dr. McPalmer &
- 12 ✓ of \ Deed of BtS from Jonathan Miller Trust to Alexander Ryger
- 13 ✓ of \ Same from Daniel Landest wife to George E. Donale
- 14 ✓ of \ Same from John Senger to John M. Bolton
- 15 ✓ \ Same from Philip Keller comr to Robert Edwards
- 16 ✓ \ Same from John R. Kogler wife to Abraham Chick
- 17 ✓ \ Same from David Hulva to Josiah Hulva
- 18 ✓ \ Deed of loan from George W. Eitel to E. Elias Royer
- 19 ✓ \ Deed of Trust from Michael Kibler to J. B. Byrd Trust for A. W. Brown
- 20 ✓ of \ Deed of BtS from John Long wife to John Linsay
- 21 ✓ of \ Same from Eli Austin wife to John W. Austin
- 22 ✓ \ Same from Benj. Bowman wife to Samuel Bowman
- 23 ✓ \ Same from Abraham Heatside to Jacob Brunk &
- 24 ✓ of \ Same from Peter Rhoads wife to John Carichoff
- 25 ✓ \ Same from John Roller to Henry C. Beery
- 26 ✓ of \ Same from Jacob Rush to Samuel Good
- 27 ✓ \ Same from Isaac Reamer wife to C. F. Harnsberger
- 28 ✓ of \ Same from J. B. Byrd comr to Erasmus Coffman &
- 29 ✓ \ Same from H. B. Harnsberger comr to Abraham Andes
- 30 ✓ of \ Same from Abraham Young to J. Cyprian Young
- 31 ✓ of \ Deed of Trust from Geo. W. Cahoon to E. H. Warren for R. H. Cahoon &
- 32 ✓ of \ Deed of BtS from Samuel Paul wife to Abraham Paul
- 33 ✓ of \ Same from Elizabeth Stevens to A. C. Harnsberger
- 34 ✓ \ Deed of Trust from Jacob Baugh wife to J. Smith Trust for J. Paul

- 35 ✓ of \ Deed of Bargain & Sale from Isaac Newander wife to Jacob Bryan
 36 ✓ of \ Deed of Trust from Jno Blain to E H Bowman for Merri Rhearren
 37 ✓ of \ Deed of BtS from Wm D French Comr to Elisha Bryan
 38 ✓ \ Same from Andrew Strickler to John Leaven
 39 ✓ of \ Same from Susan Connard to Robert McKyle
 40 \ A Deed of Trust to E H Bowman. Interest for J J Bowman

Settlements of the estates of Philip Barrott dec^d - Adaline Sellers dec^d - Joseph Miller dec^d - David Burkholder dec^d - Christian Miller dec^d - & Tobias Beam dec^d & also a Settlement of the accounts of R A Stephens Esq for Merri L Stephens & having been filed in the Clerk's office of this Court. were presented in Court and no exceptions being offered thereto the same are confirmed and ordered to be recorded -

Wm P McCall appellant

vs

Thomas A Lame Appellee

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

On Motion of the Appellant it is ordered that this cause be docketed

McGahy for vs Michael & on D Bond Notice paid & extra awarded
 Nicholas vs Austin & on D Bond same order

The Court doth appoint Henry Derrner Guardian for Elizabeth & George Derrner orphans of John Derrner dec^d who is under the age of fourteen. and whereupon the said Henry Derrner appeared in Court and together with Robert Cox his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Three hundred dollars. conditioned as the law requires which bond is ordered to be recorded

On the motion of Benjamin Menger who made oath thereto according to law and together with Samuel Menger his security (who justified as to his sufficiency) entered into and acknowledged

a bond in the penalty of \$1000 conditioned as the law requires
 certificate is granted the said Benjamin Menger for obtaining
 letters of administration in due form upon the estate of David
 Byrd dec^d. It is ordered that George Miller Gordon Harrell
 ✓ Daniel Bowman & Abraham Paul or any three of them
 do appraise the estate of said David Byrd dec^d.

The Court doth appoint Zachariah Taylor guardian for Lydia Ellen
 John F. George W. Sarah Catharine Mary L. Elizabeth M. Espar &
 Orphans of James Espar dec^d who are under the age of fourteen
 years. Thereupon the said Zachariah Taylor together with
 Isaac Hufferman his security (who justified as to his sufficiency)
 entered into and acknowledged a bond in the penalty of
 \$1000. conditioned as the law requires which bond is ordered to be
 recorded.

The Last will and testament of Isaac Thomas dec^d was presented
 in Court and proved by the oaths of Thornton Thomas & Jackson Martz the
 subscribing witnesses thereto and ordered to be recorded and on the
 motion of Madison West the executor therein named who made oath
 thereto according law and together with Jacob D. Williamson Junr.
 Thornton Thomas & William West his securities (who justified as
 to their sufficiency) entered into and acknowledged a bond in the
 penalty of Ten thousand dollars conditioned as the law requires
 certificate is granted the said Madison West for obtaining a probate
 of said will in due form. It is ordered that Jacob Hufferman
 George Martz John J. Martz & Noah Martz or any three of them
 ✓ being first duly sworn for that purpose do appraise the estate
 of said Isaac Thomas dec^d.

On motion the Court doth appoint Jacob Byerly committee
 for Polly Sarady a person of unsound mind. Thereupon the
 said Jacob Byerly together with Daniel Byerly his security (who
 justified as to his sufficiency) entered into and acknowledged
 a bond in the penalty of \$5000. conditioned as the law requires which bond
 is ordered to be recorded.

John & Delila Baker orphans of Mem Baker dec^d. being upwards of 14 years. appeared in Court and with the approbation of the Court made choice of Jacob S Rhodes, ^{as their Guardian} and the Court doth appoint said Jacob S Rhodes guardian for Elizabeth S & Baker orphans of said Mem Baker dec^d. who is under 14 years of age. and thereupon the said Jacob S Rhodes appeared in Court and together with David Shirkey, Noah Rhodes & (David B Rhodes his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2000. conditioned as the law requires

The last will and testament Ann Christina Argenbight was presented in Court and proved by the oaths of Abraham Flory & Samuel Shuper two of the subscribing witnesses thereto and ordered to be recorded. and on Motion of Lewis & Argenbight & P K Argenbight the executors therein named who made oath thereto according to law and together with Peter Dinkel their Security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of \$2000. conditioned as the law requires. Certificate is granted the said Lewis & Argenbight & P K Argenbight for obtaining a probate of said will in due form. and it is ordered that Samuel Shuper, Jacob P Shuper, Jacob Rueland & Abraham Flory or any three of them do appraise the estate of said Ann Christina Argenbight

Kyle's ads^r as Gaileys & McDowd Notice proved and execution awarded.

Mary Hoffman

vs

D Stinespring

Plff

Def

} Upon a Motion

On Motion this cause is docketed & continued

Upon the petition of Sprinkel & Gay merchants in this County who wish to retail ardent spirits at their store. It is ordered to certify that they are persons of good character, and not addicted to gaming or drunkenness, & that their store is a proper place to retail ardent spirits

On Motion it is ordered that Zachariah Taylor Guardian for Lydia Ellen Jno D. Geo H. Sarah L. Mary & Elizabeth M. Ephard
 it is ordered that he be permitted to pay out to such persons as
 he shall select for supporting his wards, such sum as may be
 reasonable for their support

277 John Mc Thompson a free negro born free in Birmingham
 Shenandoah County. five feet five inches high. aged 21 years
 last October of copper color. scar from a cut on the left side of his
 face. It is ordered that the clerk register said free negro according
 to law

On the motion of Jacob Armentrout who has given
 the notice as required by law. It is ordered that he be
 permitted to close the road running from the Valley Turnpike
 to the surf run gap road where it comes into it at Elm Eiders
 way commencing at the place where the Port Republic road ~~crosses~~
~~said road~~ which runs by Daniel Meines, crosses it and ending about
 Houstons Gate

Present George Saufley Gent Justice

The Court doth appoint Abraham Sayman Guardian for
 Martin & Mary Sayman his children and grand children of
 Abraham Beery dec'd who are under the age of 14 years. ~~appears~~
 the said Abraham Sayman appeared in Court & together
 with John Good & James Deesell his securities (who justified
 as to their sufficiency) entered into and acknowledged a
 bond in the penalty of \$300 conditioned as the law requires
 which bond is ordered to be recorded

Margaret Ailstock aged 22 years. born free in the County of Augusta
 black color. a small scar on the forehead five feet two & a half inches
 high. It is ordered that the clerk of this Court register said
 free negro according to law

The Court doth appoint John M Bolton Guarodian for J Calvin Argabright orphan of Samuel Argabright dec^d. who is under the age of 14 years. and thereupon the said John M Bolton appeared in Court and together with Peter Dinkel & John Rowboof his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$1000. conditioned as the law requires.

John L Walker who has been duly appointed a Notary Public in and for this County. appeared in Court and together with Conrad H Kite his security. entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires. and thereupon the said John Walker took the several oaths required by law.

Wm H Barley having obtained an attachment against the estate of Noah Hall ^{Mr. Debt.} who intends to remove his effects out of this Commonwealth so that there will probably not be therein sufficient effects of the said Noah Hall to satisfy the claim of the said Wm H Barley when judgment is obtained therefor should only the ordinary process of law be used to obtain such judgment.

On the motion of John R Kogler Sheriff of this County. James H Courney is permitted to qualify as his deputy during the pleasure of the Court & of said Kogler. and thereupon the said James H Courney took the several oaths required by law.

Wm H Barley having obtained an attachment against the estate of Noah Hall for \$125.16 due by account. who intends to remove his effects out of this Commonwealth so that there will probably not be therein sufficient effects of the said Noah Hall to satisfy the claim of the said Wm H Barley when judgment is obtained therefor should only the ordinary process of law be used to obtain such judgment. and thereupon the defendant appeared by counsel. and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion

that said attachment was improperly issued, it is therefore ordered that the same be quashed and dismissed and that the Deft recover against the Plff his costs about his defence in this behalf expended, and it is further ordered that the officer who levied said attachment restore to the deft the property levied on

On the Motion of Mem^r Miller adm^r of Mem^r Sellers dec^d it is ordered that the settlement of said estate returned, be and the same is hereby recommended to the Commissioner who made said settlement for correction

William Jones alias William Gleiden who stands charged with a felony by him committed this day appeared in Court by counsel and on motion of the attorney for the Commonwealth it is ordered that the examination of the prisoner be continued until the next term

John Mc Lee appellant }
100 } upon an appeal from the judgment
Amos Scott appellee } of a Justice of the peace

This day came the parties by their attorneys and by consent it is considered that there is error in the judgment of the justice below. It is therefore considered that the same be reversed & annulled and that the appellant recover against the appellee the costs by ~~the~~ him in this behalf expended

Stinespring vs Shoualter & Notice proved and execution awarded
March vs Same or The same order

Franklin Ponce

Plff

Edward P Williams adm^r of H. Manzy

Deft

} Upon a Notice &

This day came the Plff by his attorney and it is ordered that unless the deft give a new bond with good and sufficient security as such adm^r at this term next of this Court, his power and authority as adm^r of the said shall be revoked and annulled -



Smallwood vs Sprinkel On Motion and for reasons appearing to the Court it is ordered that this cause be dismissed

Manning vs Seedy & same is same. The same order

Tutwiler's debts vs Valley Turnpike Co. Harper vs Grims. Rockingham Turnpike Co vs Bryan. Keister vs Feltz. White vs Grane. Kennedy vs Thompson. Shall vs Anderson. Harris vs Winslow. Henton vs Henton. Loffmann vs - Hulvey. Sager vs Smith. Melvill vs Gray. same is same. same vs Diggs. same vs McElffinger & Shaver vs Holsinger. On Motion severally continued until the next term

Strother Bright & Derrick Bonnybacker who have been summoned to appear here on this day as witnesses on behalf of Robert Boyers & ad Wm Boyers being solemnly called and not appearing. it is ordered that they be severally summoned to appear here on tomorrow to shew cause if any they can why they shall not be fined for their contempt in failing as aforesaid

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

Maason Bare

Tuesday March 17-1857

Present

+ Maason Bare P. J. + Daniel Smith } Gent
+ George Sanfley & Christian Mayers } Justices

Ordered that the Sheriff of this County summon the acting justices of the peace for this County to appear here on the ^{2nd} day of April next to act up on applications for Ordinary Licenses &

Yancey vs Maiden v. on Bond Notice proved execution awarded	
Effinger vs Same	The same order
See vs Same	The same order
Mosney vs Lewis &	The same order
Nick vs See &	The same order
Hopkins & Kelling vs Same	The same order
Life vs Same &	The same order
Honclanger vs Same &	The same order

An Motion of Isaac Moffett guardian of Henry Moffett & Annie Moffett infant children of Anderson Moffett deceased. it is ordered to be certified that satisfactory evidence was introduced to prove that said Anderson Moffett died intestate on the 18th day of June 1856. leaving a widow Margaret B. Moffett and two minor children aforesaid his only heirs at law and it is further ordered that said Isaac Moffett who duly qualified as guardian of said minors be and is hereby authorized to sell assign & transfer Bounty Land warrant No 26541 for forty acres which issued on the 3rd day of November 1857. to said Anderson Moffett under the act September 28th 1850 and bounty Land warrant No 72027 for one hundred & twenty acres which issued to said Anderson Moffett on the 5th of May 1855 under the act of March 3rd 1853-

Harrison vs Blackley An Motion and for reasons appearing to the Court it is ordered that this cause be dismissed

Manafay Gap Rail Road Co vs Kline The same order

Clarke vs Blackley, Sprinkel vs Connor, Long vs Miller, Hursey vs Same, Same vs Same, Liskey vs Stinespring, Overman vs Poor vs Allright, Rhodes vs Perkins, Same vs Beazley, Beard vs Lewis vs Sherman, Hanafan vs Oneal, Siggett vs Murch, Stiffant vs Crawford, Qumore vs Bateman, Magerhaussen vs Rolland, Harper vs Brandt, Pitcher vs McLeish, Turner vs Same, McGRLo vs Strickland, Beams, Byrd, Pennybaker vs Same, Same vs Same, Campbell vs Gray, Rupert Moffet vs Bushnell, Seigler vs Austin, Pence vs Williams, Morgan vs Grim An Motion continued until the next term

Gailey vs Deamox. Smith vs Armentrout. Kleson vs Harnesberger. Hurston vs Joseph. Joseph vs Lile. Armentrout vs Alenton. Smith vs Byrd. Butler vs Brock. Lile vs Gailey. Silebit & Dorman vs Learpenter. Rexroad vs Good. Gray vs Long. Runey vs McCall. Hooke vs Harrison. Gailey vs Harper. Sumner vs Effinger (8 cases). Gilmer vs Swartz. Dondall vs Miller. May vs Meast. & Harris vs O'Neal on Motion severally continued until the next term.

Daniel Lewis & Ann Lewis free negroes. legates of Catharine Berkeley dec'd being upwards of fourteen years of age appeared in court and with the approbation of the court made choice of Joseph Funkhouser as their guardian and thereupon the said Joseph Funkhouser together with Hiram Coffman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000⁰⁰ conditioned as the law requires which bond is ordered to be recorded.

Upon the Petition of Elijah S. Huffman & others for the establishment of a road in this County. On Motion of the Petitioners who filed their petition. it is ordered that the same be referred to Peter S. Roller David Rob and J. P. Horn who are hereby appointed Viewers to act and report upon said petition according to law.

— Wm A Long

vs

Emanuel Rhodes

Deft.

Deft.

} Upon a Motion

This day came the parties by their attorneys and sundry witnesses being sworn and examined and the argument counsel heard the court are of opinion the property levied on under executions in the name of Emanuel Rhodes is R. L. Mauck's & Richard Runckle's since R. L. Mauck is not the property of said Mauck but the property of said Wm A Long. it is therefore ordered that the officer who levied said executions restore said property to said Long and it is further considered that the said Long recover against the said Emanuel Rhodes the costs by him in his behalf expended.

James M Weaver a Justice of the peace for this County this ^{day} ~~has~~ ^{tendered} his resignation as such Justice which is ordered to be entered of record

William Boyers

Plff

vs

Robert Boyers &c

Defts

} upon an Attachment &c

This day came the parties by their attorneys and sundry witnesses being sworn and examined touching the premises and ~~the~~ upon mature deliberation it is considered that the Plaintiff recover against the Defts the sum of \$55.⁰⁰ & Int Interest from the 19th day of January 1851 till paid, subject to a credit of \$7. of date the 23rd day of May 1855 and the costs by the Plff about this suit in this behalf expended and it is ordered that the officer who levied said attachment make sale of the attached effects and out of the proceeds of such sale pay and satisfy this judgment and the overplus ^(if any) restore to the defts and return an account of such sale to this Court

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

Naason Bair

Wednesday March 18th 1857

Present

+ Otway C Sterling + William Saffley } Gent
+ Christian Moyer + Daniel Smith } Justices

Anderson M Newman Isaac Hardesty and Abraham Byrd this day returned to this Court their award of and in regard to certain matters in controversy which were submitted to their award and determination by and between Anthony Clauffman of the one part and Benjamin F Richard of the other part by an article of submission

bearing date the 29th of December 1856. which article judgment
was also returned together with the said award and it is
ordered that the said Anthony Heuffman and Benjamin F.
Richard be summoned to appear before this Court on the first
day of the next term of this Court to shew cause if any they can
why the said award should not be entered up as the judgment
or decree of this Court

Andrew Hogan
vs
John O'Neill

appellant
appellee

} upon an appeal from the
Judgment of a Justice

This day came the parties by their attorneys and
sundry witnesses being sworn and examined and the Court upon
mature deliberation are of opinion that there is error in the
judgment of the justice below. it is therefore ordered that the same
be reversed and annulled, and the Court proceeded to give such
judgment as the justice ought to have given. It is therefore considered
that the appellant recover against the appellee the sum of
Three dollars and eighty seven cents with legal interest thereon
from this day and the costs by the appellant in this behalf
expended

John Benton
vs
Manassas Gap Rail Road Company

Plff }
Def } upon a motion upon a
suspending bond

This day came the parties by their attorneys and sundry witnesses being sworn and examined touching the premises and the argument of counsel being heard the Court upon mature deliberation it is considered by the Court that the property levied on under an execution in the name of the Manassas Gap Rail Road Company against David H Seary is not the property of said Seary but the property of the Petff John Hinton. it is therefore ordered that the Shff who levied said execution restore the property levied on to said Hinton. and that said Hinton recover of & of Deft his costs in this behal & expenses

R H Robertson

vs

Edw Pollard

Plff

Def

} upon a notice of

This day came the parties by their attorneys and sundry witnesses being sworn and examined and the court upon mature deliberation it is ordered that the Plff recover against Def the sum of \$13.50 the amount made on execution against McLaughlin and it is ~~considered~~ that the deft recover against the Plff his costs about his defence in this behalf expended

Wm P McCall appellant

vs

Thomas A Lane appellee

} upon an appeal from the
Judgment of Justice

This day came the parties by their attorneys and sundry witnesses being sworn and examined and upon deliberation is considered by the court that there is error in the judgment of the justice aforesaid and thereupon the court proceeded to give such judgment as such justice ought to have given. It is therefore considered that the appellee recover against the appellant and William Blakenore his security in said appeal the sum of \$12.50 with legal interest from the 2nd day of December 1856 till the 23rd of February 1857 and ~~the~~ costs with damages upon the whole amount of said judgment at the rate of 10 per centum per annum from the said 23 of Feby 1857 till paid and the costs by the appellee in this behalf expended

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

O. G. Stirling

At a Court held for Rockingham County
at the Court house on Monday the 20th
day of April 1857

Present

+ Mason Bare Jr (Daniel Smith } Gent
+ Mem Sanfley & Christian Moyers } Justices

3

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

- 1 ✓ \ viz. Power of Attorney from Adam Wilhelm to Isaac Wilhelm
- 1 1/2 ✓ of \ Deed from William Daniels to same
- 2 ✓ of \ Same from Adam Wilhelm to same
- 3 ✓ \ Same from David Knicey wife to Sarah Caspary
- 4 ✓ \ Same from Morris Lowerback wife to Stephen Tew
- 5 ✓ of \ Same from Andrew B. Frick wife to A. B. Sprinkel & trustees
- 6 ✓ \ A Deed of Trust from Augustine Armentrout to W. Gamblee Trust for J. L. Derron
- 7 ✓ of \ A P. Atty from Joseph Whitmore to Samuel Whitmore
- 8 ✓ of \ A Deed of Bargain & Sale from Joseph Whitmore to Joel Flory
- 9 ✓ \ Same from James Beards to Napoleon J. Buck
- 10 ✓ of \ Same from Wm. S. Zircle wife to Jacob W. Zircle
- 11 ✓ \ Same from same to same
- 12 ~~✓~~ ~~of~~ \ ~~A Deed of Trust from Thos. Dorsford to G. M. Effinger Trust for M. & Effinger~~
- 13 ~~✓~~ ~~of~~ \ ~~A Deed of Bargain & Sale from Solomon McIntire to John Sites +~~
- 14 ✓ \ Same from Margaret Hurston to Joseph Earley
- 15 ✓ \ Same from Wm. D. (Dove) to Richard A. Stephens
- 16 ✓ of \ Same from Richard A. Stephens wife to Wm. D. (Dove)
- 17 ✓ of \ Same from Peter Heenton wife to Andrew Hernton
- 18 ✓ of \ Same from David Hook committee to same
- 19 ✓ \ Same from Joseph H. Huffman wife to Solomon Larry & Geo. F. Dinkel
- 20 ✓ of \ A Deed of Trust from Jno. Whitmore to W. Gamblee Trust for Daniel May
- 21 ✓ \ Same from Wm. Beady to Wm. H. Barley Trust for Eli M. Long
- 22 ✓ of \ Same from Henry Bear to W. Gamblee Trust for Robert Gray
- 23 ✓ \ A Deed of Bargain & Sale from James B. McGilchrist to Wm. Williams

- 24 ✓ of \ Deed between M^d Carter of the 1st part & E^t Mansfield of 2^d part & A^t B^l Spink of 3^d part
- 25 ✓ of \ Power of Attorney from Stephen Conrad wife to John C. Meacher
- 26 ✓ of \ Deed of B^ts from John C. Meacher Attorney to Thomas R. Locken
- 27 ✓ of \ same from John R. Kogler wife to James Greener
- 28 ✓ of \ same from same to same
- 29 ✓ of \ same from Peter Roller wife to John F. Kraun
- 30 ✓ of \ same from John Roller's Ex^r to same
- 31 ✓ of \ same from John Shoemaker's Ex^r to Noah Keller
- 32 ✓ of \ same from Abraham Kooty wife to Polly Lancy
- 33 ✓ of \ same from John Rice wife to David S. Rice
- 34 ✓ of \ same from George Lutz to Samuel Corabee
- 35 ✓ of \ same from Reuben Sellers wife to Archibald Brock
- 36 ✓ of \ same from Jacob Sheets wife to Sam^l & Geo. Funkhouser
- 37 ✓ of \ same from Jacob Byrd wife to Benjamin Snell
- 38 ✓ of \ same from H^e B^d Carnelinger Contr^r to John & Leonard
- 39 ✓ of \ same from Lewis Barnett wife to James Brannaman
- 40 ✓ of \ same from George Runyon to George M. Aubry
- 41 ✓ of \ Deed of Trust from Geo. Dove to David Ralston Trust for M^d Ralston
- 42 ✓ of \ Deed of B^ts from Elizabeth J. Deatrich to Wm. E. D. Harris &c
- 43 ✓ of \ same from Isaac Mulhelm to same
- 44 ✓ of \ same from John C. Walker Contr^r to Samuel C. Maylor
- 45 ✓ of \ same from Abner J. Nicholas wife to Thomas O. Sterling
- 46 ✓ of \ Deed of Trust from Thos O. Sterling to M^d Gamble Trust for M^d B. DeFair
- 47 ✓ of \ Deed of B^ts from John Shwaetler wife to David Wree
- 48 ✓ of \ Deed of Trust from Amos Noel to M^d Gamble Trust for M^d B. DeFair
- 49 ✓ of \ Deed of B^ts from Algernon S. Gray to Algernon Gray Butler
- 50 ✓ of \ Deed of Trust from J^r Kavanaugh to E^t H. Warren Trust for M^d Scanlon &c
- 51 ✓ of \ Deed of B^ts from Henry Blocker to David Block
- 52 ✓ of \ same from Samuel Gaver to same
- 53 ✓ of \ same from Philip Lippert wife to Thomas Jefferson Butler
- 54 ✓ of \ same from Harvey Quinkel wife to John C. Jacobs
- 55 ✓ of \ same from Fountain Eddins wife to Thomas W. Mueller
- 56 ✓ of \ same from Joseph B. Beard to John C. Beard
- 57 ✓ of \ Deed of Trust from J^r C. Trout to M^d & F^rons Trust for M^d Trout
- 58 ✓ of \ Deed of Loan for John Henton to David & Mary

- 59 ✓ of \ Deed of Trust from Harrison (Shanglo to Al Bryan Trust for Mrs. Leitch &
 60 ✓ \ same from Samuel Van Pelt to E. H. Warren for O. M. Harrison
 61 ✓ of \ Deed of Will from David B. Bowman to Noah Rhodes
 62 ✓ \ same from Same to David B. Bowman
 63 ✓ \ same from Robert McEwan's wife to John McEwan
 64 ✓ of \ Deed of Trust from Henry Good to S. Gamble Trust for Wm. A. Malone

Settlements of the estates of John Sheets, dec^d, Fred Jackson dec^d,
 Abraham Stoner dec^d, Geo. Billheimer dec^d, Barbara Kern dec^d,
 Valentine Folen dec^d, George Thomalet dec^d, Daniel Lowry dec^d,
 John Paulsen dec^d, Wm. Pickering dec^d, George Truck dec^d, Mary Rinder
 having been filed in the Clerk's office of this Court for the
 time prescribed by law, were presented in Court and
 ordered to be recorded

Settlements of the accounts of the Guardians of Anna Meyers
 Raphael Meyers, Allen B. Meyers, Andrew J. Meyers, Olimina
 Stephens, Isaac Thomas. The same order

Settlement of the estate & an account of debt & demand against
 the estate of Geo. W. Leuph dec^d. The same order

Settlement of the account of Peter Neff Trustee for Julia
 Wiswanden dec^d. The same order

A Certificate of the Clerk of the Court of Common Pleas for Madison
 County in the State of Indiana in regard to the account of Christian
 Souviney Guard for Hannah Souviney &c. was presented in
 Court and at the request of Wm. G. Thompson the same is
 ordered to be recorded

An amended settlement of the estate of Emanuel Sellers and
 having been filed in the Clerk's office of this Court for the
 time prescribed by law and no exception being offered thereto,
 the same is ordered to be recorded

Ordered that ~~at the~~ an election be held on the fourth Thursday in May next for the election of a justice of the peace in the 2^d district to fill the vacancy occasioned by the resignation of Jas M Weaver and also for a justice of the peace in the 7th district in place of Daniel Harrison, and that the commissioners appointed to superintend said the general election do superintend said elections.

Ordered that at the election to be held on the fourth Thursday of May next at the several places of voting in this County for the purpose of electing a member to the Congress of the United States an attorney General for the State of Virginia three delegates to the Legislature of Virginia and two justices of the peace for Rockingham County that the following named persons be appointed to superintend said elections at the several places of voting in this County viz

1st District At Conrad's Store Joseph H Conrad, Joseph Meijers, Merv Smith & B Jennings, At Wolf & Thomas H Miller

At McJaher's Store Joseph Maunzy, Peter Miller, Henry Kisking, Jacob Rush & Jacob Ammon. 2nd District At Palsifer's Store, Wm W Leeke Isaac Long, Jacob Strayer, J Rogers & Samuel Reelush

3rd District At McLawford, Samuel Puffer, Pleasant A Clarke Peter S Roller, Col Peter Roller & Merv M B Harris, M Dayton, Daniel Byerly, Hiram Coffman, Benj Fishback, Jno Myers & M Herring

4th District At Bridgewater, Allen W Brown, George R Gibbons, D J G Memon, St Clair Kyle & Merv Williams, Ottabine Merv Smith Francis M Ervine, Sherr Heasmore, D W Hutton & Jno A Dice

5th District At Gordon's Store, Joseph Burkholder, David R Hopkins David Bane, Benj D Bowman & Archibald Hopkins

At Bowman's Mill, Delbert Coffman, Jacob Miller, John Burkholder Michael Bowman & Silas Leenton. 6th District At the Court house Henry B Harnberger, O B Hering, Joseph P Pehr, Merv A Conrad & Merv M Hartmann, At Keydetown, George Keegle, A P Huffman, Elijah Qualey, Eli Keran & David Eiler.

7th District At Spartanopolis Jn Leeson, Eli H Koring, Jno Harrison, Geo Rhodes & Merv Carpenter

At Hinton's Mill, Cyrus Rhodes, Jacob Barley, Peter Henton, Andrew Henton & Merv Leeson

8th District at Timberville Geo Branner John Branner
Wm G Thompson Martin Garber & David Ziegler

At the Menonite School-house Richard Keinfeld Geo Rader
Jackson & Co. (David Holler & Jacob A Mitchell

9th District At Spinkes Store Sam R Sprinkel Saml
Miller Wm Harrison Geo W Puck (Jr) Jacob Hawley
At Wittigs Store Philip Sowers James (Dove) Reuben Dove
Jacob Leaplinger & James May, and it is further ordered
that the persons so appointed to superintend said election
being first duly sworn do superintend the said election on the
day & at the places appointed & make return thereof according to law

Lewis & Co Exchgrs & on Bond Notice proved & the awarded

McPherson as Stoner &

The same order

Effinger as Sumners &

The same order

Gibbons as Meferly &

The same order

Carphenter as Wheeler &

The same order

Upon the petition of Elijah Heuffmann for the establishment
of a road in this County. This day came the petitions by their
attorney and the Commissioners this day made their report
in the words: To wit. and thereupon upon consideration
it is ordered that said road be established according to law

Upon the petition of Henry Snell for a road. This
day the petitioners filed their petition and thereupon the
said petition is referred to Felix D Sheets Daniel Shuckel
and Samuel Miller who are directed to act & report upon
said petition according to law

Rockingham Mutual fire Insurance Co Off

Little & Gahey

Off

} Upon a notice

This day came the parties by their attorneys and thereupon it
is considered that the Off recover against the Off the sum

\$14.06 with legal interest thereon from this day and the
costs by the Plaintiff in this behalf expended

Ordered that the Clerk of this Court register Zachariah Whitlow
a free negro aged Twenty three years five feet seven inches
high of dark mulatto complexion and has a scar on the
right arm and was born free in the County of Rockingham

Sarah Weaver orphan of Samuel Weaver dec'd. being over
14 years of age appeared in Court and with the approbation
of the Court made choice of John Brunk as her guardian and
thereupon the said John Brunk together with Alexander
Brunk & David Shank & Christian Brank his securities (who
justified as to their sufficiency) entered into and acknowledged
a bond in the penalty of \$1000. conditioned as the law requires

Present Benjamin Hoover

William Henderson alias Jones who stands charged with
felony appeared in Court in discharge of his recognizance
and thereupon on Motion and for reasons appearing to the
Court it is ordered that he be acquitted and discharged of
said felony

Harriet A. Mositz daughter of Rebecca Derron by an instrument
of writing (she being over 14 years of age) made choice of Michael Earman
as her guardian and thereupon the said Michael Earman
appeared in Court and together with Franklin Braxter (his
security (who justified as to his sufficiency) entered into and acknowl-
edged a bond in the penalty of \$200. conditioned as the law requires

David St. Ordered that David Steneuping Guardian of Sarah A.
Mary E. John & Barbara Ann Coffman pay over to Mary
Coffman for maintenance of his wards the following sums
viz for Sarah A. \$60. for Mary E. \$100. for John & \$100. & for Barbara Ann \$80

out of the funds in his hands as guardian

On Motion of McE Manpion administrator de bonis non with the will annexed of Richard A Manpion who was adm^r of David Moyers dec^d the sum of \$30. is brought into Court by said adm^r that appearing by the report of Commissioner R D Fletcher to be the balance due Levi H. Moyers one of the heirs after deducting a bond held against him by said adm^r which sum of \$30. is ordered to be paid to the receiver of this Court

On the Motion of John Zigler Jr (David Zigler adm^r of John Zigler dec^d who was adm^r of Barbara Barnes dec^d and it appearing from the settlement of the estate aforesaid that there is a balance due from John Zigler Sen to the estate of Barbara Barnes of \$77.69 which sum is ordered to be paid to the receiver of this Court

On the Motion of Joseph Weaver adm^r of Samuel Weaver dec^d who made oath thereto according to law, and together with David Hartman, Jacob Shank & Jacob Brunk who ~~was~~ his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of \$4000. conditioned as the law requires. certificate is granted thereon and J. Weaver for obtaining letters of administration is due from whom the estate of Samuel Weaver dec^d and it is ordered that J. Hugh duBois, Peter Rhodes, Jacob Shank & Martin Burkholder do appraise the said Samuel Weaver dec^d estate.

R. A. Stephens vs Deft }
 as } Upon a motion
 Abraham W. Beery Deft }

This way came the plaintiff by their attorney, and the defendant being solemnly called and not appearing it is ordered that the power and authority of the said Abraham W.

Being as adm^r of David Burkholder dec^d be and the same is hereby revoked, and that the Pl^{ff} recover against the def^t their costs in this behalf expended.

On Motion and for reasons appearing to the Court, it is ordered that an election be held on the fourth Thursday in May next for the election an additional constable in the 2nd District and that the Commissioners this day appointed to superintend the general election do superintend said election.

Ordered that Geo Armentrout be appointed surveyor of Precinct No. in place of Christian Burkholder.

Ordered that John White be appointed surveyor of Precinct No. in the place of Daniel Ernst.

Andreu Houch & John B. Melhorn merchants & partner trading under the partnership name & style of Houch & Melhorn having obtained an attachment against the estate of Charles Long, who hath privately removed out of this County or absconds or conceals himself, so that the ordinary process of law cannot be served on him for \$47.84 due by account and a constable of this County having made return that he had executed the said attachment. Seised. This day came the Pl^{ff} by their attorney and the defendant being solemnly called and not appearing to reply the same, it is considered by the Court that the Pl^{ff} recover against the Defendant \$47.84 the sum aforesaid, ^{with legal interest from this day} proved to be just, and his costs by him in this behalf expended, and it is ordered that the Sheriff officer who levied said attachment make sale of the property aforesaid as the law directs, and out of the money arising from such sale pay and satisfy this judgment to the Pl^{ff}, and restore the overplus (if any) to the Defendant and return an account of such sale to the next Court.

On the motion of Samuel Stoner who made oath thereto according to law. and together with Henry Reff. John Ziegler Jr. & Thornton Thomas his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$2000. conditioned as the law requires. certificate is granted the said Samuel Stoner for obtaining letters of administration de bonis non with the will annexed of Samuel Stoner dec'd. and it is ordered that John Branner. George Miller. Moses Bowman & Jacob Miller or any three of them do appraise the estate of said Samuel Stoner dec'd.

John Dovel

against

Benjamin Sullivan

Plff

Def

} upon a writ of unlawful
Detainer

This day came the parties by their attorneys and ^{the plaintiff's} ~~the defendant's~~ ^{pleaded not guilty & thereupon} ~~pleaded~~ ^{came a jury to wit} Robert Bowman. Alfred & Robt. Adam Gowle John S. Heatwole. Samuel Chandler. Wm. Billhimer. Benjamin Bumble. Michael Whitmore. Benj. F. Lincoln. John Young. Joseph Whitmore & John Rodinaffer who being elected tried and sworn the truth to ~~to speak upon the issue joined~~ and having heard the evidence, retired from the bar to consider of their verdict and after sometime returned into court and upon their oaths do say "We the jury find that the defendant forcibly turned the Plaintiff out of the possession of the within premises within three years next preceeding the institution of this suit and that he unlawfully withheld the same from him the said Plaintiff". Therefore, it is considered by the Court, that the Plaintiff recover against the Defendant, the possession of the premises aforesaid and his costs by him in this behalf expended. Whereupon the Plff prays a writ to the Sheriff of Rockingham County, to be directed to cause him to have his possession of the premises aforesaid and to him it is granted, returnable here on the first day of the May term next of this Court. Luff is luff. attachment doc & cont

At May appellant }
vs } upon an appeal from the judgment
Jacob West appellee } of a justice of the peace.

This day heard the parties by their attorneys and the Court upon mature deliberation are of opinion that there is no error in the judgment of the justice below. it is therefore considered that said appeal be dismissed and that the appellee recover against the appellant J. W. McEann his security in said appeal \$3.50 his costs expended before a justice of the peace and the costs about his defence in this behalf expended.

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

Naason Bare

Tuesday April 21st 1857

Present

+ Naason Bare J. J. Daniel Smith } Gent
+ Christian Moyers & Mendenhall } Justice
+ Benj Hoover

Jacob Rush Gent This day appeared in Court and resigned his office as a justice of the peace for this County, which is ordered to be entered of record

Ordered that an election be held on the fourth Thursday in May next for the election of two justices of the peace in the 1st District of this County, in the place of Jacob Rush & Abner Moyers, and that the commissioners appointed during the present term to superintend the general election do superintend said elections

Ordered that the Clerk of this Court register according to law. Harriet J. Peters, aged thirty seven years, five feet high, a scar above the left eye. Born free in the County of Rockingham.

Ordered that Fountain M Layton after paying the expenses incurred by Charles Dairs, and the funeral expenses incurred about the burying of said Dairs, that he pay any surplus in his hands to the heirs of said Dairs

Wm. Galey, Wm Robinson & John Blain appellants }
 against }
 John Harper }
 appellee }
 from the judgment of a Justice

This day came the parties by their attorneys and it is considered by the Court that there is no error in the judgment of the justice below, and that the same be dismissed, and that the appellee recover against the appellants, ^{and Andrew Clough & James Galey their assigns} the sum of \$17.61 with damages upon the whole amount of said judgment at the rate of 10 per centum per annum from the 7th day of December 1853 until the 25th day of July 1856. & \$1.50 costs. And damages at the rate of 10 per centum per annum from the 25th day of July 1856 upon the whole amount of said judgment until paid and the costs by the appellee in this behalf expended

Present: A M Newman & O Sterling & Andrew Clough. Samuel & Coffman & Christian R Moyers & Robert Black & Moly Brown & John A Dice & Jonathan Speck & Jacob Rush & Wm Safley. Hiram Kite & Benjamin Hoover & Jackson Horn & John G. Leotes & P P Kowitz & Dorcas Martz & Mmuel Carpenter & Samuel Sprinkel & Samuel Miller & Samuel Ruebush & Daniel Smith & Fountain M Layton & Wm B Yancey & Archibald Hopkins & M H Hopkins

Upon the petition of Sprinkel & Gay Lewis F. Moyerhoeffer, Michael J. Moyerhoeffer, Derrick Pennybacker, Spencer Watermann

Merchants of this County who have paid the Tax imposed by law, a certificate is granted them to obtain retail ardent spirits at their stores in this County, the court being of opinion that they are persons of good character and not addicted to drinking or gaming

67

Upon the petition of Saml Cortes. Saml Cortes. Silbert & Bowman
Abraham Miller. John Sites. M & H Keill. Wm D Mansien
Jno Scanlon

who have & obtained

paid the Tax imposed by law. a license is granted
them to keep houses of Public Ordinary ^{in this county} the Court being
of opinion that said applicants are persons of good char-
acter and not addicted to drinking or gaming.

Upon the application of Linn B McMillen. Zebulon D Gilmore
Geo W Tracy. Wm Mansien. Curtis Gates. Madison West John Kooty
John Mulze

who have paid the Tax imposed by law. a license is granted
them for the purpose of keeping houses of Private Entertainment
in this County. the Court being of opinion that they are persons
of good character and not addicted to drinking or gaming

Ordered that Mat Maho. John Gibson. Josh Bryann. Wm
Strader. Chris Banister. Calvin Hall & Alexander Miller free
negroes who have not paid the state county & Parish Tax
it is ordered that the Sheriff hire them out according to law

Upon the petition of Abraham Miller. John Sites
who wishes to keep bowling saloons. it is ordered that license
be granted them for keeping a bowling saloon in this County

It appearing to the Court that there are several cases of Small Pox
in the town of Harrisonburg. and that there is great probability of its
spreading: therefore in order to prevent its spreading. - and the better
to preserve the health of the town and County and to arrest its progress
It is ordered that an appropriation of \$300.00 be and is hereby
made for the purpose of fitting up and preparing the female
seminary for hospital purposes. and for establishing a
hospital therein. The appropriation hereby made shall be

expended under the immediate supervision and instructions of the Common Council of the Corporation of Harrisonburg, and the said Council is hereby constituted a committee for that purpose. The said hospital when established shall be used for the reception of all cases of Small pox or other infectious diseases or other persons or persons ordered to be therein confined under the provisions of Chapter 86 of the Code of Virginia, the rules & regulations here exhibited to the Court & ordered to be filed, shall be and they are hereby adopted as the rules & regulations for the government of said hospital, and that a further appropriation of \$100. be made for the purpose of effecting an insurance of \$2000⁰⁰ upon the female seminary this day ordered to be fitted up for a hospital, and the balance of said appropriation after effecting said insurance shall be applied by the Council of Harrisonburg to the clearing of said building after they cease to use it - and the County agent is hereby authorized to borrow a sufficient amount of money to effect said insurance &c

On Motion and for reasons appearing to the Court, the power and authority of Wm B. Warren as administrator de bonis non with the will annexed of Henry Moyers dec'd is hereby revoked and annulled.

On the motion of John R. Kogler who made oath thereto according to law and together with Allen Bryan, Henry Brown, John H. Hall, Daniel Smith, Henry Stevens, Neve Rogers, J. S. Speck, Archibald Hopkins Jr. A. E. Shands, Felix T. Sheets, John H. Dice, David H. Gamelle ^{his securities} & Wm. Gamelle, (J. S. Speck one of said securities having justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifty thousand dollars, ^(conditioned as the law requires) a certificate is granted in said John R. Kogler for obtaining letters of administration de bonis non with the will annexed of Henry Moyers dec'd

~~Wm Richard~~ ~~Plff~~
 vs
~~Samuel McEfferman~~ ~~Def~~ } upon a distress warrant
 On motion this cause is ordered to be docketed &
 continued.

James McCoursey Deputy for Al Byrd late Sheriff of
 this County returned into Court a list of delinquents in the
 Land Tax in part of this County which being sworn to was
 examined and allowed and ordered to be certified to the
 auditor of public accounts.

James McCoursey Deputy for Al Byrd late Sheriff of this
 County returned into Court a list of delinquents in the
 Capitation and Property Tax in part of this County which
 being sworn to was examined and allowed by the Court
 and ordered to be certified to the auditor of public accounts.

Felix T Sheets & John McRhodes Deputies of Al Byrd late
 Sheriff of this County returned into Court a list of delinquents
 in the Land Tax for part of this County which being sworn to
 was examined and allowed by the Court and ordered
 to be certified to the auditor of public accounts.

Felix T Sheets & John McRhodes Deputies of Al Byrd late Sheriff
 of this County returned into Court lists of delinquents in
 the Capitation ^{and property tax} for part of this County which being sworn to was
 examined and allowed by the Court and ordered to be
 certified to the auditor of public accounts.

Wm Richard having obtained an attachment against the
 estate of Samuel McEfferman for \$60 for rent which became
 due on the 1st day of April 1837. which attachment was
 returned levied upon &c. and thereupon came the parties
 and by consent it is considered that the Plaintiff recover

against the Defendant the sum of \$60 with legal interest thereon from the 1st day of April 1857 till paid & the costs by the Plaintiff in this behalf expended. and the cause is regards the right of property is continued until the next term.

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

Mr. G. L. Coates Esq. is appointed as a member of Clap No 4. at the June & July terms

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

Naason Bare

At a Court held for Rockingham County
at the Court house thereon Monday the 18th
day of May 1857

Present

+ Naason Bare P^{re} + Mr Newman Gent
+ Mr Adice + Mr Sterling } Justices

The clerk of this Court returned into Court a list of deeds and other writings admitted to record in the Clerk's office of this Court during the month of April 1857 which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

1 ✓	\	Deed of Bargain & Sale from Robert Gray wife to L Douglas Gray
2 ✓	\	Same from L Douglas Gray to Andrew B Brick
3 ✓	\	Same from Sarah Fishback to Wm W K Fishback
4 ✓	\	Same from Reuben W Harrison wife to L C Shoemaker
5 ✓	\	Same from L A Harnberger wife to Isaac Reamer &c
6 ✓	\	Same from James M. Lough wife to Gordon Garrison &c
7 ✓	\	Same from Catharine Shepp to Solomon Burtner
8 ✓	\	A Marriage Contract between Margaret Catlin & Thomas Osborn

- 9 ✓ \ Deed of Bargain & Sale from Asher W. Foster wife to Isaac Aiken
- 10 ✓ \ Deed of Trust from Jeremiah Holland to J. H. Woodson In Trust for Arch. Holland
- 11 ✓ \ Same from W. C. Williams to J. W. G. Smith In Trust for Geo. W. Hogen
- 12 ✓ \ Deed of Release from Daniel Smith Trustee to Jacob Baugh
- 13 ✓ \ Deed of Bargain & Sale from Jacob Baugh wife to Daniel Smith
- 14 ✓ \ Deed of Trust from Alex. Williams to Sam. Murry In Trust for Blackwell
- 15 ✓ \ Same from Noah Williams to same In Trust for same
- 16 ✓ \ Same from Sinker Stricker to same In Trust for same
- 17 ✓ \ Deed of Bargain & Sale from L. B. Bashaw to Wm. Otton
- 18 ✓ \ Same from L. C. Shoemaker to Nathaniel Hook
- 19 ✓ \ Same from Jacob Peterfish wife to Philip Strickler
- 20 ✓ \ Deed of Trust from Benj. Fisher wife to John Smith In Trust for D. Wise's heirs
- 21 ✓ \ Deed of Bargain & Sale from Wm. Beard wife to Hough Dever
- 22 ~~✓~~ \ Deed of Trust from Marcus Lawson to A. C. Brewer In Trust for ~~same~~
- 23 ~~✓~~ \ Deed of Bargain & Sale from Noah Burkholder wife to J. R. Moyer ~~same~~
- 24 ✓ of \ Same from Daniel Harrison wife to Jacob Long
- 25 ✓ \ Same from John Anderson wife to L. C. Shoemaker
- 26 ✓ \ Same from William Ford wife to Samuel Summers
- 27 ✓ \ Same from Wm. M. McAttee wife to Abraham Frankhouse
- 28 ✓ \ Same from Malinda Devert to Daniel Miller *
- 29 ✓ \ Same from Michael J. Zirkle wife to Christian Brunk
- 30 ✓ \ Same from John Moore wife to Madison Moore
- 31 ✓ of \ Same from Benjamin Bowman wife to Michael W. Bowman
- 32 ✓ \ Same from Samuel Flory wife to George Lutz Sen
- 33 ✓ \ Same from Peter Keller wife to Lewis Argonbright
- 34 ✓ \ Same from Samuel Whitely to Same
- 35 ✓ \ Same from David Bowman wife to David Shockey
- 36 ✓ of \ Same from Same to Jacob S. Rhodes
- 37 ✓ \ Same from Same to Abraham Shank
- 38 ✓ \ Same from Geo. W. Kempf wife to Alexander R. Givens
- 39 ✓ \ Same from Grafton Beebe wife to James B. Easum
- 40 ✓ \ Same from James B. Eastham to D. D. C. Worner
- 41 ✓ \ Same from Simon Hensley wife to Benjamin Hensley
- 42 ✓ \ Same from Wm. Merica wife to Andrew Ephard
- 43 ✓ \ Same from Almer Moyer wife to Joseph Moyer

- 44 ✓ \ Deed of Bargain & Sale from John Kenney Jr trustee to Samuel Shacklett
 45 ✓ \ Same from Robert Liskey wife to Robert A. Gray
 46 ✓ \ Deed of Trust from James Funk to ElGambrice Trust for M. Effinger
 47 ✓ \ Deed of Bargain & Sale from Isaac Hargesty to Robert McKyle
 48 ✓ \ Same from Elizabeth Stevens to Isaac Hargesty
 49 ✓ \ Same from Reuben Bonds to Peter Bonds
 50 ✓ \ Same from Allen Deland to Asher Argonbright
 51 ✓ \ Same from Franklin Deas to William Meadows
 52 ✓ \ Deed of Trust from Isaac B. Strickler to A. B. Bryan Trust for R. A. Stephens
 53 ✓ \ Same from Simon & Miller to Henry Miller Trust for S. F. Miller

Settlements of the Guardians of Andrew P. Beirne, Mary F. Beirne, Elizabeth S. DeLame, John R. Hoffmann & Dorcas E. Bear & having been filed in the office for the time prescribed by law, were presented in Court and no exceptions being offered thereto the same are affirmed and ordered to be recorded

Settlements of the estate of Margaret Baxter dec^d Benjamin Curry dec^d Robert & Cooke dec^d Benjamin Curry Jr dec^d Jacob Sheets dec^d Catharine Porkey dec^d and Christian Fick dec^d having been filed in the Clerk's office of this Court were presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded

Settlements of the accounts of Preston Burkholder Committee for Sarah McKittrick a lunatic, having been filed in the office for the time prescribed by law, was presented in Court and no exceptions being offered thereto, the same is ordered to be recorded

Jacob A. Mitchell &

Plffs

vs

Augustus Reedy &

Defts

} In Disput

On Motion and by consent of parties it is ordered that this cause be dismissed

Conoff & Eutzler & Co Bond Notice provided for action awarded

The Commissioner heretofore appointed to make a division of the real estate of which Martin Baker died seized among his heirs. this day made & returned their report which was examined by the Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

George Brill

vs

Richard Pickering

Plff

Def

} Upon a Notice for money
} given as security

This day came the Plff by his attorney and it appearing that the Deft hath had legal notice of this motion & being solemnly called and not appearing it is considered by the Court that the Plff recover against him \$278.84 with interest thereon at the rate of six per centum per annum from the 15th day of Dec. 1856 till paid and five per centum damages thereon and the costs by the Plff about his motion in this behalf expended

Same

vs

Same

Plff

Def

} Upon a Notice for money
} given as security

This day came the Plff by his attorney and it appearing that the Deft hath had legal notice of this motion and being solemnly called and not appearing it is considered by the Court that the Plff recover against the deft \$889.57 with legal interest on \$682.65 from the 1st of Dec. 1856 & on \$204.86 from the 30th day of March 1857 together five per centum damages thereon and the costs by the Plff in this behalf expended

John O'Neale

vs

Peter O'Neale

appellant

appellee

} upon an appeal from the
} Judgment of a Justice

This day came the parties by their attorneys and the Court being of opinion that there is no error in the judgment of the Justice. It is therefore ordered that the same be affirmed and that the appellee recover against the appellants & B. F. Mary his security in said appeal the

for \$6.55 with interest from the 25th day of Feb'y 1857 till the 27th of
 March 1857
 and \$1.20 cts. with damages thereon at the rate of 10 per cent m
 per annum from the 27th day of March 1857 till paid and
 the costs by the appellee about his defence in this behalf
 expended

Look n Deming on Bond Notice proved & returned awarded

Ordered that the Sheriff of this County summon the acting
 Justice of this County, to appear here on the 2nd day of the June
 Court next for the purpose of laying the County levy over
 for other purposes

Upon the petition of Jacob Cole he having paid the tax imposed by law
 who wish to keep a house of private entertainment in this
 County. It is ordered to be certified that he is a man of
 good character, not addicted to gaming or drinking

Upon the petition of Loral May, who has paid the tax imposed
 by law, to keep a Public Ordinary at his house in this County.
 It is ordered to be certified that he is a man of good character
 not addicted to gaming or drinking

On the motion of Jacob Kline who made oath thereto according
 to law and together with David Kline & Nelson Base his
 securities (who justified as to his sufficiency) entered into &
 acknowledged a bond in the penalty of \$1200. conditioned as the
 law requires. certificate is granted the said Jacob Kline for
 obtaining a ~~private~~ letters of administration upon the estate of
 Michael N Miller dec^d and it is ordered that John Jones
 Samuel Crebaugh Jacob Miller & George Annes do appraise
 the estate of said Michael N Miller dec^d and report
 thereon to the Court according to law, the widow of the
 decedant having relinquished her right to administer by and
 instrument of writing under seal

The Last will and testament of Archibald Ralston dec^d with a codicil annexed was presented in Court and said will and codicil was proved by the oaths of John H Hopkins and David R Hopkins two of the subscribing witnesses to said will and the subscribing witnesses to said Codicil and thereupon said will and codicil are ordered to be recorded and thereupon John H Hopkins the executor therein named, who made oath thereto according to law and together with David R Hopkins and Archibald Hopkins his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$20000 conditioned as the law requires. certificate is granted the said John H Hopkins for obtaining a probat of said will in due form. and it is ordered that Joseph Shawalter, John H Miller, John Shawalter and John Roadikoeffer, do appraise the estate of said Archibald Ralston dec^d and report thereon to the Court according to law

Henry Hearnberger
against

W D McGahay

Pltff

Def

} Upon a Notice for money
} Hence as security

This day came the Pltff by his attorney, since it appearing to the Court that the deft had had legal notice of this motion & he being solemnly called and not appearing, it is considered that the Pltff recover against the Deft \$105.35 with interest from the 20 day of Nov. 1856 till hence together with five per centum damages thereon and the Costs by the Pltff about his motion in this behalf expended

David Kline this day produce credentials of his ordination and also of his being in regular communion with the German Baptist Church took the oath of allegiance to the Commonwealth and with Jacob Kline his security, entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law directs. whereupon on his motion a testimonial is granted him in due form

Off Comd. by a Dr. Pliff in Richard Purcell Pliffy. This cause came on to be heard
 the 19th day of May in the year 1857, upon the papers formerly read, and the report of Comr. Geo. S.
 Purcell, which was argued by counsel upon consideration of which it is adjudged ordered & decreed
 that Thomas Agency be appointed a special receiver to collect & receive the money
 arising from the proceeds of said sale. But before receiving any money under
 this decree the bond required by the decree of Nov 1856 in the penalty of \$2000
 conditional for a proper discharge of his duties shall be executed by him

On the motion of Samuel Kern it is ordered that the estate of
 Nancy Pirkey be committed to the Sheriff of this County
 for administration according to law

As Gray Plff }
 vs }
 Wm K Gaileys Defs } In Debt

This day came the parties by their attorneys
 and the Defs by atts. said that they have well and truly
 paid the debt in the declaration mentioned and at the same
 time filed an account of offsets which they desire to prove
 upon the trial of this cause to which plea the Plffs are
 replied generally, and the trial of this issue is deferred
 till the next term

Peter Trick jailor of this Court presented in Court an
 account against the Commonwealth amounting to \$107.55
 which was sworn to in Court, was examined and allowed
 and ordered to be certified to the auditor of Public accounts

The last will and testament of Reuben Kingree dec'd
 was presented in Court and proved by the oaths of James
 Baker and William Fletcher two of the subscribing witnesses
 thereto and ordered to be recorded, and there being no
 executor appointed by said will, on motion of Samuel Allen
 who made oath thereto according to law, and together with
 Isaac Benichant his security (who justified as to his sufficiency
 entered into and acknowledged a bond in the penalty of \$2000
 conditioned as the law requires, certificate is granted
 the said Samuel Allen for obtaining letters of admin-
 istration with the will annexed upon said estate
 and it is ordered that hisly Miss and/or Isaac Benichant
 & Henry Meigs ^{or Geo. S. Purcell} after being first duly sworn for that purpose
 do appraise the estate of said Reuben Kingree

Linneth v Glover New Copies awarded
Same v Payton New attachment awarded
Same v Same The same order
Same v Ribble New Copies awarded

Ordered that all the cases on the Docket not tried or otherwise disposed of be continued until the next term

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

Naason Bare

A Court held for Rockingham County
at the Court house thereof on Monday the
15 day of June 1857

Present

Naason Bare P. J. John G. Coates Samuel Miller Gent
Jonathan S. Speck } Justices

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

1	✓	of	✓	A Deed of Bargain & Sale from Leonard Tutwiler wife to George Tutwiler
2	✓		✓	Same from Martin Brennenman wife to Christian Brunk
3	✓		✓	A Deed of Trust from D. Brennenman to S. A. Hoffman Trust for
4	✓	of	✓	A Deed of Bargain & Sale from Robert McEwan wife to Robert McPalmer
5	✓		✓	A Deed of Trust from Jacob McEwen to Joseph McEwen Trust for John McEwen
6	✓	of	✓	A Deed of Bargain & Sale from Benjamin Trifer wife to P. A. Clark
7	✓		✓	A Deed of Trust from A. H. Kemp to J. H. Coates Trust for Henry Keller &
8	✓	of	✓	A Deed of Bargain & Sale from John H. Coates com ^{rs} to H. G. Meeker
9	✓		✓	Same from Henry A. Deakin wife to John Adam Nitcher
10	✓		✓	A Deed of Trust from Wm. O. Maiden to P. H. Vancey Trust for W. J. Majerhoeffer
11	✓	of	✓	A Deed of Bargain & Sale from John Driver wife to David & Lewis Driver

- ~~77~~
 12 ✓ \ Deed of Bargain & Sale from John R Smalley wife to Franklin S. Lantry
 13 ✓ \ Same from Anthony Roads wife To Jacob Minnick
 14 ✓ of \ Deed of Trust from Lem Tinsinger wife to Tho Mc Gordon Trust for J H Ralston
 15 ✓ \ Deed of Bargain & Sale from Al Roberson wife To Uernie Price
 16 ✓ of \ Deed of Trust from Dorothy Orelough to J E Brown Trust for Maason Bane
 17 ✓ of \ Deed of Bargain & Sale from J M Gahay trustee to Jennetty Runckle
 18 ✓ of \ Same from Uern Sackey wife To Darnice Boon
 19 ✓ of \ Same from John Pindexter To Nancy Payne
 20 ✓ of \ Same from David Garber wife To Uellian Weir
 21 ✓ of \ Same from Sam Miller wife To Joshua Pence
 22 ✓ of \ Same from Thomas Moore To John Moore
 23 ✓ \ Same from Uern S Jirkle wife To Samuel Roller
 24 ✓ \ Same from Noah Carrier wife To Charles Uernier
 25 ✓ of \ Same from Jacob Shank wife To Christian Brunk
 26 ✓ \ Same from John Roller to Abraham Trunkhouse
 27 ✓ \ Same from Christian Brunk wife To Rebecca Breneman
 28 ✓ of \ Same from Samuel Barclay wife To Samuel Bowman
 29 ✓ \ Same from Humphrey Balchman wife To Christian Trunk
 30 ✓ of \ Same from Uern S Jirkle wife To Samuel Roller set
 31 ✓ \ Same from Christian Brunk wife To Martin Breneman
 32 ✓ \ Same from Lucy Alcott To Abraham Trunkhouse
 33 ✓ of \ Same from Uern P Mc Caister wife To Jacob Shank
 34 ✓ \ Same from D Pennybacker wife To James Bush
 35 ✓ of \ Same from Frederick Cline wife To Emanuel Hoover
 36 ✓ \ Same from Philip Perotter To Uern J Miller
 37 ✓ \ Same from Benjamin Bowman wife To Jacob Miller
 38 ✓ of \ Same from Same To Michael Bowman
 39 ✓ \ Same from Philander Herring wife To Uern Uellian
 40 ✓ \ Deed of Trust from Uern R Jones To W Gameric Trust for Lt Meyerhoff
 41 ✓ of \ Deed of Bargain & Sale from Jacob Baker wife To Samuel Baker
 42 ✓ \ Same from Lot Breeding wife To Samuel Baker
 43 ✓ of \ Same from Is Jirkle To John Shuttles
 44 ✓ \ Deed of Trust from W McGahay to Wainborough Trust for R Manzy
 45 ✓ of \ Deed of Bargain & Sale from Augustus Uaternman to Archibald Sandy
 46 ✓ \ Same from David Rob wife To Uern Uedyle
 47 ✓ of \ Same from John Parker wife To John Mc Smith

- 48 ✓ of \ Deed of Bargain & Sale from John Long's wife to Charles D. Gray
 49 ✓ \ Same from Michael P. May's wife to John May
 50 ✓ \ Same from Elizabeth J. Strickler to Lewis Strickler
 51 ✓ \ Deed of Trust Wm. Munnick to Aaron Beare Trust for Jennings & Co.
 52 ✓ \ Deed of Bargain & Sale from Samuel Miller's wife to Philip Swats
 53 ✓ \ Same from Jacob L. Beare's wife to Reuben Atsaffer
 54 ✓ \ Same John Carpenter to Samuel Carpenter
 55 ✓ of \ Same from Samuel Carpenter's wife to John Carpenter
 56 ✓ of \ Same from John Swan's wife to B. A. Mitchell
 57 ✓ \ An agreement between Wm. Rodheffer and Lewis Deppola

Settlements of the estate of Valentine Beare dec'd. Samuel Burge dec'd.
 Maria Burge dec'd. James Esphart dec'd. Michael Howard dec'd.
 Martin Martz dec'd. & John Mcampher dec'd. having been filed in the
 Clerk's office of this Court for the time prescribed by law were presented
 in Court and no exceptions being offered thereto the same are confirmed
 and ordered to be recorded.

Settlements of the accounts of the Guardians of Julia Ann Burge's
 Josephus Sowers. George R. Engenblyght & Henry S. Matheny having
 been filed in the Clerk's office of this Court for the time prescribed
 by law were presented in Court and no exception being offered thereto
 the same are confirmed and ordered to be recorded.

A settlement of the estate of Samuel Hill also a list of debts or
 demands against his estate having been filed for the time
 prescribed by law was presented in Court and no exceptions
 being offered thereto the same is confirmed and ordered to be
 recorded.

John Engenblyght

vs.

Geo. Logan

appellee

appellants

} Upon an appeal from the
Judgment of Justice

On Motion of the appellants this Cause is
ordered to be placed on the Docket

John Hoffman's adm^r appellant
 vs
 J. Jackson appellee } upon an appeal

On Motion of the appellant this cause is ordered
 to be placed upon the docket

D. Hoffman's adm^r appellant
 vs
 Same appellee } upon an appeal
 The Same order

Jones & Hones vs appellant
 vs
 Saml Bectell & appellees } upon an appeal
 The Same order

Ordered that Jacob Kinnely be appointed Surveyor of precinct of
 No. of Road No. in the place of Abraham W. Deery

Heriam McCarrie who was on the 28th day of May last
 elected a constable in and for the County of Rockingham
 appeared in Court and together with Daniel Murry and
 Levi Shaver his securities (who justified as to their sufficiency)
 entered into and acknowledged a bond in the penal sum of \$7500.
 conditioned as the law requires. Thereupon the said Heriam
 McCarrie took the several oaths required by law

Henry Swartz is appointed Surveyor of precinct No. 1 of
 road No. 9 in the place of Ed Brunk

Ordered that Benjamin Brenner who was appointed guardian
 and committee of the estate and person of Enos Burkholder by
 the County Court of Elkhart County Indiana be authorized to
 receive and collect all sums of money due said Burkholder
 in the County of Rockingham.

Ordered that Samuel Hedrick be appointed guardian for Susan Hendle & Mary Hendle orphans of Samuel Hendle dec^d who are under the age of 14 years and thereupon the said Samuel Hedrick appeared in court and together with Peter Schope and John Hedrick his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$800. conditioned as the law requires which bond is ordered to be recorded.

Bayne vs Shoemaker & Dove & on a Bond notice served & both awarded
Houch vs Meherly The same order
Harrison vs Shoemaker The same order

On the motion of Samuel Hedrick who made oath thereto according to law and together with John Hedrick his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$100. conditioned as the law requires. certificate of grant of the said Samuel Hedrick for obtaining letters of administration upon the estate of James Cawson dec^d in and for
Ordered that Daniel Huffman, Abraham Early, Henry Early and Daniel Hedrick do administer the estate of James Cawson

David Plank guardian of Elizabeth Maggard a filiam of Reuben N. Maggard dec^d in pursuance to an order of the Circuit Court of this County, appeared in court and together with Umlie Brown & Isaac Laymon his securities (who justified as to their sufficiency) entered into and acknowledged ^{new} a bond in the penalty of \$5000. conditioned as the law requires, which bond is ordered to be recorded.

John Sprinkel constable presented in court an account against the Commonwealth amounting to \$5.50. which being sworn to in court was examined and allowed by the court and ordered to be certified to the auditor of public accounts.

On the motion of John Zeigler The estate of Jonathan
Hawe dec^d is committed to the Sheriff of this County for administration according to law

On the motion of Pleasant A. Dice the estate of Charles Beard dec^d is committed to the Sheriff of Rockingham County for administration de bonis non according to law

Elizabeth Whitmore orphan of John Whitmore dec^d being upwards of 14 years of age appeared in court and with the approbation of the court made choice of Elizabeth Whitmore as her guardian and thereupon the said Elizabeth Whitmore together with Allen W. Brown & John G. Brown her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$6000 conditioned as the law requires which bond is ordered to be recorded

Abraham Gover is appointed surveyor of precinct No. 4 of road No. 1 in the place of Peter Seeshop (New Election)

Ordered that the Oversees of the poor for this County bind out according to law Reuben Billhimer aged 7 years to Abraham Sommers Jr to learn the business of farming the said Sommers to pay said Reuben Billhimer the sum of \$150. & a freedom suit when he arrives to the age of 21 years

It is ordered to be certified (the Commonwealth's attorney being present) that Robert Vance and John Mongold have been erroneously assessed with a tax upon a Stallion for the year 1856 which appears from the certificate of the Commissioner who made said assessments a copy which certificate together with this order is ordered to be certified to the auditor of public accounts

J. D. Gilmer

vs

R. M. Mooney & Wm. P. Yancey

Pltff

Defts

} Upon a Notice &

This day came the pltff & the defts having legal notice of this motion & they being called not appearing. It is considered that the Pltff recover against the defts the sum of \$23.90 with Int from 15th Feby 1851 also the Costs by the Pltff in this behalf expended

J. O. Gilmore
against

Robert M. Mooney

Plff

Def

Upon a Notice &

This day came the Plff by attorney and the Def being solemnly called and not appearing. It is considered by the Court that the Plff recover against the Def \$7.78 with Interest from the 8th day of Sept 1858 also \$10.73 with interest from 28th Sept 1845 till paid, and the costs by the Plff about his suit in this behalf expended

J. O. Gilmore
against

Wm. Dilleys adm^r

Plff

Def

McChancy

This day came Edward Gilley who filed then his petition. It is therefore ordered that the said Edward Gilley be made a party plaintiff to this cause

Present Geo. G. Brown Gent Justice

Ordered that Andrew Wilt be appointed surveyor of Precinct No 4 in the place of Geo. Knoff. road No 21

Morris Griffin & Patrick Curran natives of Ireland this day appeared in Court this being a Court of record with common law jurisdiction a Clerk and seal; and upon oath declared it was bona fide their intention to become citizens of the United States, and to renounce forever all allegiance they may have or owe to any foreign prince, potentate, state or sovereignty whatever, and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland

The Last will and Testament of William Kickenbarger, dec^d was presented in Court and proved by the oaths of John Spader, one of the subscribing witnesses thereto, and continued for further proof

James Mauck is appointed Surveyor of Precinct No 8 of road No 25 in the place of Jeremiah Piper, resigned

copy sent
for \$4.84
\$4.84

James Kenney who has been heretofore appointed a Notary Public for this County, appears in Court and together with Littleton W. Gamble his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of \$250. conditioned as the law requires

Cornelia Moore of bright mulatto, aged twenty two years five feet high, born free in the County of Rockingham, ordered that the Clerk of this Court register said woman as a free negro in his office according to law

William R. Jones late of the County of Rockingham, who stands charged with a felony by ~~the~~ indictment in this that he did in the night of the 13th of April 1857 in the County aforesaid feloniously break and enter a certain Mill the property of John Miller, and not adjoining to, or occupied with a dwelling house, with intent, the flour of the said John Miller in the said Mill then and there to steal take and carry away, and that the said William R. Jones two barrels of flour of the Value of fifteen dollars the property of the said John Miller then and there in the said Mill feloniously did steal take and carry away, was this day led to the bar in custody of the Sheriff of this County, and sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. It is therefore ordered that the prisoner be remanded for trial before the next term of the Circuit Court of this County, and thereupon the prisoner was remanded to jail

Be it remembered that John Johnson, George W. Ludd, Mem S Downes, Margaret Randall, Phely Randall

personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that they the said John Johnson, George W. Ludd, Mem S Downes

Margaret Randol & Phely Randol

Shall make their personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof to give evidence on behalf of the Commonwealth against William R Jones who stands charged with felony, and not to depart thence without the leave of said Court then this above recognizance to be void, else to remain in full force

On Motion of the Attorney for the Commonwealth. It is ordered that Elijah Huffman and Sarah Randol do enter into a recognizance with good security in the sum of \$100 ^{each} conditioned for their personal appearance before the Circuit Court of Rockingham ^{County} on the 1st day of the next term to give evidence on behalf of the Commonwealth against William R Jones charged with felony. Thereupon the said Elijah Huffman together with Wm S Downes & M Layton & George W Kemper & his securities acknowledged themselves to owe and be indebted to the Commonwealth the said Elijah Huffman in the sum of \$100. and the said Wm S Downes & M Layton & George W Kemper in the like sum of one hundred dollars to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Elijah Huffman shall make his personal appearance before the Circuit Court of this County on the first day of the next term, to give evidence on behalf of the Commonwealth against William R Jones charged with a felony, and not to depart thence without the leave of said Court, then this recognizance to be void, else to remain in full force

Be it remembered that Sarah Randol together Wm S Downes & M Layton & George W Kemper & her securities, personally appeared in Court, and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said Sarah Randol in the sum of \$100. and the said Wm S Downes & M Layton & George W Kemper in the like sum of \$100. to be levied of their respective

goods and chattels, lands and tenements, and for the use of the Commonwealth; yet upon this condition that the said Sarah Randol shall make her personal appearance before the Circuit Court of Rockingham County, then and there to give evidence before on behalf of the Commonwealth against William R Jones who stands charged with felony and not to depart thence without the leave of said Court, then this recognizance to become Void, otherwise to remain in full force and virtue

Wm A Maupin — Plaintiff

vs

Wm Randol — Defendant

Upon an Attachment

This day came the Plaintiff by his attorney and on his motion it is ordered that this case be placed on the docket

Wm A Maupin having obtained an attachment against the estate of Wm Randol, intends to remove his effects out of this Commonwealth, so that there will probably not be therein sufficient effect of the said Wm Randol to satisfy the said Wm A Maupin, when judgment is obtained, therefore should only the ordinary process of law be used to obtain such judgment for debt \$44.75 due by single bill, and a constable of this County having returned said Attachment "Served". This day came the Plaintiff by Attorney, and the defendant being solemnly called and not appearing to reply the same, it is considered that the Plaintiff recover against the Defendant the said \$44.75 with legal interest thereon from the 1st day of October, 1854, till paid, ~~for~~ and the costs by him in this behalf expended. And it is ordered that the officer who levied the attachment make sale of the attached effects, as the law directs, and out of the proceeds money arising from such sale, pay and satisfy this judgment to the Plaintiff, and restore the overplus (if any) to the Defendant, and return an account of such sale to the next Court

Samuel R Sprinkle a Justice of the Peace of this County, this day returned an examination of Susan Shoemaker of this County, single

woman taken before him in writing on oath, upon which examination of the said Susan Shoemaker charged Jacob Larnel with being the father of her female bastard child, and the said Justice also returned a warrant issued by him, for the apprehension of the said Jacob Larnel together with a recognizance entered into by the said Jacob Larnel when brought before Samuel Miller a Justice of said County, to appear here and to abide and perform such order as this Court should make concerning ^{the same}. Thereupon came as well the Attorney for the Commonwealth as the said Jacob Larnel by his attorney, thereupon the said Jacob Larnel by his attorney moved the Court to quash the proceedings had before the Justice, on the ground of informality, which motion being argued the Court doth refuse to quash the proceedings and thereupon on the motion the trial of the cause is continued until tomorrow. Memo. upon the trial of this cause the defendant files a bill of exceptions ^{in an opinion of the Court, delivered in this cause which} in these words. Overseers' which were signed sealed and enrolled and ordered to be made a part of the record.

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

Naason Bare

Tuesday June 16th 1857

Present

Naason Bare P.J. M. G. Brown Jonathan S. Sheck
 Samuel Miller. John G. Coates. Wm. Saftley. Christian
 Mayers. Ab. Sterling. Wm. M. D. Harris. John H. Hopkins
 Anderson. M. Newman. Benjamin Coover. Robert
 Black. Wm. B. Yancey. Benton & Tuffinam. Hiram
 A. Kite. John A. Dice. Donnellas Marty. Archibald
 Hopkins Jr. Wm. M. Carpenter. Peter P. Kooritz
 Andrew Couch. F. M. Dayton. Saml. Ruelbach.
 Samuel McLaughlin. Michael H. Harris
 Jackson Harris. Daniel Smith. Rushin Don

Gent
 Justices

Powell

vs

Powell &

Infancy.

This cause came on to be heard this 16th day of June 1857 on the bill exhibits & was argued by counsel & the Defendants still failing to appear & plead answer or demurr to the said bill. The Court on consideration of the premises & being satisfied of the facts set forth in said bill, & to be relieved is the hope of the Pliffs prays do order adjudge & decree, that the said bill be taken for confessed. That the land in said bill mentioned be sold & the proceeds thereof be invested in Western lands & when so invested said lands shall be subject to the provisions of the will of Robert Powell now of record in the Office of this Court. The Court doth further order, adjudge & decree that if the personal effects in the hands of the executrix of Robert Powell be insufficient to meet the debts & liabilities of his estate & remove his said widow & her five infant children mentioned in the bill to the West that the Commissioner herein after named shall appropriate so much of the proceeds of the sale of said land to that purpose taking for the same the receipt of the executrix of Robert Powell as a voucher therefor. The Court doth further order adjudge & decree that Honoria Powell be & is hereby appointed a commissioner to make sale of said land in the bill mentioned on the following terms to wit so much of purchase money as is necessary to pay the expenses of this suit the undelivered of the estate & expenses of removal West as may not be met by the sale of the personal property to be paid in cash & the balance in two payments one six & the other twelve months from the day of sale. The purchasers to give bond for the back payments & the title to be reserved until the last payment is made the said commissioner to advertise the time & place of sale at least three public places for thirty days. The said commissioner is hereby authorized & instructed to invest the proceeds of the sale of said land in such lands as Matilda J Powell the executrix of said Robert Powell may wish & direct, & said commissioner being required to give bond for double the amount of purchase money of said land before he shall collect any of the same & report his action to this Court

John B Smith admr of Wm Pickering Deft }
 against } In Chancery
 Mathias Pickering & others Defts }

This cause came on by consent to be heard this 16th day of June 1857. upon the bill exhibits answers of the adult defendants of the infant defendants by L W Gamble their guardian ad litem and it appearing from the report of Commissioner Wm J Thompson that there is a deficit of about \$ of debts which the personal assets of the decedant Wm Pickering will not reach to pay and the Court being of opinion that the lots of land mentioned in the bill of complainant may be sold without materially affecting the value of the land owned by said Pickering at his death in consideration thereof the Court with assuage order and decree that Jackson Martz who is appointed a commissioner for that purpose so proceed to give notice of the time terms and place of sale by advertisement put up at Spartapolis & three other public places in the neighborhood for the space of three weeks and having given such notice shall sell at public auction by the above the two lots in the bill mentioned viz the triangular lot on the west side of the Valley Turnpike and the lot lying East of the Valley Turnpike to be laid off by compass & survey commencing at the cattle bridge and running a straight line to Cowin's line & embracing the lot lying between said line & Cowan's land on the following terms viz one third in cash or within sixty days thereafter with interest from the day of sale at the option of the purchaser the remainder in two equal payments at six & twelve months from the day of sale bearing interest from the day of sale and taking bonds with good security from the purchasers and the title to be retained as further security until the whole amount is paid But before said commissioner receives any money under this decree he shall execute a bond in the clerk's office of this Court before the clerk thereof with justified security in the penalty of \$500 with condition agreeably to law and said commissioner is required to make report to this Court at its next term after the sale

Ordered that George W Stanley be exempted from the payment of county and parish taxes —

The last will and testament of William Krickembauser was this day again presented in court and fully proved by the oath of M^r Harris a subscribing witness thereto and ordered to be recorded

Ordered that the lands of ~~State of~~ ^{State of} ~~Garnell's estate~~ & AOB Trick now assigned to the precinct of which Emanuel Rhodes is surveyor be and they are hereby transferred to the precinct of which Jacob Nicely is surveyor

Overseers of Poor Deft } Upon a warrant
 as
 Geo W May Deft }
 On motion and for reasons appearing to the court it is ordered that this cause be dismissed

James Steele constable presented in court an account against the Commonwealth amounting to \$16.17 which being sworn to was examined and allowed by the court and ordered to be certified to the auditor of Public accounts

- 2 Henry A Rhodes is appointed surveyor in the place of J^r H. Leavore
- 2 Sam Chauden is appointed surveyor in the place of Dr. Friedrich
- 2 Jacob Brunk is appointed surveyor in the place of D^r H. Leavore
- 2 Jacob Shickel is appointed surveyor in the place of Alvin Belich
- 2 George Carpenter is appointed surveyor in the place of J^r H. Leavore
- 2 Wm H. Rodihoeffer is appointed surveyor of precinct No 1 in the place of W. B. Leavore
- 2 Lydon Rosenberg is appointed surveyor of precinct No 2 in the place of J^r H. Leavore
- 2 Adam Goul is appointed surveyor in the place of Geo W. Mayers
- 2 Lydon Layman is appointed surveyor in the place of Silas H. Hagan
- 2 Michael Armentrout is appointed surveyor in the place of Lydon Layman
- 2 Wm Armentrout (of same) is appointed surveyor in the place of J^r H. Leavore
- 2 Harvey Dove is appointed surveyor in the place of J^r H. Leavore
- 2 David Cornell is appointed surveyor of J^r H. Leavore in the place of J^r H. Leavore
- 2 R. M. Mooney is appointed surveyor of Port Republic road in place of Ad. Heston

Upon the Petition of Henry Snell & others for the establishment of a road the commissioners heretofore appointed this day made report in these words. "We" which was received, and it is ordered that the land holders through whose lands said road ^{is proposed to be constructed} ~~is proposed to be constructed~~ be summoned to appear here on the first day of the next term to show cause if any they can why said road shall not be established

Wm Reherd

Plff

vs

Sho Coffman

Def

} upon an attachment for Rent

This day came the parties by their attorneys and by consent it is considered that the Plff recover against the Def the sum of \$50 with legal interest thereon from the 1st day of April 1857 till paid and the costs by the Plff in this behalf expended and it is further ordered that the officer who levied said attachment make sale of the attached effects and out of the money arising from such sale pay and satisfy the Plff this judgment and the surplus (if any) pay to the defendant and make report to the court according to law

In Gordon presented in court an account against the Commonwealth amounting to \$7.75 which being sworn to was examined and allowed by the court and ordered to be certified to the auditor of public accounts

On the Motion of John R Kougler Sheriff of this County Felix T Sheets is permitted to qualify as his Deputy Sheriff and thereupon the said Felix T Sheets took the several oaths required by law

Samuel Shacklett agent for this Court for receiving & disbursing the Rail Road Tax levied for the purpose of meeting the interest upon the bonds of the County authorizing to issue to the Manassas Gap Rail Road Company by order of this Court made at its June Term 1854, this day returned into court a report in the following words. "To the County" which said report having been examined by the court and found correct is ordered that the same be affirmed and entered of record and it is further ordered

that Samuel Shacklett agent as aforesaid, be and he is hereby authorized to appropriate and expend any surplus of said tax that may remain in his hands after the liquidation of the interest accruing on the bonds of the County aforesaid to the purchase and redemption of the said bonds using his discretion as to the term and prices to be paid for the said bonds

Ordered that a levy of six cents on each hundred dollars on the assessed value of the taxable property of the County and a capitation tax of thirty cents on each titheable of the County be imposed for the purpose of meeting the interest on the bonds issued by the County under the order of the Court adopted at the June term thereof in the year 1857, which shall be collected by the Sheriff, who shall receive a compensation of three per cent for the collection thereof - and pay the same into the Bank of Rockingham subject to the order of Samuel Shacklett agent of this Court one half thereof on the 1st of April 1858 & the other ~~one~~ half on the 1st day of Sept 1858, and the Commissioners of the revenue for their County are required to open a separate column in the Sheriff's Books for the proper amounts of the levy imposed by the foregoing order, and said Commissioners each to receive the sum of \$20 for the duties imposed by this order

Ordered that Mason Base, Henry Stephens & John Mc Hopkins be and they are hereby appointed proxies to represent this Court in the meeting of the Manassas Gap Rail Road Company

The Court doth fix the pay for jurors at \$1.00 per day to be paid by the County

Deeterling is hereby appointed to sell and dispose of the lumber used for the purpose of a small poor hospital in Harrisonburg and account for the same & make report to the Court at its June term next

On the Motion of John B. Kugler Sheriff of this County (the attorney for the County being present) It is ordered to be certified that

Ed Barker was assessed with \$5. tax as a Dentist, and that the said Ed Barker is insolvent and that the return of "no property" by the Sheriff upon the assessment is a proper return and that the same ought to be refunded to said Sheriff

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

Amount of Claims allowed by the overseers of the Poor	\$1997 75-
" due agent of Overseer of Poor on his acc	29 04
Estimated amount of delinquents say 675 @ 70c	472.50
" allowance due Cox June 30. 1857	350 00-
Claims allowed & appropriations made by this Court this day. allowances to officers & pay of justices	3187 53-
Supposed amount of delinquents say 700 @ 70	490.00
Estimated allowance to Sheriff for commission	385.87
Balance supposed to be sufficient to meet expenses of Poor at Poor house & to meet contingent expenses of County & parish (Cor)	2192.45
	<u>9105.16</u>
By 3700 Leves @ \$1.40	\$7980.00
" amount due from Sheriff say	996.88
" Amt. of balance in County agents hands.	<u>128.28</u>
	<u>9105.16</u>

Ordered that the Sheriff of this County collect from each tax liable in the County not exempted by law \$1.40; 75 cents of which shall be appropriated to the County and 70 cents to the parish and out of the monies arising from such collection pay the claims allowed by the County & Parish to the persons entitled thereto at the time directed by law and the balance after making allowances for delinquents & commissions pay the same to the agent of the County & Parish

John H. Rhodes Deputy for Al Byrd late Shff of this County presented in Court a list of delinquents in the land tax for Rail Road which being sworn to was examined and allowed by the Court and ordered to be certified

John H. Rhodes Deputy for Al Byrd late Sheriff returned into Court a list of delinquents in the County & Parish levies & Rail Road Tax in part of the County of Rockingham for the year 1856 which being sworn to was examined and allowed by the Court, and ordered to be certified

James H. Courney Deputy for Al Byrd late Sheriff of this County presented in Court a list of delinquents in the Rail Road Tax on real estate, and also in the County & Parish levies & Rail Road Tax upon persons which lists being sworn to was examined and allowed by the Court and ordered to be certified

Oliver T. Sheets Deputy for Al Byrd late Sheriff of this County returned into Court a list of delinquents in the Rail Road Tax upon land, & also a list of delinquents in the County & Parish levies & Rail Road Tax for the year 1856, ~~was~~ which lists being sworn to was examined and allowed by the Court and ordered to be certified

Ordered that the agent of this County make out tickets from the delinquents in the County & Parish levies & Rail Road Tax, & place the same in the hands of the several Constables of this County for collection, & ~~for~~ allow said constable such compensation as may be deemed reasonable

Ordered the Old Store be appointed a commissioner for the purpose of having new and substantial shutters placed to the Clerk's offices of the County & Circuit Court

Ordered that all the causes on the docket not tried and otherwise disposed of be continued until the next term

Ordered that the account and list of debts against the estate of Saml H. Allen reported by commissioner Fletcher be recommended to said court with instructions to embrace in said list the following claims viz to Catharine J. Allen \$50 due Feb'y 16th 1853. Credit by May 23rd 1854 by \$12.10. (Daniel Allen

\$23.50 due June 24th 1854, Richard Weinfeld \$18.00 Giles Dever
 \$36.60 due by Dec. 2nd 1854. Subject by a credit of \$11.00 Sept 29th 1854
 by \$20. Octo — 1855. and make report to the Court according
 to law

Ordered that the Court be adjourned until the next term

Naason Bare

In the Clerk's Office of the County Court of Rockingham July 10th 1857

Thomas Commer a Native of Ireland this day appeared in the Clerk's
 Office of said Court being a Court of Record with Common Law
 jurisdiction all Clerk and seal and on oath before me Wm D Brub Deputy
 Clerk of said Court declared it was bona fides his intention to
 become a citizen of the United States of America and to renounce forever
 all allegiance or fidelity he may have or owe to any foreign prince
 potentate state or sovereignty whatever and particularly to Victoria
 Queen of the United Kingdom of Great Britain and Ireland

Teste

Wm D Brub DC

At a Court held for Rockingham County at
the Court-house thereof on Monday the
20th day of July 1857

Present

Mason Bare Jr, Jonathan Speck } Gent
Samuel Miller O.C Sterling and } Justices
Sam R Sprinkle

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

- 1 ✓ of \ A Deed of Trust from John Stokes to Wm Gamblee In Trust for Jacob Shuckler
- 2 ✓ of \ A Deed of Bargain & Sale from John Meeteetse wife to Harmons O'Hahn
- 3 ✓ of \ A Deed of Trust from Jacob Oeffinger to John O'Connor In Trust for Abram Bayler & Co
- 4 ✓ of \ Same Jacob Oeffinger wife to same In Trust for Allen C Bryan &
- 5 ✓ \ A Deed of Bargain & Sale from Benjamin Borman wife to Jacob Miller
- 6 ✓ of \ Same from Peachy (Perron) wife to Cyrus Rhodes
- 7 ✓ \ Same from John Strickler wife to Same
- 8 ✓ \ Same from Cyrus Rhodes wife to John Strickler
- 9 ✓ of \ A Deed of Trust from Nathaniel Hook wife to James Steele In Trust for Jacob Hook &
- 10 ✓ of \ A Deed of Bargain & Sale from Joseph Heatiwole wife to Gabriel Heatiwole
- 11 ✓ of \ Same from John G Heatiwole wife to Same
- 12 ✓ \ Same from Jacob Le Shank wife to John G & Joseph Heatiwole
- 13 ✓ of \ Same from Joseph Heatiwole wife to Jacob Le Shank
- 14 ✓ \ Same from Gabriel Heatiwole wife to John G Heatiwole
- 15 ✓ \ Same from Same to Joseph Heatiwole
- 16 ✓ \ Same from Same to Jacob Heatiwole
- 17 ✓ \ Same from Same to Peter Heatiwole
- 18 ✓ \ Same from Same to Abraham D Heatiwole
- 19 \ Same from Same to Simon Heatiwole
- 20 ✓ of \ Same from Same to Gabriel D Heatiwole
- 21 \ Same from Same to Henry Rhodes
- 22 \ Same from Same to Hugh A Brant
- 23 ✓ of \ Same from Anderson Rumeau wife to Christian Rumeau
- 24 \ A Deed of Trust from Philip Spitzer to Lewis & Jennie In Trust for D Hinckle

- 25 A Deed of Partition between the heirs of Peter Derrow see 2
- 26 ✓ of + A Deed of Bargain & Sale from Ephraim Reed wife to Garrison Jones Reed &
- 27 Same from Christian Brunk wife to Michael J. Jerkle
- 28 Same from Augustus Waterman to John & Co. Miller
- 29 Same from Jacob S. Rhodes wife to David S. Bourman
- 30 ✓ of Same from David Rof wife to Peter S. Roller
- 31 A Deed of Trust from David Krively to Herman Coffman Trust for Valentine B. Co.
- 32 ✓ of A Deed of Bargain & Sale from Morris Lowonack wife to Samuel Barley
- 33 A Deed of Trust from Henry Liden wife to J. D. Loring Trust for P. C. Wheeler
- 34 A Deed of Bargain & Sale from Reuben Moore to Catharine Pickering.
- 35 ✓ of Same from Philip K. Argalight to Harrison Riddle
- 36 Same from Archibald S. Rutherford to Samuel Shasklett
- 37 A Deed of Trust from Richard Robinson to W. G. Smith Trust for R. M. Kyle
- 38 ✓ of A Deed of Bargain & Sale from J. M. Brine wife to Wm. M. Bellhinner
- 39 A Deed of Trust from J. R. Randal to S. W. Gamble Trust for M. F. Shawalter &
- 40 ✓ of Same from Samuel Macdon to Wm. D. Frost Trust for Daniel F. Cook
- 41 A Deed of Bargain & Sale from Andrew Denton wife to R. C. & C. Lumbert
- 42 ✓ of Same from James Flick wife to John Fleming
- 43 ✓ of Same from S. W. Gamble Clerk to Henry Keezle
- 44 ✓ of Same from Elijah Argalright wife to David Bryon's heirs
- 45 ✓ of Same from John Roller & Co. to David Rof
- 46 ✓ of Same from Abraham Heatswole to Daniel & David S. Heatswole
- 47 ✓ of Same from William Brown wife to Harvey Brown
- 48 Same from Michael Howard wife to Nathaniel Howard
- 49 of Same from David G. Heatswole wife to Daniel Heatswole
- 50 ✓ of Same from Daniel Heatswole wife to David G. Heatswole
- 51 ✓ of Same from Samuel Heatswole wife to David Durrman
- 52 ✓ A Deed of Trust from John A. Lewis to Allen Bryan Trust for W. F. Horner
- 53 ✓ of Same from Wm. Lowy wife to Isaac F. Brinner Trust for John Rife
- 54 ✓ A Deed of Bargain & Sale from Ambrose Huffman to S. B. & Co. Horner
- 55 ✓ Same from John Diggely to Henry Horner

Settlement of the accounts of the Guardians of John Baker & J. D. Bourman
 Alex. Knopf, Rebecca Knopf, Amanda Knopf & Michael Knopf, Rebecca & Wise
 Christian & Wise, Joseph Coffman, and Lucy Jane Williams, having been

filed in the Clerk's Office for the time prescribed by law, were presented in Court and no exceptions being offered thereto, the same are confirmed and ordered to be recorded.

Settlements of the estates of Elizabeth West dec^d Peter Shaefer dec^d David F. Gilmer dec^d David Mayers dec^d George Kelley dec^d Peter Benson dec^d George Heint dec^d and Adam Heandeshall dec^d having been filed in the Clerk's Office for the time prescribed by law, were presented in Court and no exceptions being offered, the same are confirmed and ordered to be recorded.

Settlements and lists of Debts and demands against the estates of Wm D. Stranghn dec^d Aseneth M. Butler dec^d and Samuel Hill dec^d having been filed in the Clerk's Office for the time prescribed by law, were presented in Court and no exceptions being offered, the same are confirmed and ordered to be recorded.

Settlement of the estate of Henry Mayers dec^d - and also a settlement of Wm D. Warren as testamentary Executor for Margaret Mayers, having been filed in the Clerk's Office for the time prescribed by law, was presented in Court and no exceptions being offered thereto, the same is confirmed and ordered to be recorded.

John W. G. Smith	Plff	} In Chancery
against		
Daniel Smith	Def	

This cause came on to be heard this 20th day of July 1857 and it appearing that all matters arising out of the cause, have been disposed of, it ordered that the same be stricken from the docket.

AS Byrd	appellant	} upon an appeal
David Flook	appellee	

On Motion this cause is Docketed

Joseph Conrad Guardian
against
Jacob Runckle & others

Plff

Deft.

In Chancery

This cause came on again to be heard this 20 day of July 1857 upon the papers formerly read the report of Thomas L. Yancy Commissioner and the argument of Council being heard it is adjudged ordered and decreed that this cause be referred to Master Commissioner Wm M. Hartmann with instructions to ascertain 1st the costs of suit including Commissioner's fees. And the amount due John Shumate as purchase money for the property in the bill mentioned. And after ascertaining the costs of suit and the fees and commissions of the Commissioner, and deducting these amounts from the amount of the bond 1st due, and after ascertaining the amount due John Shumate for which he has a vendors lien and applying the proceeds of said sale next to the satisfaction of this amount the said Commissioner is directed to ascertain the interest of Mary Runckle and Nancy Runckle dec^d respectively in the remaining surplus and for this purpose he is directed to call for any evidence that he may deem pertinent and after ascertaining the interest of Nancy Runckle he is directed to ascertain the shares of each of her heirs and the amount of the judgment lien of Abel Giddons on the share of Richard Runckle, and the said Commissioner is directed to report to this Court at its next term.

Wm. Grandle
10.

appellant

Wm. Bunday

Appellee

upon an appeal

On Motion it is ordered that this cause be docketed

Ordered that Fayette Cole be appointed Surveyor of precinct No 2 of road N. 27 in the place of Reuben Sellers

Hockman vs Striner on D Bond notice proved & ex awarded Resan for a Fawcett & on D Bond same order

Manassas Gap Rail Road Company vs W. C. Smith On motion Docketed

Manapa Gap Rail Road Company }
 vs } upon a Notice
 George W. Herick } Defendant

This day came the Plaintiff by attorney and the Defendant being solemnly called and not appearing. It is considered by the Court that the Plaintiff recover against the Defendant the sum of \$50 with legal interest from the several dates set forth in the notice and the costs by the Plaintiff in this behalf expended

Derrow for vs Weist & Co Bond Notice proved & returned
 Keefe vs Leedy & Co Bond same order
 Denton vs ex vs Smith & Co Bond same order

Beams & Lewis }
 vs }
 R. W. Hammond } Plaintiff
 vs } Defendant } upon a Summons as a Garnisher

This day came David M. Houston by his attorney Mr. H. H. H. and on his motion it is ordered that this cause be dismissed

John Foster }
 vs }
 John L. Baude } Plaintiff
 vs } Defendant } upon a Notice

This day came the Plaintiff by his attorney and the Defendant being solemnly called and not appearing. It is considered by the Court that the Plaintiff recover against the Defendant \$56.91 with legal interest thereon from the 9th day of July 1855 till paid and the costs by the Plaintiff in this behalf expended

John Stitches & Wm. H. Anthony }
 vs }
 John O. Austin & M. Clayton & W. Gamble } Plaintiff
 vs } Defendant } upon a Notice

This day came the Plaintiff by attorney and the Defendant being solemnly called and not appearing. It is considered that the Plaintiff recover of the Defendant \$30 with legal interest from 1st of Nov 1857 till paid and the costs by the Plaintiff in this behalf expended

John Hufferman

Proff

vs

Richard Jamell

Def

Unlawful Detainer

On Motion it is ordered that this cause be docketed

Barly for m Longh on Bond Notice proved & awarded
Roller m Wheeler on Bond same order

Bushrod Rust Asher Westergalright Charles R Rush

who were duly elected

on the 28th day of May last appeared justices of the peace for
Rockingham appeared in Court and took the several oaths
required by law

Ordered that Ulrich Wittig pay the amount in his hands
due Malinda Mazlerod child of Frederick Mazlerod to Catherine
Leachman

J R Brathwaite presented in Court an account against the
Commonwealth amounting to \$3.30, which being sworn to was
examined & allowed by the Court and ordered to be certified
to the auditor of Public account

Leonard de Site Contr of Rec presented in Court an account
against the Commonwealth amounting to \$5.46 which being
sworn to was examined and allowed by the Court & ordered
to be certified to the auditor of Public accounts

Upon the petition of John Argalright who produced in Court
a receipt of the Sheriff for the tax imposed by law, a license
is granted him to keep a house of private entertainment
in this County until the April term next of this Court, the Court
being of opinion that he is a man of good character & not addicted
to drinking or gaming

On the motion of George L. Adie leave is granted to J. Spencer Westerman to transfer his license as a druggist to the said Adie

An instrument of writing purporting to be the last will and testament of Margaret Richie dec^d was presented in Court & proved by the oath Michael Steine one of the subscribing witnesses thereto and it appearing that Peter Hef an other subscribing thereto ~~has~~ departed this life and that C. L. Shoemaker an other subscribing witness thereto has removed beyond the limits of the Commonwealth thereupon J. T. Logan was sworn and examined and it appearing ~~that~~ from such examination the signature of C. L. Shoemaker to said will is genuine it is ordered that said instrument of writing be recorded as the true last will and testament of said Margaret Richie dec^d

On the motion of Benjamin B. Ewing who made oath thereto according to law and together with John Eversole Gesner Mesrick & Allen C. Bryan his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fourteen thousand dollars conditioned as the law requires certificate in due form is granted the said Benjamin B. Ewing for obtaining letters of administration upon the estate of William Ewing dec^d and it is ordered that Thomas Harrison, Benj. B. Ralston & Peter Eversole do appraise the estate of said William Ewing dec^d

Helena D. Gilmer

vs

George Lilley adm^r

Plff

Def

In Chancery

Aly & Mem Seigler this day filed their petition in this cause and it is ordered that they be made parties Plaintiff in the said cause

On the motion of Veneylester the estate of Geo. Lester dec^d is committed to the Sheriff of this County for administration according to law

Ordered that Conrad Rodicheffer be appointed curator of the goods & chattels of Conrad Rodicheffer dec^d - during the contest about his will now depending in the Circuit Court of Rockingham County, or until further order of this Court. Thereupon the said Conrad Rodicheffer, who made oath thereto according to law and together with Christian R. Myers, Adam Gowl and Jacob H. Swank his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned as the law requires, which bond is ordered to be recorded. It is ordered that Joseph Showalter, John H. Miller, John Showalter & Christian Myers or any three of them being first duly sworn do appraise the estate of said Conrad Rodicheffer dec^d.

Absent Samuel R. Sprinkel; Present Jacobson & Orr Gent. Jus.

The Overseers of the Poor

vs

Jacob Larnb

} Upon a Warrant charging the Def^t with being the father of a bastard child of which Susana Shoemaker was deliverer, this day came as well the attorney prosecuting for the Commonwealth as the Defendants by this attorney, and thereupon divers witnesses being sworn and examined and the said Jacob Larnb fully heard, this Court upon the whole circumstances, doth adjudge the said Jacob Larnb to be the father of the said bastard child, and that the said child, and that the said child is likely to become chargeable to this County; Therefore it is ordered that the said Jacob Larnb be charged with the annual payment of \$20 to the Overseers of the Poor of the said County, for the space of seven years from the birth of the said child, to wit for 7 years from the 2nd day of December 1856; in case the said child shall live so long, and that the said Jacob Larnb pay the same to them accordingly at the end of every year until the expiration of the said 7 years.

And the Court doth order that the said Jacob Larnb enter into a recognizance with sufficient security before this Court or the Clerk thereof in vacation, in the sum of \$140 payable to the Commonwealth at the next term, to observe and perform the order of Court aforesaid, and the said Jacob Larnb having failed to enter into such recognizance it is ordered that he be committed to the jail of this County, until he enter into such recognizance or otherwise discharge by a due course of law.

~~of the Virginia in the sum of \$ of their respective goods and
 chattels, lands and tenements to be levied for the use of the
 Commonwealth, nevertheless, yet upon this condition, that if
 the said Jacob Lane, shall observe and perform the foregoing
 order of this Court against him as aforesaid, then this recognizance
 is to be void~~

Ordered that Matilda Powell be appointed Guardian for
 Mary Ann Powell, Henry Le Powell, Henrietta Powell, Robert
 Powell and Joanna Powell, orphans of Robert Powell dec'd
 who are under the age of fourteen years, and thereupon the
 said Matilda Powell appeared in Court and together with
 Honoria Powell and John Walker her securities (who justified
 as to their sufficiency) entered into and acknowledged a bond in
 the penalty of one thousand dollars, conditioned as the law
 requires —

Jacob T. Mount's adm'r Plff }
 vs. } In Chancery
 Elizabeth Mount &c Deft }

This cause came on finally to be heard this 20th day of July 1857
 upon the papers heretofore read, the proceedings heretofore had
 the report of Commissioner Fletcher which is confirmed, together with
 the deed for the lot of land heretofore sold in pursuance of a decree in
 this cause, bearing date the 1st day of July 1857, executed by Philander
 Herring Commissioner to John Stinespring, which deed being examined
 by the Court is approved and confirmed, and it is ordered that
 said Philander Herring after paying all legal costs dispose of and pay
 over the money arising from the sale of said land and any other
 money in his hands to the ~~respective~~ creditors of Jacob T. Mount dec'd
 according to their priority, and that he forthwith the said deed
 to John Stinespring from the papers in this cause and acknowledge
 the same for record

Littell & Co. Calhoun on Bond Notice proved &c &c and answered
 Robert M. Gordon on Bond same or dec

William Catter a native of Ireland, this day applied to the Court to be admitted to become a citizen of the United States, whereupon the said William Catter exhibited a certificate of the Clerk of this Court showing that more than two years ago he had declared on oath in the said Court his intention to become a citizen of the United States, which last mentioned certificate is in these words: "Rockingham County December Court 1852. William Catter a native of Liffearry County Ireland, in the Kingdom of Great Britain appeared in Court and declared on oath that it is his bona fide intention to become a Citizen of the United States, and to renounce forever all allegiance & fidelity to any foreign Prince Potentate State or sovereignty whatever and particularly to Victoria Queen of Great Britain. Attest J. W. Gamble Clerk". And it being proved to the satisfaction of the Court by the testimony of E. A. Shames a citizen of the said United States, who was examined as a witness on oath, that since the arrival of the said William Catter he has resided within the United States five years at least and within this State one year at least, and during that time has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, he the said William Catter declared on oath in open Court that he will support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatever and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland. And thereupon the said William Catter is admitted a citizen of the United States.

On the Motion of Samuel H. McCulloch who made oath, that according to law, and together with John Miller & Robert G. Miller his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twelve thousand dollars conditioned as the law requires. Certificate is granted the said Samuel H. McCulloch for obtaining letters of administration in due form.

upon the estate of Nancy C McEulloch dec^d & it is ordered that Stephen Harreberger, William G Miller, George McKempher Jun^r and George McKempher Sen^r or any three of them being first duly sworn for that purpose do appraise the estate of said Nancy C McEulloch dec^d

The Overseers of the Poor } upon a recognizance, charging the Def^t
 vs } with being the father of a male bastard child
 Almond Albright } of which Mary Corbin was deliverer

This day came the attorney for the Commonwealth, and the said Mary Corbin, being sworn and examined, the Court upon the circumstances of the case, doth adjudge, the said Almond Albright to be the father of the said bastard child, and that the said child is likely to become chargeable to this County for the term of seven years from the birth of the said child to wit for seven years from the 22nd day of February 1855, and the Court proceeding to take order for keeping the said child, doth charge the said Almond Albright with the payment for the maintenance of the said child of \$20 annually for the term aforesaid, in case the said child shall live so long, and if the child shall die before the expiration of the term, then for so many years of the said term as the child shall live which sum of \$20 is charged upon the said Almond Albright, is to be paid by him at the end of each year to the overseers of the poor of this County, and it is further ordered that execution may be issued against the Def^t for the sums now due, and also as they may fall due and payable, and the costs by the overseers of the poor in this behalf expended

Samuel R Sprinkel a Justice of the peace of this County, & returned an examination of Christamah Turner of this County single woman taken before him in writing upon oath, upon which examination the said Christamah Turner charged Abraham Shoualter with being the father of a bastard child of which she had been delivered, and the said justice also returned a warrant issued by him, upon application made to him by the said

Christianah Turner, for the apprehension of the said Abraham
 Turner and John G. Coates another justice of the peace returned
 a recognizance entered into by the said Abraham Showalter
 when brought before him conditioned to appear here and abide
 and perform such order or orders as should be made by the court
 whereupon the said Abraham Showalter appeared accordingly
 and the said Christianah Turner being sworn and examined
 and the said Abraham Showalter fully heard in his defence
 the court upon all the circumstance of the case doth adjudge
 the said Abraham Showalter to be the father of the said Male
 Bastard Child, and that the said Child is likely to become
 chargeable to this County for the term of seven years from the birth
 of the said Child to wit for seven years from the 6th day of June
 1857. And the court proceeding to take order for keeping the said
 Child doth charge the said Abraham Showalter with the payment
 for the maintenance of the said Child of \$20. annually for the
 term aforesaid, in case the said Child shall live so long and if
 the Child shall die before the expiration of the term then for so
 many years of the said term as the Child shall live; which sum
 of \$20 so charged upon the said Abraham Showalter is to be paid
 by him ~~annually~~ at the end of each year commencing on the 20th day
 of August next to the overseers of the poor of this County, and the
 court doth order that the said Abraham Showalter enter into a
 recognizance with sufficient security, ^{or before the Clerk thereof in Vacation} before this court, in the
 sum of \$140⁰⁰ payable to the Commonwealth of Virginia to
 observe and perform the order of the court aforesaid, and
 whereupon the said Abraham Showalter having failed to enter
 into such recognizance, it is ordered that he be committed to the
 jail of this County there to remain without bail or mainprize, until
 he shall enter into such recognizance or otherwise discharged by a due
 course of law

On the motion of Mr R. K. Coyle, Sheriff of this County, Samuel R.
 Allebaugh is admitted as his deputy Sheriff and whereupon the said
 Samuel R. Allebaugh took the several oaths required by law

On the motion of Eli H. Kootz who made oath there according to law and together with George Rhodes his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires certificate is granted the said Eli H. Kootz for obtaining letters of administration in due form upon the estate of Peter Kootz (who has not been heard from for more than seven years and is supposed to be dead).

This should be Upon the petition of John Henton for the establishment in the name of of a road in this county. It is ordered that the said petition be referred to Adam M. Long who is hereby appointed as special viewer for that purpose do go upon the proposed road locate and examine the same and report if in his opinion said road is of public utility and ought to be opened established and if he is of opinion the same ought to be opened assign hands to the same and make report from what road or roads the hands so assigned were taken.

Peter S. Roller who has been heretofore appointed a Notary Public for this County appeared in court and with Jacob S. Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$500⁰⁰ conditioned as the law requires, which bond is ordered to be recorded and certified.

John Huffman Deft }
vs } M. Unlawful Detainer
Richard Jarrell Deft }

This day came as well the Plaintiff as the Defendant by their attorney and the deft pleads not guilty and thereupon came a jury to wit John B. Bazzle, William Eiler, Abram Meise, Abram Coffman, Benjamin Berry, David M. Huffman, Jonathan Miller, John Kiser, Augustine Armentrout, John E. Byrd, Jacob Lincoln and Emmanuel Rhodes who being elected tried & sworn

the truth to speak up on the issue joined, and having fully heard the evidence, retired from the bar to consider of their verdict and after sometime returned into court and upon their oath do say "We the Jury find that the defendant unlawfully detains the possession of the property described in the within summons and that the Plaintiff is entitled to the possession of the premises therein described". Therefore it is considered by the court that the Plaintiff recover against the defendant possession of the tenements aforesaid, and his costs by him in this behalf expended, and a writ of habere facias possessionem is awarded to cause the Plaintiff to have such possession.

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

Naason Bare

Tuesday July 21st 1857

Present

Naason Bare J. Jonathan Speck. O. C. Sterling } Genl.
Samuel Miller Samuel R. Sprinkle } Justice

George W. Lough's adm^{rs} Pliffs }
vs } Probationary
Sarah Lough & Co Defs }

Ordered that William W. Gamble be appointed Guardian ad litem for the infant defendants in this cause, and thereupon said Guardian filed his answer

It is ordered to be certified that it appears to the satisfaction of the Court from the affidavit of Wm. D. Frost, that an account of Geo. H. Ralston agt the Commonwealth amounting to \$116.30, made the copy made out by the Clerk of the Court, has been lost, and that the same has not been paid, it is ordered that the Clerk of this Court make out a duplicate copy of said account

David Stinespring Guardian for
John R. Coffman

} Deft

vs

J. J. Jackson

} upon an appeal from
Deft Judgment of Justice

This day came the parties by their attorneys and the parties heard. the court is of opinion that there is no error in the judgment of the justice below. it is therefore considered that the same be affirmed and that the appellee recover against the appellant & Daniel Smith \$16.75 with legal interest from the 1st day of March 1857 till the 7 day of May 1857 & \$1.20 costs. with damages on the whole amount of said judgment at the rate of 10 per centum per annum from the said 7 day of May 1857 till paid. and the costs by the appellee in this behalf expended

David Stinespring Guardian for
Barbara A. Coffman

} appellant upon an appeal
from the judgment
of the justice
appellee

against

J. J. Jackson

This day came the parties by their attorneys and after hearing the evidence and upon mature deliberation the court is of opinion that there is no error in the judgment of the justice below. It is therefore considered that the same be affirmed and that the appellee recover against the appellant & Daniel Smith \$28. with interest at the rate of six per centum per annum from the 7 day of March 1857 till the 5 day of May 1857 & \$1.20 costs. with damages upon the whole amount of said judgment at the rate of 10 per centum per annum from the said 5 day of May 1857 till paid. and the costs by the appellee in this behalf expended

George W. Cuff's admrs

Deft

vs

Sarah Cuff &c

Deft

} Infancy

This cause came on to be heard this 21st day of July 1857 upon the libel exhibits the answer of Sarah Cuff and of the infant defendants by W. Gamble their guardian ad litem and more than

one month having elapsed since the return of the subpoena executed & the execution of the order of publication, and the other defendants having failed to answer the bill, it is taken for confessed as to them, whereupon the argument of counsel being heard and it appearing to the court by the report of Commissioner Richard P. Fletcher, which is of record in this court, that the personal effects of the decedant George W. Leuph, are entirely inadequate for the payment of his debts and the deficiency can only be paid by a sale of the real property mentioned in the bill, the court doth thereupon adjudge order & decree that Samuel Parrott and Hugh Connell administrators of George W. Leuph dec'd be and they are hereby authorized & required to make sale of the property conveyed by Isaac R. Jordan wife to George W. Leuph by their deed filed and marked as exhibit (f) and the property conveyed by Joseph Beery wife to the heirs & distributees of George W. Leuph by their deed marked & filed as exhibit (B) the two lots to be sold separately or together as the administrators may deem most advantageous. Before the said property is sold public notice of the place time & terms of sale shall be given by an advertisement inserted in the Rockingham register for the period of four weeks & put up for the like period at some public place in Dayton, and the sale shall be made on the following terms viz. one third in hand, or within sixty days from the day of sale with interest from the sale & the remainder in four equal yearly payments from the day of sale requiring bonds with good personal security for the purchase money & the title to be retained until the whole amount is paid. The said administrators shall make report to this court at its next term after the sale.

On the motion of David W. Moore. It is ordered that the report of Court. Fletcher be recommended to reporting the debts & demands against the estate of Wm. D. Stroughton be recommended to him with instructions to include in said account a list of debts & demands the account against judgment of said David W. Moore & a debt of W. D. McGahey.

Ordered that the sheriff of this County hire out the the following named free negroes according to law, who have not paid the tax aforesaid for the year 1856, viz. Jesse Lewis, Geo. Parndexter, Bro. Triplett & S. J. Bradford.

Joseph H. Shue & other Trustees Pliffs

vs
Philip Harrison

Def } In Unlawful
Detainer

This day came the parties by their attorneys and the deft by his attorney pleaded not guilty. and thereupon came a jury to wit Isaac Coffman, George S. Logan, George W. Fitch, Benj. A. Cortes, Jacob S. Siler, Robert M. Mooney, Mem. D. Maiden, Isaac W. Keller, Adairson Harper, Mem. R. Keenan, Mem. H. Deatrick and Peter H. Hile who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after sometime returned into court and not being able to agree Mem. R. Keenan one of said jurors was withdrawn and the balance from rendering a verdict were discharged and the trial of the issue continued unto the next term

Samuel Parent

appellant

vs

Birvin Webster

appellee

} upon an appeal from the
judgment of a Justice

This day came, the parties by their attorneys and sundry witnesses being sworn and examined, and the court upon mature deliberation are of opinion that there is no error in the judgment of the justice below. it is therefore considered that the appellee recover against the appellant & John Smith his security \$21.50 & \$2.50 costs the judgment rendered before said justice with damages thereon at the rate of 10 per centum per annum from the 1 day of March 1857 till here and the costs by the appellee in this behalf expended

John R. O'Neale who was appointed a Notary Public for the County of Rockingham by a commission signed by the Governor of Virginia and under the lesser seal of the Commonwealth bearing date the day of 1857. appeared in court & together with Jno. H. Wardmann his security entered into & acknowledged a bond in the sum of \$500. conditioned as the law requires & thereupon the said O'Neale took the several oaths required by law

EW Pollard who has been heretofore appointed a Notary Public for this County. appeared in Court and together with Daniel Smith his security entered into & acknowledged a bond in the penalty of \$250⁰⁰ conditioned as the law requires which bond is ordered to be recorded and certified

George Hogan

appellant,

ms

John Frank

appelle

George Hogan
vs
John Frank

appellant
appellee

} upon an appeal from the
Judgment of a Justice

This day came the parties by their attorneys & sundry witnesses being sworn & examined the court upon mature deliberation are of opinion that there is no error in the judgment of the justice aforesaid. it is therefore considered that the appellee recover against the appellant and S. A. Coffman his security the sum of \$15⁰⁰ with \$9.80 costs with damages upon the whole amount of said judgment at the rate of 10 per centum per annum from the 28th day of March 1857 till paid. and the costs by the appellee in this behalf expended

Ordered that all the causes on the docket not tried on the nine disposed of by certiorari or writs for the next term.

Ordered that all the causes on the docket not tried or otherwise disposed of be
continue a nuptie the next term.
Ordered that the Court be adjourned until the third Monday
in August next

Naason Bare

At a Court held for Rockingham County on
Monday the 17th day of August 1857

Present

Reason Bare J. C. Sterling John & Hopkins }
Berg & Co. & Jackson & Co.

The Clerk of this Court returned into Court a list of deeds and other writings admitted to record in the Clerk's office of this Court ^{in July last} which being seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- 1 A Deed of Bargain & Sale from Sarah Ann Cook to Derrick Pennybaker
- 2 A Deed of Trust from Henry Gatewife to J. Mitchell Trust for D. Pennybaker
- 3 A Deed of Bargain & Sale from Eve Orelaugh to Joseph S. Bowman
- 4 ✓ A Marriage Contract between Wm. L. Curry & Mary Curry
- 5 ✓ A Deed of Bargain & Sale from Philip Liggett wife to Thomas Hanafan
- 6 ✓ A Deed of Trust from Thomas Branham to J. L. Woodson Trust for J. Branham
- 7 ✓ A Deed from Henry Miller to B. B. Cushman Trust for L. S. Winder &
- 8 ✓ A Deed of Bargain & Sale from Philander Herring to John Stinespring
- 9 ✓ A Deed from John Seiver to Jacob Leaplinger
- 10 ✓ A Deed from John Leoffman wife to John J. Garber
- 11 ✓ A Deed from Ann Miller to John L. Miller
- 12 ✓ A Deed from John M. Maley wife to David N. Neagy
- 13 ✓ A Deed from Samuel L. Nailor to Abram Skite Trust
- 14 ✓ A Deed from Jacob Sellers wife to Peter Herron
- 15 ✓ A Deed of Trust from John J. Maitz wife to Wm. L. Curran Trust for W. L. Curran
- 16 ✓ A Deed of Bargain & Sale from Henry Spitzer's Exrs to Reuben Moore
- 17 ✓ A Deed from John Stinespring wife to Benjamin F. Byerly
- 18 ✓ A Deed from Same to Same
- 19 ✓ A Deed from Same to Same
- 20 ✓ A Deed of Trust from Thomas Olan to J. L. Woodson Trust for J. L. Woodson
- 21 ✓ A Deed from Richard Jarrold wife to D. H. Yancy Trust for A. L. Brewer
- 22 ✓ A Deed of Bargain & Sale from George Lauffer wife to Wm. Tankersly
- 23 ✓ A Deed of Trust from J. D. Mathwaite to D. H. Yancy Trust for E. H. H. H. H.
- 24 ✓ A Deed of Bargain & Sale from Augustine Armentrout wife to Henry Carron
- 25 ✓ A Deed of Release from John L. Woodson Trust to Evan Herron

Settlement of the estates of Jacob Bowman dec^d Susanna Plecker dec^d John K. Bear dec^d David Kyle dec^d & George Saffley dec^d having been filed in the Clerk's office of this Court for the time prescribed by law. were presented in Court and no exceptions being offered thereto the same are confirmed and ordered to be recorded

Settlements of the Guardians of Sarah Morse, Caroline Shafer, Daniel Huffman Jr., Wm J. Rundle & Richard Woods & Mary Pool. Lucy Jane Williams & Josephine Brock & having been filed in the Clerk's office of this Court for the time prescribed by law were presented in Court and no exceptions being offered thereto, the same are confirmed and ordered to be recorded

A Settlement of the committee of Jeremiah Kyle a lunatic & the report of Debts & Demands against the estate of Elizabeth F. Morris dec^d having been filed in the office for the time prescribed by law were presented in Court and no exceptions being offered thereto the same are confirmed and ordered to be recorded

Commonwealth v. Grandison Standoe. Thirty cases
On the motion of the attorney for the Commonwealth and for reasons appearing to the Court, it is ordered that these causes be dismissed

Commonwealth v. Coleman Hydecker five cases
The same order

Conrad de Kite & H. A. Chismann Comrs of the Revenue presented in Court accounts against the Commonwealth which being sworn to, were examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

On the motion of Mr. H. Rhodes it is ordered to be certified that it appears from the certificate of the Comrs of the Revenue that a mistake was made in certifying the last of license, by which Mr. H. Rhodes was charged & has paid over \$6. two much

On the Motion of John G Heatiwle who made oath there to according to law and together with Peter Whitmore (David Rhodes Joseph Heatiwle (Daniel Heatiwle & John R Koogler his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires. certificate is granted the said John G Heatiwle for obtaining a probate of letters of administration in due form upon the estate of David G Heatiwle dec^d and it is ordered that Reuben Suspe, Abraham Heatiwle (David Hartman & David A Heatiwle or any three of them do appraise the estate of said (David G Heatiwle dec^d -

Ordered that the overseers of the poor for this County find out according to law Kefiah a slave liberated by Geo Truitt to Perry Stearns who is to pay said Kefiah when she arrives to the age of 21 to the sum of \$20.

The Court doth appoint Abraham C Long Guardian for Abraham Palmer & Sarah Palmer orphans of Jefferson Palmer dec^d who are under the age of 14 years. and thereupon the said Abraham C Long appeared in Court and together with Jere C Long his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$250 conditioned as the law requires which bond is ordered to be recorded.

The Court doth appoint John Cherryl Holmes Guardian for May Palmer orphan of Jefferson Palmer dec^d who is under the age of 14 years and thereupon the said John Cherryl Holmes appeared in Court & together with William Carpenter his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$125 conditioned as the law requires which bond is ordered to be recorded.

Rhodes vs Miller

On 21 Bond Justice found & set in awarded

Whitmore vs Austin

On 20 Bond

The same order

Little vs Morrison

On 20 Bond

The same order

The Last will and testament of Jacob W. Zirkle dec^d with a codicil annexed, was presented in court and said will proved by the oaths of Reuben Moore & John P. Cline the subscribing witnesses thereto and said codicil was proved by the oaths of Edmund J. Rosenbarger ^{Henry Zirkle Jr} the subscribing witnesses thereto and thereupon said will and codicil are ordered to be recorded and on the motion of John W. Rice the executor therein named ^{in said will} who made oath thereto according to law, ~~asset together with~~ and entered into a bond acknowledged a bond in the penalty of \$50000 - conditioned as the law requires the testator by his said will requests that no security should be required this executor, and the court accordingly require none. Certificate is granted the said John W. Rice for obtaining a probat of said will in due form. and leave is reserved to the executrix named in said will, for ~~obtaining~~ joining is the probate. and it is ordered that Thomas Moore, George Rosenbarger, Jacob Leaven and Reuben Zirkle, do appraise the estate of Jacob W. Zirkle dec^d.

The last will and testament of Peter Celine dec^d was presented in court and proved by the oaths of Samuel Slifer & John Ruebush two of the subscribing witnesses thereto and ordered to be recorded.

Catharine Yost & Johnette Yost orphans of John B. Yost dec^d being over the age of 14 years, by an instrument of writing made in the choice of Maria Yost as their guardian and thereupon the said Maria Yost together with David S. Johns. her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000. conditioned as the law requires which bond is ordered to be recorded.

Ordered that Samuel Boyer be appointed a committee for Jacob Boyer a person of unsound mind and thereupon the said Samuel Boyer together with Peter Boyer his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of

One hundred dollars conditioned as the law requires, which bond is ordered to be recorded

Ordered that Jacob Byerly be appointed a committee for William Biggerton a person of unsound mind, and thereupon the said Jacob Byerly together with John Harris his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$50. conditioned as the law requires which bond is ordered to be recorded

Hawceth vs Euteler & on a Bond Notice proved & set on a warrant

Kugler vs Miller &

Same order

Rutherford vs Miller &

Same order

Lowell vs Harris &

Same order

Van Lear vs Whitree &

Same order

Whitree vs Whitree &

Same order

Patterson vs Mullens

Same order

Roberts vs Euteler &

Same order

Burns vs Austin &

Same order

Upon the Petition of Riley M. Montross for the change of a public road in this county & on the motion of the petitioner it is ordered that his said petition be referred to Cyrus Rhodes Reuben H. Harrison & Lyndee Wice, who ^{are} directed to ascertain report upon said petition according to law

Peter Good Stacy, David Ann Good & William Good orphans of John Good dec'd being upwards of 14 years appeared in court with the approbation of the Court & the choice of Samuel Good as their guardian and the Court doth appoint said Samuel Good guardian for Jackson Good, Margaret Good & Joseph Good orphans of said John Good dec'd who are under the age of 14 years and thereupon the said Samuel Good together with Jonathan Miller & Samuel Petry his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2500 conditioned as the law requires, which bond is ordered to be recorded

Rhymer book & on Bond notice proved & in awarded
 Little & Hitt & " " same order

Peter Beyerly Foreman. Anthony Hookman. David Armentrout
 John Eversole. Emanuel Hoover. Eli Spitzer. Michael Seelers
 John E. Dovel. Reuben Mc Harrison. Daniel Boone. Alexander
 Nyger. John H. Shawatto. Jacob Al Rhoads. Sherman Sleator. Madison
 Moore and Melviam Sigler ^{John A. Staffe} were sworn a grand jury of inquest
 for the body of this County. having received their charge with-
 drew from the bar and after some time returned into court
 and not having time to dispatch all the business before
 them, were adjourned until tomorrow morning at 10 o'clock

White fox & Shaver & on Bond notice proved and awarded
 McLagande & same The same order

Tebulan D. Gilmore

Appellant

upon an appeal
 from the judgment of
 a Justice

John Swats & Jno. Ryan

Appellees

This day came the parties by their attorneys and
 sundry witnesses being sworn and examined and the argument
 of counsel being heard and the Court upon mature deliberation
 are of opinion that there is no error in the judgment of the justice below
 it is therefore considered that appellees recover against the appellant
 and George Brill his security the sum of \$876 with interest thereon
 at the rate of six per centum per annum from the 2^d day of August
 1856 and \$6.40 cents with the amount of the judgment of the justice
 aforesaid, with damages thereon at the rate of 10 per centum per
 annum from the 2nd day of August 1856 till paid and the
 costs by the appellees about their defence in this behalf
 expended

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

James Stanton who has been duly summoned to appear here on this day as a witness to give evidence before the Grand Jury being solemnly called and not appearing it is ordered that he be summoned to appear here on tomorrow morning to the cause if any he can why he shall not be fined for this contempt aforesaid

James L. Williams admt. for Plff

vs
A. H. Brewer

Def.

} Upon a suggestion &

This day came the Plff by his attorney and the Def. filed his answer to said suggestion and the cause is docketed and continued until next term.

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

Naason Bare

Tuesday August 18th 1857

Present

Naason Bare of Jackson Horn Ct Sterling Gent

Reuben Dore & John L. Hopkins } Justices

On the motion of John R. Kogler Sheriff of this County Abraham Miller is permitted to qualify as his deputy Sheriff and thereupon the said Abraham Miller took the several oaths required by law.

John Harper

Plff

vs

William Randol

Def.

} Upon a Dist. warrant

This day came Zachariah Davis who has entered into & give a forthcoming bond in this cause & filed among the papers thereof and by consent of parties it is ordered that the matters in dispute in this cause be referred to the final arbitrament of James M. Weaver & William A. Mansfield

and of their wife to be by them chosen in the event of their disagreement and whose an and shall when returned be entered up according to law as the judgment of the Court

Commonwealth

vs

Archibald Roach

} upon an Indictment

This day came as well the attorney for the Commonwealth as the Deft by his attorney who pleaded Not Guilty and thereupon the Defendant was discharged from his recognizance entered for his appearance here.

Overseers of the Poor. vs Jacob Laine. On Motion & for reasons appearing it is ordered that the ~~prisoner~~ Defendant be discharged from the custody of the jailor

On the Motion of John B. Kogler Sheriff of this County Robert G. Coakley is permitted to qualify as his Deputy Sheriff and thereupon the said Robert G. Coakley took the several oaths required by law

John Kelley & Catherine Richtle who have been duly summoned to appear

Commonwealth

vs

John Wiswander

} upon an Indictment for retailing
Ancient Spirits without license

This day came as well the attorney for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit (David Blomhorn, Joel Garber, Wm Showalter, George W. Harnberger, Wm Trunk, David Zigler, Henry Showalter, John Mc Sellers, B. A. Miller, Jonathan Trunk, Wm Lander, & H. J. Butler who being elected tried and sworn the truth to speak upon the issue joined having heard the evidence & arguments of counsel retired from the bar & after sometime returned into Court upon their oath do say "We the jury find the defendant guilty" It is therefore considered that the Commonwealth

Commonwealth

John P Brock

Commonwealth v James Scott. Dismissed

[illegible]

13. Nicholas Perkey for retailing ardent spirits without license a true bill
An Indictment against Nicholas Perkey for retailing ardent spirits without
license a true bill. An Indictment against Nicholas Perkey for
retailing ardent spirits without license a true bill. An Indictment
against Nicholas Perkey for retailing ardent spirits without license
a true bill. An Indictment agt Nicholas Perkey for retailing ardent
spirits without license a true bill. An Indictment against, Nicholas
18 Perkey for retailing ardent spirits without license a true bill. An
Indictment against Nicholas Perkey for retailing ardent spirits without
license a true bill. An Indictment against Nicholas Perkey for retailing
ardent spirits without license a true bill. An Indictment agt Nicholas
21 Perkey for retailing ardent spirits without license a true bill
an Indictment against Nicholas Perkey for retailing ardent spirits
without license a true bill. An Indictment against Nicholas Perkey
for retailing ardent spirits without license a true bill an Indictment
against Nicholas Perkey for retailing ardent spirits without license a true bill
An Indictment against James A Campbell for retailing ardent spirits
without license. An Indictment agt James A Campbell for ^{selling} retailing
ardent spirits to a slave without his masters written consent, a true bill an
Indictment against James A Campbell for retailing ardent spirits
without license a true bill. An Indictment against James A Campbell
for retailing ardent spirits without license a true bill. An Indictment
against James A Campbell for retailing ardent spirits without
license a true bill. An Indictment against James A Campbell
for retailing ardent spirits without license a true bill. An Indictment
agt James A Campbell for retailing ardent spirits without license a
true bill. An Indictment agt James A Campbell for retailing ardent
spirits without license a true bill. An Indictment agt James A Campbell
for retailing ardent spirits without a license a true bill. An Indictment
agt Lewis H Gaither for retailing ardent spirits without license a true bill
an Indictment against Lewis H Gaither for retailing ardent spirits without
license a true bill. An Indictment against Lewis H Gaither for
retailing ardent spirits without license a true bill. An Indictment agt
Lewis H Gaither for retailing ardent spirits without license a true bill
An Indictment against Lewis H Gaither for retailing ardent spirits

without licence a true liee. An Indictment agt Lewis F Gaither
 for retailing ardent spirits without licence a true liee. An Indictment
 against Lewis F Gaither for retailing ardent spirits without a
 licence a true liee. An Indictment against Lewis F Gaither for
 retailing ardent spirits without licence a true liee. An Indictment
 against Williams Minnick for retailing ardent spirits without
 licence a true liee. An Indictment against Williams Minnick
 for retailing ardent spirits without licence a true liee. An Indictment
 against Williams Minnick for retailing ardent spirits without
 licence a true liee. An Indictment against Williams Minnick
 for retailing ardent spirits without licence a true liee. An Indictment
 against Williams Minnick for retailing ardent spirits without licence
 a true liee. An Indictment agt Mary Swanson for retailing ardent
 spirits without licence a true liee. An Indictment against Mary
 Swanson for retailing ardent spirits without licence a true liee. An
 Indictment against Mary Swanson for retailing ardent spirits without
 licence a true liee. An Indictment against Mary Swanson for
 retailing ardent spirits without licence a true liee. An Indictment
 agt Mary Swanson for retailing ardent spirits without licence a true liee.
 An Indictment against Thomas Alexander & Polly Paylor for lascivious
 cohabitation a true liee. An Indictment against Archibald Roach
 for Petit larceny a true liee. An Indictment against Robert Phelps
 & Mary Carver for lascivious cohabitation a true liee. An Indictment
 against Frances Nixon and son for retailing ardent spirits without licence
 a true liee. An Indictment against Harrison Parrot alias Parrot
 Howard for Petit larceny a true liee. An Indictment agt Mrs
 Johnson for retailing ardent spirits without licence a true liee.
 An Indictment against Jackson Glover for Petit larceny a true liee.
 An Indictment against John Seedy for D.A.B. a true liee. An
 Indictment against Alvin Nixon and Leatharine Begle for
 lascivious cohabitation a true liee. An Indictment against
 Lewis Breels a true liee. Commonwealth vs Jackson Glover for
 D.A.B. a true liee. An Indictment against David Minnick
 for retailing ardent spirits without licence a true liee. & An
 Indictment against John Dixon for retailing ardent spirits

without license a true lie. and the said Grand Jury not having any farther business before them were discharged

Commonwealth vs James Long

On Motion & for the reasons appearing to the Court it is ordered that this cause be dismissed

Warren vs Swink on Delivery Bond on motion this cause is docketed

Absent Naason Base

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

O. G. Sterling

Wednesday August 19 1857

Present

Naason Base	O. G. Sterling	Andrew	} Genl
Houch Jackson	John H. Perkins	Reuben Davis	

Commonwealth

vs

Lewis H. Gaucher

} upon an Indictment

This day came as well the attorney for the Commonwealth as the Deft by his attorney. and by consent it is considered that the Commonwealth recover against the Deft \$50 the fine imposed by law. and that the costs expended in prosecuting said Indictment

Same vs Same

This day came as well the attorney for the Commonwealth as the deft by his attorney. and by consent it is considered that the Commonwealth recover agt Deft the costs expended in prosecuting said indictment

Same vs Same

The same order

Same vs Same

The same order

Same vs Same

The same order

Same vs Same

The same order

Same vs Same

The same order

Commonwealth }
 Alner Blain } Upon an Attachment for contempt

✓ The attachment last awarded against the Deft not being returned executed it is ordered that a new attachment be issued against him returnable to the next quarterly term

✓ Commonwealth vs J. Ribble upon an Indictment
 The Same order

✓ Commonwealth vs John Ke Berton upon an Attachment
 The Same order

Same vs Same upon an Attachment
 The same order

✓ Same vs Madison Glover upon a capias
 The Same order

Commonwealth vs John A. Caldwell & Reuben Bowers upon a rule
 The same order on Motion and for reasons appearing to the Court it is ordered that said rule be discharged

Commonwealth vs Henry Gilmer & Leatharine Black

This day came as well the Attorney prosecuting for the Commett as the Defts by their attorney who pleaded Not Guilty & filed a general demurrer to the indictment in this case

Commonwealth vs Elias Bowman

The Same order & continued at the Court of the present term

Commett vs Owens, Ino McDorman, & J. McDorman, John A. Murray, Charles Mitchell, A. J. Miller, Geo. W. Stanley, George F. Harrison & Gordon
 On Motion severally continued until the next term

Ordered that the agent of this Court pay to Peter Wick jailer the sum of \$10.00 for the maintenance of Jacob Lamb & committee as Overseers of the Poor: if that amount is in his hands not otherwise appropriated

Commonwealth
against
John Miswander } upon an Indictment

This day came again as well the Attorney for the Commonwealth as the Deft by this Attorney who moved that the Verdict rendered in this cause be set aside on the ground first that the Verdict was contrary to the law and evidence. 2^d that the indictment charged it as a second offence, and that there was no evidence introduced that to prove that it was the second offence and that the verdict rendered was general. which Motion being argued the Court doth sustain said Motion and set aside the Verdict and award a new trial in this cause

Franklin Pence
vs
B. Williams adm^r of A. G. Manzy } Perff } upon a Notice to Deft

This day came the Plaintiff & the Defendant by their attorneys. and by consent it is ordered that unless the said Defendant do at the Sept Court next of this Court and give a new bond according to law as administrator of Albert G. Manzy. or 2^d shall his power and authority as such adm^r shall be revoked and annulled. and it is further considered that the Perff recover of the Deft his costs about his motion in this behalf expended

Warren is Stricken on O. Bond Notice provided & is answered

Harrison Parrott a free Negro who has been committed to the jail of this Court for going at large without being registered according to law, was led to the bar in custody of the jailer. and it appearing to the Court that the said free Negro's register has been destroyed. It is ordered that the Clerk of this Court renew the register of said Negro according to law.

and it is further ordered that the said Harrison Parrott pay the costs of arrest, jail fees &c.

Upon the petition of Peter Horton for the establishment of a road the Commissioner heretofore appointed this day filed his report and upon ~~the~~ consideration whereof the Court doth establish said road agreeably to the report aforesaid and it is further ordered that Cyrus Rhodes be appointed surveyor thereof

Joseph Conrad Guenduan Plaintiff
vs
Runcle & Deft } McPherson

This cause came on to be heard this 19 day of August 1857 upon the papers formerly read & the report of Wm M K Meantown to whom this cause was referred and no exception being taken to the same upon the argument of the argument of counsel it is ordered that the said report be confirmed and it is ordered that the said Comr out of the funds in his hands do pay out the costs ascertained in this cause and pay out the balance remaining in his hands to John Shumate the said balance being \$272.44 and take his receipt for the same

Commonwealth
vs
M Beale & Andrew Learner } Upon an indictment

This day came as well the attorney for the Commonwealth as the Def by their attorney who pleaded not guilty & filed a general demurrer to the indictment & thereupon the issue is continued until the next term

Commonwealth vs Gibson same as Kelley same as pro Bare same as H Bean same as Gilmer same as Google same as D Miller same as pro Muller same as Roller Henry Butcher's admrs vs Valley Turnpike Co. Hairpers heirs vs Green & Rockingham Turnpike Co vs Bryan Keister vs Smith Leannady vs Thompson Harris vs Kinsdale Horton vs Horton Loffman vs Smith & Harvey & M G R vs Gray (2 cases) same as Diggs (2 cases) Shaver vs Polinger Belcher Blackely &

Sprinkel vs Derron. Long vs Miller. Hurley vs Same. Same vs Same. Liskey
 vs Stinespring. Rhodes vs Perkins. Lamb vs Beazley. Hamman vs O'Neal.
 Clifton vs Crawford. Dundore vs Bateman. Meyerhoffer vs Roller vs
 Pritchett vs McQuest. Hummer vs Same. Bear vs Byrd. Donnybacker vs
 Same. Same vs Same. Seigler vs Austin. Moyers vs Green. Beazley vs
 Sharp. Luff vs Luff. Whitmore vs Brewer. Blain vs Bligh. Same vs
 McCall. Hook vs Byrd & Henton. Braithwaite vs Kelly. Harpner vs Harpner &
 Seedy vs O'Becker. On Motion the aforesaid causes are severally
 continued until the next term.

Manassas Gap Rail Road Company Plff }
 vs } Upon a Notice
 Wm Le Smith Def

This day came the parties by their attorneys, and by
 consent it is ordered that this cause be dismissed, and that the
 Def recover against the Plff, his costs ~~by~~ about his defence in this
 behalf expended.

Commonwealth vs By Harris on rules, same vs Morris. Stull vs
 Anderson. Manassas Gap Rail Road Co vs Effinger, same vs Strickler's admr.
 On Motion & for reasons appearing to the court, it is ordered that the aforesaid
 causes be dismissed.

Gailey vs Bear's ex. continued at the last of Plff

Harper's admr vs Hook continued at the last of Defendant

✓ Emanuel Sipe who has been duly summoned to appear here
 at this term as a witness on behalf of the Commonwealth against
 Andrew Delapton, being ~~once~~ solemnly called and not appearing
 it is ordered that he be summoned to appear here on the 2^d day of the
 November term next, to shew cause if any he can why he shall not be fined
 for his contempt aforesaid.

Siggett vs Mauck. On Motion it is ordered that a new summons be
 issued in this cause returnable to the next term.

David Hedder who has been duly summoned to appear here as a witness on behalf of the Commonwealth against Elias Bourman, being solemnly called and not appearing, it is ordered that he be summoned to appear here on the 2nd day of November Court next, to show cause if any he can why he shall not be fined for his contempt aforesaid

Upon the petition of Horner Richards & Monro, Jonathan Trufick, Charles McLeaver, D. B. Cronshaw & Henry Street on motion, severally continued until the next term

Joseph L. Brathwaite Plff }
 vs } In Case
 Abraham Seedy Def.

This day came the parties by their attorneys, and the Defendant filed a Demurrer to the Plff's declaration in this cause, which being argued the Court upon consideration ~~the~~ doth overrule said Demurrer, and thereupon came a jury to wit Simon J. Karmelenger, Wm. Howalter, David B. Cronshaw, Henry Howalter, David R. Hopkins, Joel Garber, Jonathan Trunk, Benjamin T. Rickard, Thomas J. Butler, John L. Bazzle, Wm. Lammes & George Shaver who being elected tried and sworn the truth to speak upon the issue joined, and not having time to hear all the evidence were adjourned until tomorrow morning at 9 O'clock

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

Naason Base

Thursday August 30 1837

Present

Naason Base of Andrew Hough O'Kerling } Gent.
 Jackson Horn & Reuben Dove } Justices

Ordered that summons be issued against all the persons who are indicted during the present term to be directed to the Sheriff

of this County and made returnable to November term next of this Court. except against Archibald Roach

Archibald Brock
vs.
George Fawcett

Deft. } upon a notice from my friend
Deft. } as security

This day came the Plff by his attorney, and it appearing to the Court that the Deft had had legal notice of this motion, the being solemnly called and not appearing, it is considered that the Plff recover against him \$709 with legal interest thereon from 3^d day of August 1857 until paid, and five per centum damages on that amount, and the Costs by the Plff a Court his motion in this behalf expended.

George E. Deneale
vs
Charles Chandler &
Plff } In Execution
Defts }

This day came the parties by their attorneys, and on the motion of the Plff. and it appearing that this cause has been depending in this court more than twelve months without being decided it is ordered that the same be removed to the Circuit Court of this County for trial

Robinson vs Smith. On Motion continued until next term at the City of Deft

Brewer vs Effinger. On Motion, it is ordered that this cause be dismissed.

Term Nicholas must be so March. Mayers Reed. Siffert is Runclet. Hendricks
is Recorder. On motion the said causes are severally continued until
the next Term.

Jones vs. Billheimer's ex. On Motion this cause is continued until the next term at the Court of the Dept.

J. H. Creighton & Co

Plffs

In case

Thos W. Gordon & Bros

Defts

This day came the Plff by attorney, and neither party requiring a jury, the Court proceeded to execute the writ of Conquering. It is considered by the Court that the Plff recover against the Defts \$153.58 with legal interest thereon from the 14th day of May 1856 till paid and the Costs by the Plff about their suit in this behalf expended.

Samuel Devant & Co

Plffs

In case

Thomas W. Gordon & Bros

Defts

This day came the Plff by their attorney, and neither party requiring a jury the Court proceeded to execute the writ of Conquering. It is therefore considered that the Plff recover against the Defts the sum of \$304.98 with legal interest thereon from the 12th day of June 1856 till paid & the Costs by the Plff about their suit in this behalf expended.

Commonwealth

John Heady

Upon an Indictment

This day came the defendant by his attorney, who pleaded Not Guilty, and filed a general demurrer & the trial of the issue is continued until the next term.

Heady's admits as Gilmer. This day came the parties by their attorneys, and the Plff pleaded the Statute of Limitation to the Defts offsets; and the Deft also pleaded the same plea to the Plff offsets.

Joseph Brill & Henry & Sipe who have been duly summoned to appear here at this Court as witnesses on behalf of John Heady's admits as David Gilmer being solemnly called and not appearing, it is ordered that they be summoned to appear here on the second day of the November term next of this Court to shew cause if any they can why they shall not be severally fined for their contempt offered in failing to attend as aforesaid.

2019 10 20

Joseph C Brathwaite Plff } In Case
vs }
Abraham Leedy Deft }

This day came again the parties by their attorneys and the jury sworn and empanelled on yesterday for the trial of this Court appeared in Court in pursuance to their adjournment and having fully heard the evidence and argument of counsel retired from the bar to consider of their verdict and after some time returned into Court and upon their oath do say. We the jury find for the Plaintiff and assess the damages at sixty dollars, with legal interest from the 20th day of August 1857. It is therefore considered that the Plaintiff recover. Thereupon the Deft moved the Court to set aside the said Verdict. which motion the Court takes time to consider.

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

Naason Bare

Friday August 21st 1857

Present

Naason Bare J. Jackson Horn O. Sterling } Gent
Reuben Dove Andrew Horick } Justice

Joseph C Brathwaite. Plff } In Case
vs }
Abraham Leedy Deft }

This day came again the parties by their attorneys and the Court having fully heard the defendants Motion to set aside the Verdict & grant a new trial. upon consideration whereof the Court doth overrule said motion. (Memo. upon the trial of this cause the Defendant tenders a bill of exceptions to an opinion of the Court delivered in this cause. which exceptions are in these words Joseph C & which were signed sealed and enrolled by the Court and ordered to be made a part of the record.) It is therefore considered that the Plff recover of the Deft the sum of \$60. the damages found by the jury with legal interest from the 20th day of August 1857. till paid and the costs by the Plff about his suit in this behalf expended.

Thomas Hanafan Plaintiff }
 against } In Chancery
 Reuben Long Defendant

This cause came on to be heard this 21st day of August 1857. upon the bill & exhibits, whereupon the argument of counsel being heard, and it appearing that more than one month hath elapsed since the filing of the bill and the return of the subpoena executed, & the defendant having failed to answer the complainant's bill it is therefore taken for confessed, and the Court being of opinion that the complainant is entitled to a specific performance of the contract filed with his bill as an exhibit marked B, it is therefore adjudged, ordered and decreed that unless the defendant Reuben Long, or some person for him shall within sixty days pay to the complainant \$50 with interest on \$5 part thereof from June 15th 1856 and interest on \$25 the remainder thereof from February 1st 1857 till paid & the costs of this suit, and execute bond for the four deferred payments of \$25 each, payable February 1st 1858, 1859, 1860 & 1861, John R. Kogler Sheriff of Rockingham shall proceed to sell the lot of four acres of land in the contract mentioned, at public auction, on the premises, on the following terms viz for so much in cash, as will discharge the \$50 & interest aforesaid together with the expenses of the sale & costs of this suit & the remainder in four equal annual payments to be due February 1st 1858, 1859, 1860 & 1861 Taking bond with good security for the deferred payments, and the title to be withheld, until the whole amount is paid up. But before the sale is made said John R. Kogler shall give public notice of the time place & terms thereof by advertisement inserted in the Rockingham Register, and posted at three public places in the neighbourhood for four weeks & shall report to this Court at its next term thereafter

Charles B. Yancy Curator of Jared Powell Plff }
 vs } In Debt
 George W. Conditon Def

This day came the parties by their attorneys and thereupon came a jury to wit B. P. Dickson, Wm. L. Lanes Jno W. Sellers

Wm Showalter, Henry Showalter, B. A. Miller, Jonathan Trunk, George W. Harnsberger, John Le Bazzel, John Scott, Joel Garber & George Shaver who being elected tried and sworn the truth to speak upon the issue joined, and upon their oath do say, we the jury find for the Plaintiff \$100. the Debt in the Declaration mentioned with interest thereon from the 17th of Sept 1853, subject to a credit of \$60.40 paid 25th of March 1854. It is therefore considered that the Plaintiff recover against the Debt \$100. with legal interest thereon from the 17th day of Sept 1853, till paid (subject to a credit aforesaid of \$60.40 paid 25th day of March 1854) also the costs by the Plaintiff about his suit in this behalf expended.

John R Beery

vs

Bernard Deale

Plff

Deft

} upon a removal from a Justice of the peace

This day came parties by their attorneys, and sundry witnesses being sworn and examined. It is considered that the Plff recover against Deft \$18.75 with legal interest thereon from this day, and the costs by the Plff in this behalf expended.

George W. Hinkle wife

vs

Jonathan Deale

Plffs

Defts

} In Debt

This day came the parties by their attorneys, and it appearing that the wife of the Plff to whom the bond upon which this action was founded, has departed this life, and by consent of parties this cause is ordered to proceed in the name of George W. Hinkle and thereupon came jury to wit, George Shaver, George Harnsberger, Joel Garber, John Le Bazzel, Wm Showalter, Jonathan Trunk, John Le Bazzel, Benjamin Richard, B. A. Miller, David Zeigler & Wm Landes, who being elected tried and sworn the truth to speak upon the issue joined, and having heard the evidence, retired from the bar to consider of their verdict, and after some time returned into court and upon their oath do say we the jury find for the Plaintiff one hundred dollars the debt in the declaration mentioned with interest

from the 3^d of July 1846" and thereupon the Deft by Attorney moved the Court to set aside the said Verdict & grant a new trial, which motion the Court doth sustain, and thereupon set aside the Verdict & grant a new trial therein to be had at the next term, upon the usual terms

James A. Campbell son vs John Billheimer

On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term at the Costs of the Deft.

On the Motion of William Rehner adm^r of the estate of Philip Keller dec^d. It is ordered that he render an account of his admⁿ before Wm M K Martman who is directed to examine & settle said account and report thereon according to law.

Kent Paint & Kent	Plffs	} In Case
vs		
Abraham Smith	Defts	

This day came the parties by their attorneys and thereupon came a jury to wit John Miller, David R. Hopkins, John Scott And J. Whitman, Henry Showalter, Peter Reff, Thomas A. Hopewell, Samuel H. Huffman, Preston Leachman, Joseph Kean, Thomas J. Butler & Peter S. Roller, who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say "We the jury find for the Plaintiff and assess their damages at \$83.77 with interest from the 22^d day of March 1852 till paid." It is therefore considered that the Plaintiff recover against the Deft the sum of \$83.77 Damages with legal interest thereon from the said 22^d day of March 1852 till paid and the Costs by the Plffs in this behalf expensed.

Jacob Bear	Plff	} In Debt
vs		
Levin Leopold	Deft	

This day came the Parties by their attorneys, and by consent it is ordered that this cause be dismissed.

Beale vs Beale & Houch & Melhorn. On motion it is ordered that the said two cases be continued until the next term at the Court of the Defts.

Ordered that the Clerk of this Court register according to law Mildred L. Macey, wife of Harrison Parrott a free Neg. five feet two inches high has a scar on the cheek bone near the corner of the right eye, and was born free in the County of Rockingham.

Straus Adler & Hartman. Pliffs }
vs } In Case
David Hinespring Deft }

This day came the parties by their attorney and thereupon came a jury to wit John Miller, David B. Hopkins, John Scott, Andrew J. Whitmer, Henry Showalter, Peter Neff, Thomas A. Spencer, Preston Calhoun, P. L. Smith, Allen Q. Bauman, Erasmus Bayard and Isaac Wenger, who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel, retired from the bar to consider of their verdict and after some time returned into Court and upon their oath do say 'We the jury find for the Defendant' and thereupon the Plaintiff by attorney moved the Court to set aside the verdict & grant a new trial, which motion the Court doth sustain and grant a new trial upon the usual terms.

Jackson Martz admr. of Benj. Stickler Pliff }
vs } Upon a removal from before
Geo. E. Deneale Deft } a Justice

This day came the Pliff by his attorney and it is considered by the Court that the Plaintiff recover against the Deft \$65. Debt with interest thereon to be computed after the rate of five per centum per annum from the 1st day of Aug^r 1842 till paid and the costs by the Pliff in this behalf expensed, this judgment is subject to a credit of \$38.29 paid 11th Sept 1843.

John D. Campbell

Plff

vs

Stephen Roca Capreton

Deft

In Case

This day came the parties by their attorneys, and thereupon came a jury to wit John Miller, David R. Hopkins, John Scott, Andrew Whitmer, Henry Showalter, Henry Hartmann, Sriney, Harnalinger, Preston Calhoun, W. Smith, Wm. O. Bowman, Erasmus Byrnes and Peter Getty who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after sometime returned into court and not being able to agree upon their verdict were adjourned until tomorrow morning at 9 O'Clock

Wm. R. Speck's Exr

Plff

vs

Wm. A. Nager

Deft

In Debt

This day came the parties by their attorneys, and by consent of parties it is ordered that this cause be removed to the Circuit Court of this County for trial

On the motion of Jacob Moyers & Martin Brenemann it is ordered that the report of Comr. R. P. Fletcher in the administration act of Nathan Houston admr. of Samuel Heile, be recommitted to said Comr. with instructions to receive a debt of \$100 with interest from June 15th 1853 & allow Jacob Moyers his rateable dividend thereof, and a debt of \$8. with interest from March 1st 1856 to said Martin Brenemann as if the same had been proven before the Comr. before he made his original report

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

Naason Bare

141
Saturday August 22nd 1857

Present

Maason Bore of A C Sterling Anderson & Touchy Gent
Jackson Horn & Reuben Dove } Justices

Jacob Bear Plff }
vs } In Debt
A B Brick Deft }

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

Wm H Perry Plff }
vs } In Debt
Jeremiah Harriberger Deft }

This day came the parties by their attorneys and the Deft by his attorney craves copy of the writing obligatory and filed a general demurrer to the declaration and trial is continued until the next term

Adam D Gaught for Plff }
vs } In Debt
Christian Dorman Deft }

This day came the parties by their attorneys and the deft. pleaded payment Nil Debt & failure of consideration and the trial of the issue is continued until the next term

Wm A Cave for Plff }
vs } In Debt
Samuel Thacker Deft }

This day came the parties by their attorneys and the defts pleaded payment and filed a list of offsets which he desires to prove upon the trial of this cause & the trial of the issue is continued until the next term

Miller of James Bryan Continued until next term

Emale & Holt

Plff

vs

Joseph Ramad

Deft

In Case

This day came the parties by their attorneys. and the defendant by his attorney pleaded non assumpsit. to which plea the Plff replied. and the trial of the issue is deferred until the next term

B R Speck for

Plff

vs

Joseph L Williams

Deft

In Debt

This day came the parties and by consent this cause as to the Attachment is continued until the next term

Burkeholder vs Steele's ex. Ordered that this cause be dismissed

Joseph M Price

Plff

vs

Alfred Welch

Deft

upon removal from before Justice

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

McGakey, et al. vs Gancey, Leoster vs Hollist, Gilmer vs Lites, Campbells Sketton, Berry & Blakemore vs Dougherty & Burnett, Thomas vs Rains & Levent vs Barclay, Lommett for vs Hubway & Keegler, Burnett, Prout vs Rockingham, Curripikel & Gougeon vs Stutz On Motion & for reasons appearing it is ordered that the aforesaid several causes be continued

Campbell & Son vs Beechimer & Miller for vs Smith On Motion continued until the next term. at the cost of the Deft

James A Campbell for And Houdk Plff } upon a suggestion that the
 10 } defts are indebted to Houdk
 A S Gray & E A Shanas Deft } Brathwaite M Brathwaite &

This day came the parties by their attorneys, and the defts filed their answer to said suggestion and a witness was sworn and examined and it appearing that there is nothing due from the deft Gray, and that there is due from E A Shanas the sum of \$35.75. It is therefore considered that the plff recover against said Shanas \$35.75 with interest thereon from this day.

John D Campbell Plff }
 10 } In Case
 Stephen Roadcapser Deft }

This day came the parties by their attorneys, and the jury sworn and empanelled on yesterday, appeared in Court in pursuance to their adjournment and retired from the Court to consider of their verdict, and after sometime returned into Court and not being able to agree upon a verdict, Henry Hartmann in the pias was withdrawn and the balance from rendering verdict were discharged.

Abert Reuben Dove

Hopewell & Hookman Plff } In Case, removed from before a
 10 } Justice of the Peace
 Jennima Gullabue Deft }

This day came the parties by their attorneys and a jury witness being sworn and examined touching the premises, and the having fully heard the parties. It is considered by the Court, that the Plff recover against the Deft \$4.01 with legal interest thereon from this day and that neither party recover any costs.

Benjamin Strickler's adm'r Plff }
 10 } upon a removal from before a
 George Deneale Deft } Justice

This day came the parties by their attorneys, and on the Motion of the Deft it is ordered that the judgment rendered in this cause during the present term, be set aside & a new trial to be had therein at the next term.

Hans Adler Hartman Deft }
 vs } In Case
 David Stinespring Deft }

This day came again the parties by their attorneys, and the Deft tendered a bill of exceptions to an opinion or action of the Court during the trial of this cause, which exceptions are in three words "Straws" &c which were signed sealed and enrolled by the Court and ordered to be made a part of the record

Richard & Christie suff
10
Benjamin & Bushneer Def } In case

This day found the Plffs by their Attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry and a witness being sworn and examined, ~~and~~ It is considered by the court that the Plffs recover against the Def^t \$24.12 1/2 Damages with legal interest thereon from the 20th day of Sept 1856 till paid and the costs by the Plffs about their suit in this behalf expended

Sheets as ~~gall~~ days. Continued until the next court at the carts
stuff

Futurer as Kaylor continued until the next term at the cost
of the Defendant

Ureinton & Co. v. Effinger & Co. White v. Liggard. The Intyre for v. Smith &
On Motion severally continued until the next term.

Herrn R. Meeren assignee P. Eff.
 do } In Dict.
 S. W. Stauffer und Co. Defts.

This day came the parties by their attorneys, and the Plaintiff by his attorney moved the Court to exclude the plea heretofore filed by the Def^t, which motion was argued, and was overruled by the Court. The Plaintiff ~~pleaded~~ pleaded the Statute of Limitation & filed a general replication thereto & the plea admitted, & the trial of the issue is continued until the next term at the house of the Def^t.

Ordered that the following named persons be allowed the sums affixed to their respective names for services as jurors for the Court rendered during the present viz

cf. 98 mine + Henry Showalter off 50 + Allen Landers 50 + David Zeigler 50
 + Jonathan Trunk of land 50 + D^r Blorouishorn 50 + Thos J Butler 50
 + Joel Garber 50 + Allen Showalter 50 + G W Harnsberger m. d. 50
 + Franklin Miller 50 + Allen Trunk 50 and it is ordered that the Sheriff of this County pay the above sums to the persons entitled thereto

Ordered that the following named persons be allowed the sums affixed to their respective names for jury service rendered during the present term to be paid by the County of Rockingham

+ David R Hopkins \$5.00 + Peter Miller \$1.00 + Samuel M Bowman \$4.00
 + John Mc Sellers 4 50 + George Shafer f. 5 00 + And J Whitener 5 00
 + John Scott 5 00 + Hy Showalter off 4 50 + Allen Landers 4 50
 + David Zeigler 4 50 + Jonathan Trunk off 4 50 + Geo Miller Silver Creek 5 00
 + D Blorouishorn 2 50 + Thos J Butler 4 50 + S J Harnsberger 5 00
 + Joel Garber 4 50 + Allen Showalter 4 50 + G W Harnsberger 3 50
 + John Mc Neff 5 00 + Franklin Miller 4 50 + Allen Trunk 1 50
 + Geo Le Bazzle 4 00 + Benj F Richards 4 00 + Peter Neff 1 00
 + Thos R Hopewell 2 00 + S W Huffman 2 00 + Preston Calhoun 2 00
 + Joseph Kearn 2 00 + Peter S Roller 1 00 + W L Smith 2 00
 + Wm D Bowman 2 00 + Erasmus Byrd 2 00 + Isaac Wanger 2 00
 + H B Mastrorann 2 00 + Peter Getty 2 00 and it is ordered that the Sheriff of this County pay the above sums to the persons entitled thereto

Dy Myers for

Pleff

In Debt

David Stinespring &

Defts

This day came their parties by their attorneys and Deft offered to plead their plea of sett. which was resisted by the Pleff counsel the court upon deliberation doth sustain said objection & required to set aside the office proponent. to which ruling the Defts by counsel ^{filed his exception} objected & excepted which exceptions

are in these cases "Dy" or which were signed sealed and enrolled and ordered to make a part of the record

Deatrick for vs. Coursey & Packer is remanded on motion & for reasons appearing to the Court it is ordered that the same be continued until the next term

Gorey vs. Gaily &c. The Same order

Ordered that the rules of the Circuit Court of this County be adopted and made the rules of this Court

Wielding & Ragam	Plff	} Unlawful Detainer
vs		
Francis A. Lick	Deft	

It appearing that the Plaintiff is not an inhabitant of this state on the motion of Deft by his attorney, it is ordered that this suit be dismissed at the next term unless security for the payment of such costs and damages as may be awarded the Deft & also of the fees will become due from the Plff to the Officers of this Court be given with the clerk within the time prescribed by law

Richard Clattenbuck for	Plff	} In Case
vs		
William Gliden	Deft	

This day came the parties by their attorneys and neither party requiring a jury the Court proceeded to execute the writ of enquiry and ascertain the Damages to which the Plff is entitled to and from what time interest on the principal money shall run the Court did ascertain the damages to be \$90. & the time from which interest shall run to be this day It is therefore considered that that the Plff recover of the Deft \$90 with legal interest thereon from this day and the costs by the Plff about his suit in this behalf done

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

Naason Bare

At a Court summoned and ~~at~~ held
for the County of Rockingham at the Court-
house thereof on Saturday the fifth day of
September 1857. for the examination
of Gerrit King who stands charged with a felony by him
committed in this, that he did, on the 27 day of August 1857
in the County of Rockingham, feloniously did Emancipate a slave
the property of George E. Deneale, to abscond from the said George
& Deneale his master by then and there advising said Slave to
abscond, and by secreting and ~~hiding~~ said Negro slave for the
purpose of enabling him to abscond.

Present Naason Bare P. J. Michael H. Harris
Wm. E. McD Harris Jonathan Speck and } Gent
Andrew H. Conck } Justices

The said Gerrit King appeared in pursuance
to a recognizance entered into before a justice of the peace for
his appearance here on this day, and by consent of the
prisoner Andrew H. Conck esq. who was one of the justice who
examined the prisoner is permitted to sit as a member of
this Court for the examination of said prisoner, and thereupon
various witnesses were sworn and examined touching the
premises and upon mature deliberation the Court is
of opinion that there is not probable cause to charge the
prisoner with the offence aforesaid it is therefore
Ordered that the prisoner be acquitted and discharged
of the offence aforesaid

It is ordered that a fine of five dollars
be imposed upon Geo. H. Harris for a contempt
by him offered to ~~the~~ and in presence of the Court, by striking
Geo. C. Woodson

And thereupon the Court arose

Naason Bare
" "

At a Court held for Rockingham County at
the Court house thereof on Monday the 21st day
of September 1857 — 8

Present.

Nathan Bare of Ashew & Angabright } Genl
Michael McGowan & Samuel Ruelinkh } Justices

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

- 1 ✓ \ A Deed of Bargain & Sale from Lehu Gordon to Tho W & E C Gordon
- 2 ✓ \ A Deed of from G W & Stanley to S H Kearns. In Trust for Jacob H Manzy
- 3 ✓ \ A Deed from John J Miller to M Kearney & Effinger. In Trust for Mary Smith
- 4 ✓ \ A Deed of Trust from Elias Stilly to H L Carson In Trust for L H Mayers & Kaffer
- 5 ✓ \ A Deed of Bargain & Sale from George W & Cickle to John Diller
- 6 ✓ \ Same from Joseph S Effinger to James Poir
- 7 ✓ \ Same from John Howard & wife To Reuben W Harrison
- 8 ✓ \ Same from Same to Samuel R Allebaugh
- 9 ✓ \ Same from Same to Reuben W Harrison
- 10 ✓ \ A Deed of Trust from Reuben W Harrison to E H Kearns In Trust for Mrs Allebaugh
- 11 ✓ \ A Deed of Bargain & Sale from Henry Gilmer to John Weast
- 12 ✓ \ A Deed of Gift from Mahaley Miller to Mary Frances Wright &
- 13 ✓ \ A Deed of Trust from Reuben W Harrison & wife to E H Kearns In Trust for P Neff
- 14 ✓ \ A Deed of Bargain & Sale from A H Showalter to James H Coursey
- 15 ✓ \ Same from Gideon Shockey & wife to Wm Biggerton
- 16 ✓ \ Same from Algernon E Gilmer & wife To Sarah Mann
- 17 ✓ \ A Deed of Trust from W H Harrison & wife To E H Kearns In Trust for Mrs Weast
- 18 ✓ \ A Deed of Bargain & Sale from John Brunk & wife to John Wenger
- 19 ✓ \ Same from William Eaton & wife To Samuel Eaton
- 20 ✓ \ Same from David Link & wife To Jacob H Lindsey
- 21 ✓ \ Same from Jonas Pence to Geo J S Bauman
- 22 ✓ \ Same from George H Price & wife To William Biggamy
- 23 ✓ \ Same from Catharine Sellers to John R Sellers
- 24 ✓ \ Same from John Hargrader to Mathis Miller

- 25 ✓ \ A Deed of Trust from Jacob P. Drinkle to M. Sheets In Trust for Mrs. Drinkle &c
- 26 ✓ \ Same from Mary Reed wife to Anna Drinkle wife of Jacob (Drinkle)
- 27 ✓ \ Same from Wm. H. Miller to Jonathan Speck In Trust for Adam Rader
- 28 ✓ \ A Deed of Bargain & Sale from James Alexander wife to Henry Tutwiler
- 29 ✓ \ Same from Samuel Rife wife to John Rife
- 30 ✓ \ Same from John B. Zirkle wife to David Holler
- 31 ✓ \ A Deed of Trust from Jacob Phipple wife to the Bank In Trust for H. P. & Co. &c
- 32 ✓ \ A Deed of Bargain & Sale from Gabriel Payne to Wm. H. Payne X
- 33 ✓ \ Same from Wm. Trout comr. to Isaac & Carstent
- 34 ✓ \ A Deed of Trust from Andrew Gentry to E. H. Warren In Trust for Mrs. P. Brock
- 35 ✓ \ A Deed of Bargain & Sale from John Meyer wife to George H. Shaver
- 36 ✓ \ Same from Elizabeth Steele to A. S. Gray Trustee
- 37 ✓ \ A Deed of Trust from Jacob Amoke wife to John E. Brown In Trust for Mason Base
- 38 ✓ \ A Deed of Bargain & Sale from John Weaver wife &c to John B. Crunk
- 39 ✓ \ A Bill of Sale from James Thompson wife to Wm. H. Barley
- 40 ✓ \ A Deed of Release from E. H. Warren &c to John Andes
- 41 ✓ \ A Deed of Trust from Wm. Stoner to Mary Thompson In Trust for John Stoner
- 42 ✓ \ A Deed of Bargain & Sale from J. Butler wife to Henry Miller
- 43 ✓ \ Same from John Andes wife to John Cowen

Settlements of the estate of Benjamin Denton dec^d. Andrew Newman dec^d. William Rizer dec^d. John & Co. dec^d. Daniel Miller dec^d. Adam Wise dec^d. and Jonathan Henry ^{& Adam & Co. dec^d} having been filed in the Office for the time prescribed by law. were presented in court and no exceptions being offered thereto the same are confirmed and ordered to be recorded

Settlements of the guaranties of Nancy Bryer. Joseph Downy. Herman Dever. Michael Flouke and Mary M. Alder. having been filed in the Clerk's Office of this Court for the time prescribed by law. were presented in court and no exceptions being offered thereto the same are affirmed and ordered to be recorded

An account of Delt. against the estate of James C. Williams dec^d.
An amended a/c of Delt. against the estate of Wm. D. Stranghan dec^d.

George Hearnberger Plaintiff }
 against } In Chancery
 Jacob Hearnberger & others Deft

This cause came on to be finally heard this 21st day of September 1857 upon the bill answers decrees and other proceedings heretofore had and upon the report of John R. Kogler commissioner to which there being no exceptions the same is hereby confirmed and it appearing that all matters in this cause have been fully adjusted it is ordered that it be removed the docket and leave is reserved to the infant defendants to have further proceedings according to the Statute.

Christian Hall be appointed surveyor of precinct No 45 in the room of Alner Meyer.

Charles Lewis who has been duly appointed a Notary Public for this county appeared in court and together with Andrew J. Sigler his security entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires and thereupon the said Charles Lewis took the several oaths required by law.

On the motion of Lem Cherryhomes ordered that Abram Long guardian for Abraham Palmer and Sarah Palmer infant children of Jefferson Palmer dec^d pay to Lem Cherryhomes \$35.00 out of any money in his hands or which may come to his hands as guardian as aforesaid ordered that the above amount be paid to John T. Harris.

Kezle vs White & on Bond Notice proven & an answer Beard & Lewis vs Holt & Entler & The same over.

Ruben W. Harrison, use of P. Rhodes Plaintiff }
 10 } indebted to be L. Hoernacker
 Ruben W. Harrison Deft } This day came the Plaintiff

by attorney, and it appearing from the answer of said Deft filed in this cause, there is no liability on the Deft. for the money set forth in the suggestion it therefore ordered that the same be dismissed

On the Motion of Frederick Speck executor of Wm R Speck dec^d and it appearing to the Court that John B Brown who has been heretofore appointed a special commissioner to state and settle the executorial account of said Frederick Speck, dec^d has departed this life without having made his report. It is ordered that E G Holsman be appointed a special com^r for the purpose of stating and settling said account & that he report thereon to the Court according to law

Harrison for Beyerly and Bond notice provided &c^r awarded same as same The same order

Ordered that any one of the overseers of the Poor for this County bring Phoebe Jane Eggleston daughter of Richard Eggleston to Morgan Logghead, age 17 years, and that the said Logghead pay to the said apprentice the sum of \$50 & freedom suit at the end of her apprenticeship

M J Mayerhoeffer

Deft

David Stinespring guardian for the infant heirs of Absalom Coffman

Refrana Petitioner
Deft

This day came the Deft by his attorney and filed his petition &c It therefore ordered that the said David Stinespring be summoned to appear here on the 1st day of the next term to show cause why he shall not be ruled to give new bond and other sufficient security as guardian of foresaid or why his power and authority as such shall not be revoked and annulled

sum H

On the Motion of Philander Keerring who made oath thereto according to law and together with Adam Rader his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of \$1300⁰⁰ conditioned as the law requires. Certificate is granted the said Philander Keerring for obtaining letters of administration in due form upon the estate of Samuel de Bowers dec^d and it is ordered that P^r M Heatfield P^r K Speck John Williamson & Alw Brown or any three of them being first duly sworn for that purpose do appraise the estate of said Samuel de Bowers dec^d -

On the Motion of John Heep who made oath thereto according to law and together with Abraham Brannerman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$600⁰⁰ conditioned as the law requires. Certificate is granted the said John Heep for obtaining letters of administration in due form upon the estate of Peter Heep dec^d. and it is ordered that Isaac Rivale Benjamin Trumble Jacob Turner and Isaac Shoemaker or any three of them being first duly sworn for that purpose do appraise the estate of said Peter Heep.

Ordered that Calvin Keely be appointed surveyor of precinct No 1 in the place of Enos Keely resigned

On the Motion of Samuel Stoner who made oath thereto according to law and together with John Branner his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$600⁰⁰ conditioned as the law requires. Certificate is granted the said Samuel Stoner for obtaining letters of administration in due form upon the estate of Hannah Stoner dec^d and it is ordered that John Branner Moses Bowman Jacob Miller & Peter Richie or any three of them do appraise the estate of said Hannah Stoner dec^d

Armentrout vs Lee & on D Bond M tie proved & on awarded
Gandy vs Mauck & The same order

Ordered that Adam Uise be authorized to purchase one stage, one auger & four pounds of powder, to be used on the road of which he is surveyor

J. D. Gilmore Plff }
vs } In Chancery
R. M. Mooney adm^r of Geo. Lilley Deft }

This cause came on again to be heard upon the papers formerly read, and the argument of counsel being heard upon consideration whereof leave is given to W. T. McGahy and George W. Shiffert to file their petitions in this cause, and to be made parties plaintiffs upon the terms set forth in the bill and it is adjudged, ordered and decreed that this cause be referred to Wm. M. Hartmann to ascertain & report to this Court

1st The amount of assets if any, in the hands of the administrator and in the ascertainment of said amount he is directed to refer to settlements made by R. M. Mooney as administrator with the estate of George Lilley dec^d

2nd to ascertain and settle the accounts of R. M. Mooney as commissioner appointed by this Court in the case of Bolton & Co. vs Lilley

Third. To ascertain the amount of the indebtedness of George Lilley dec^d to the complainant J. D. Gilmore as well as to the petitioners in this cause, and also the amount of the indebtedness of such other creditors of the said George Lilley dec^d as have not been satisfied and may come forward before said commissioner

4th To ascertain and report to this Court how much if any of the said debts should be satisfied out of the proceeds of the real estate of the said George Lilley dec^d. And the said Commissioner is directed to report any special matter that he may deem important to the final adjustment of the controversies in this cause

Upon the petition of Riley Armentrout & Co. for the establishment or change of a road. The viewers heretofore appointed this day made & filed their report, on consideration whereof the Court doth establish said road agreeably to the report aforesaid, upon this condition that the old road shall not be closed until the Court is satisfied that the new

so established be opened and put in good order

Ordered that a writ of election be issued for the election of a justice of the peace in the District No 4 in this county to fill the vacancy occasioned by the death of John G Brown which election is to be held on the 31st day of October next. ^{At which the same court is appointed to superintend the election and may act as superintender said election}

Upon the petition of Peter Paul for the establishment of a road. It is ordered that the said petition be referred to Jacob Lineweaver Daniel Byerly and George Gibbons who are hereby appointed Viewers and directed to act and report upon said petition according to law

Be it remembered that on the 21st day of September 1857 it was proven to the satisfaction of this Court that Joshua Krump to whom a lane warrant for 40 acres No 7341 under the act of September 28 1850 departed this life in the ^{intestate leaving no widow} month of October 1857 and that he leaves as his heirs at law and only heirs his children Catharine Hambleton a feme sole & Harriet Rogers wife of Reuben H Rogers and that the said Catharine Hambleton and Harriet Rogers are both over 21 years of age

Upon the petition of Henry Snell & others for the establishment of a road in this County. This day came as well the petitioners as the heirs of Henry Burtner dec^d and on the motion of the said heirs by their attorney it is ordered that a writ in the nature of a writ of ad quod damnum be awarded to be directed to the Sheriff of this County commanding him to summon and impanel a jury of twelve freeholders of the Vicinage not related to either party to meet on the lands of the said Henry Burtner's heirs on the 1st day of Octo^r next of which notice shall be given by the Sheriff to the petitioners and propinators. said Sheriff shall after swearing said jurors charge them impartially and to the best of their skill and judgment to view the said land proposed to be taken for the road aforesaid and ascertain what will be a

just compensation to said Henry Burtner's heirs for their lands so proposed to be taken and for the damage to the residue of their tract beyond the peculiar benefits which will be derived in respect to such residue from the road so proposed to be established and that the said inquest so ~~made~~ to be ~~made~~ and sealed by the said jurors, together with said writ be returned by the Sheriff to the next court

On the Motion of John H. Rhodes, the attorney for the Committed being present and defending this application: It is ordered to be certified that it appears ~~that~~ from satisfactory evidence, that Jacob Hoosler has been erroneously charged with tax upon 105 acres of land, and charged with the tax thereon, that the same tract is charged upon the books of two of the Commissioners of this County, that the said Jacob Hoosler has paid the amount of tax charged by one of the Commissioners, and that the said John H. Rhodes Deputy Sheriff, has been and charged and paid into the Treasury of this state the amount charged on the books of the other Com^{rs}.

An Instrument of writing purporting to be the last will and testament of Samuel Paul dec^d was presented in Court and proved by the oaths of Reuben Swope and John Young, two of the subscribing witnesses thereto and ordered to be recorded.

Re Hager vs Harnsberger. An O Bond. Notice proved & in awarded
 Huffman vs Leannert The same order
 Bondabush vs same & The same order

251. Present Jonathan Speck Gent Justice

Peter Heile

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

Wm Gailley vs Blain & Wm Robinson appellee

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

judgment of the justice below. it is therefore considered that the same be affirmed and that the appellee recover against the appellant and Emmanuel Roller his security in the said appeal. \$1.71 the cost expended before a justice of the peace and the costs by the appellees about their defence in this behalf expended

On the motion of Addison Hearper who made oath thereof according to law and together with Jacob & Albert & Jacob & Bowman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$800⁰⁰ conditioned as the law requires. Certificate is granted the said Addison Hearper for obtaining letters of administration in due form upon the estate of Richard Leuster dec^d. It is ordered that Samuel Miller, Samuel Sprunkel, Emmanuel Roach & George Truck or any three of them being first duly sworn for that purpose do appraise the estate of said Richard Leuster dec^d.

Ordered that B. A. Lincoln be appointed School Commissioner for district No 3. in the place of Wm. H. Barley, removed

Upon the petition of Jonathan B. Shaver & others, who filed their said petition and on their motion it is ordered that the same be referred to John Hedrick, George Bauman and Wm. Handear, who are directed to act and report upon the said petition according to law.

John A. Dufferin Recd
against
Abraham D. Dyer Recd } Separatist

~~Being examined by the attorneys and~~
Jacob R. Brathwaite, sergeant of the Corporation of Harrisonburg, presented in court an account against the Commonwealth, amounting to \$3.60 which being sworn to in open court, was examined and allowed by the Court. and ordered to be certified to the auditor of Public accounts

John S. Effinger

against

Abraham S. Byrd Sheriff. et al.

Plff

Defts

Upon Notice &

This day came the parties by their attorneys, and the Plff moved the Court to be permitted to amend his notice in this cause, which was resisted by the Defts by attorney, the Court on consideration doth grant said permission, and thereupon the same is accordingly amended, and summary witnesses being sworn and examined and the argument of counsel heard, the Court upon mature deliberation are of opinion that there is no liability on Abraham S. Byrd or his securities for the amount of the execution set forth in the Plaintiffs' notice, it is therefore considered that the said notice be dismissed and that the defendants recover against the Plaintiff their costs by them about their defence in this behalf expended.

On the Motion of Henry B. Harnberger Surveyor of this County, Augustus Rice is permitted to qualify as his Deputy Surveyor, and thereupon the said Augustus Rice took the several oaths required by law.

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

Naason Bare

Virginia

At a Court held for the County of Rockingham at the
Court house thereof on Monday the 19th day of October
1857

Present Naason Bare P. J. Michael H. Harris }
Samuel Riebusch & Asa Argabright } Justices

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

- 1 ✓ of \ A Deed of Bargain & Sale from Eliza Gamble & Co. to Algernon S. Gray
- 2 ✓ of \ same from Anthony Cluffman wife to Calvin McKeeze
- 3 ✓ of \ same from Jacob C. Bowman wife to Addison Cooper
- 4 ✓ of \ same from Addison Cooper wife to Jacob Bowman
- 5 ✓ of \ same from Henry B. Harmsberger wife to Robert A. Gray
- 6 ✓ of \ A Deed of Trust from John Byrly to Silas Keenton Trust for Arisam Keenton
- 7 ✓ of \ same from Lewis Daines to James Keeney Trust for Jacob S. Difer
- 8 ✓ of \ same from Henry C. Hammer to S. Harmsberger Trust for Le. B. Yancey
- 9 ✓ of \ A Deed of Bargain & Sale from Augustus Hopkins to Robert A. Gray
- 10 ✓ of \ same from Abraham Anest wife to Thomas Swanson
- 11 ✓ of \ same from David G. Whitmore wife to Albert C. Fishback
- 12 ✓ of \ same from Evan Keenton wife to Abraham Miller
- 13 ✓ of \ same from Evan Keenton to Robert Cox Trustee for Margaret Keenton
- 14 ✓ of \ A Deed of Trust from John Evers to Abram Cooper Trust for David Cooper
- 15 ✓ of \ A Deed of Bargain & Sale from Richard Runcle wife to Margaret C. Perkey
- 16 ✓ of \ same from same to same
- 17 ✓ of \ same from John E. Effinger to Samuel M. Ott
- 18 ✓ of \ same from same to William Peters
- 19 ✓ of \ A Deed of Trust from John Peyton to S. C. Murry Trust for Leifton & Murry
- 20 ✓ of \ same from Gabriel Wood to Alfred Sprunkel Trust for Jacob Leese &
- 21 ✓ of \ A Deed of Bargain & Sale from Ebenezer Kincaid wife to Joel Henry
- 22 ✓ of \ same from David C. Bowman wife to Rebecca Jane Reed
- 23 ✓ of \ same from Riley Armentrout wife to Aaron Armentrout

- 24 ✓ of A Deed of Bargain & Sale from John Fleming wife to George McCooper
- 25 ✓ of Same from John Dyer wife to Jacob Shank
- 26 ✓ of Same from George Meyers wife to John Pauldwin
- 27 ✓ of Same from Leary Meyers wife to Jacob Shank
- 28 ✓ Same from Henry Brunk to Jackson Horn
- 29 ✓ of Same from Felix Senger wife to Adam Thomas
- 30 ✓ of Same from Solomon Seiver wife to Harry McGankey
- 31 ✓ of Same from James Gilmer wife to John McKoyler
- 32 ✓ A Deed of Trust from Mares Conquest to Al Bryan Trust for Mrs. O'Leary &
- 33 ✓ A Deed of Bargain & Sale from John Coates to Samuel Coates
- 34 ✓ of Same from Lottetown McGankey to Derrick Pennybacker
- 35 ✓ Same from Jacob Miller wife to Samuel Petry wife
- 36 ✓ Same from Same to Archibald Holland
- 37 ✓ Same from Same to Samuel Frank wife
- 38 ✓ Same from Jacob Baxter wife to Abram Beahm
- 39 ✓ Same from Lucinda Keaton to Adam Showalter & Trustees
- 40 ✓ of Same from Emily Stevens com^{rs} to Robert A Gray
- 41 ✓ A Deed of Trust from John Miller wife to John B. Baldwin Trust for B. Crawford &
- 42 ✓ A Deed of Bargain & Sale from George Meditz wife to George Kiser

Settlements of the estate of Peter Rayer dec^d John Good dec^d
 Charles Nicholas dec^d Jefferson Palmer dec^d Thomas Lewis dec^d
 Abraham Lincoln dec^d Richard S. Mansfield dec^d Henry Keller dec^d
 John Hall dec^d (Dorcas & Lofland dec^d John Gutwiler dec^d
 having been filed in the Clerk's Office of this Court for the time
 prescribed by law were presented in Court and no exceptions
 being offered thereto the same are affirmed and ordered to be
 recorded

Settlements of the accounts of the Guardians of Catharine B
 Lowenbough late B. B. Hoffman, Eliza McGuire & Nancy McGuire
 having been filed in the Clerk's Office of this Court for the
 time prescribed by law were presented in Court and no
 exceptions being offered thereto the same are affirmed
 and ordered to be recorded

Settlement of the account of Silas Keaton Committee of Henry Ardes having been filed in the Clerk's Office of this Court for the time prescribed by law as presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded

The Report of Richard Fletcher Com^r of accounts of debt against the estate of Samuel Heile dec^d & settlement of Saml Heile's estate acct with Nathan Keaton the adm^r, having been filed in the Clerk's Office of this Court for the time prescribed by law as presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded

Ulm & Hannich Com^r of Rec for this County presented and out an account against the Commonwealth amounting to \$11.61 which being sworn to, it is ordered to be certified to the auditor of public accounts, that said Com^r returned for his district 303 - Births & 84 deaths, and that said returns have been accurately and fully made according to the law regulating the same, and within the time prescribed thereby

John B Smith adm^r of Mem Pickering Deft } In Chancery
 against
 Mathias Pickering & others Deft }

This cause comes on to be further heard this 19 day of October 1857 upon the proceedings heretofore had, and the report of Commissioner Jackson Martz to which there is no exception and the same is hereby confirmed, and the sales made by him on the 8th of September 1857 to John B Smith & Jacob H Cowan are hereby approved & confirmed. It is further adjudged ordered and decreed that out of the money in said Commissioner's hands he shall ^{pay} the costs of this suit the expenses of the survey and sale and retain a commission of five percent on the first \$300 and two percent on the residue for his own compensation and the remainder he shall pay over to the administrator of Heile's

Pickering as a fact for the payment of debts and it is further ordered that said Commissioner within the time specified in his report collect the same as they fall due and pay the money over to the administrator as a fact

John E Brown Constable Plff } Infancery
 vs
 Cyrus W Howdeshell Deft }

This cause came on to be heard on this 19th day of October 1857 upon the bill confessed exhibits filed therewith and subpoena returned executed and upon argument of counsel it is adjudged ordered and decreed that John E Brown be appointed a commissioner to sell the land of said Cyrus W Howdeshell in the bill mentioned & collect the proceeds of sale. The sale to be made after a notice of the day and place of sale (which last is to be upon the land or at some other place if deemed advisable by Commissioner) at four prominent places in the neighborhood for the term of one month, the terms of payment to be cash or on a credit of 30 days from the day of sale the purchaser giving bond with good approved personal security, the deed to be retained also until payment is made, out of the proceeds of this sale the said Brown must pay the expenses of sale the costs of this suit & commissions as Commissioner and the remainder to apply as follows first to the debt due Samuel Leets of forty dollars & forty nine cents with interest upon \$18.49 thereof from the 12 day of Sept 1857 till paid & 8 cents costs and interest upon the remainder from the 15th day of Feb^y 1852 till paid & 30 cents costs if there is enough in Commissioners hands so to do & if not then what is in his hands to be applied as a credit on foregoing debts & paid to Samuel Leets and if there is more than sufficient to pay said expenses costs of suit commissions & Leets debt & costs then the remainder the said Brown is ordered to pay into the hands of the said Deft in this suit the said Brown is hereby required to give bond in the penalty of \$200 before executing the office of Const and is also enjoined to make Deed to purchaser on payment of purchase money

Beery vs Healey on D Bond notice proved under docketed

Gabriel Wood

vs

Churman & Bruffy

Plff

Deft

On a Motion to quash an exhibit filed in name of the Deft

This day came the parties by their attorneys and on motion & for reasons appearing to the Court it is ordered that this cause be docketed

Kyle vs Keenan on D Bond Notice proved & returned

Gilbert vs Miller &

"

The same order

Herring vs Samuels

"

The same order

Fox vs Jones &

"

The same order

Kerlin vs McClellan

"

The same order

Hallbrook vs Harris &

"

The same order

Benj. H. Michie & Mem. Thompson who have been duly licensed to practise the law in the Court of this Commonwealth on their Motion they are permitted to qualify in this Court whereupon they took the several oaths required by law

A. D. Kepleman this day produced credentials of his ordination and also of his being in regular communion with the Presbyterian Church took the oath of allegiance to this Commonwealth and with Littleton W. Gumbrell & Thomas A. Yancey his securities entered into and acknowledged a bond in the penalty of \$1500. conditioned as the law directs, whereupon on his motion a testimonial is granted him in due form

On the Motion of George W. Fulk & Adam C. Fulk who have taken the oath according to law and together with Abraham Beaman, Naason Bone & Addison Harpser his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000. conditioned as the law requires. Certificate is granted

the said
 George H. Fulk & Adam H. Fulk for obtaining letters of admⁿ
 in due form upon the estate of Daniel Fulk dec^d and
 it is ordered that Alm Braman or Sen. Isaac Biddle, Samuel
 Miller J. & Jacob Farley or any three of them do appraise the estate
 of said Daniel Fulk dec^d

On the Motion of Jackson Martz who made oath thereto according
 to law and together with Madison West his security (who
 justified as to his sufficiency) entered into and acknowledge a
 bond in the penalty of \$2000. conditioned as the law requires
 certificate is granted the said Jackson Martz for obtaining letters
 of administration in due form upon the estate of Michael
 Scothern dec^d it is ordered that Frederick Heiland, Samuel
 Tygler, Philip Healdinger & Morgan Layton or any three of them
 do appraise the estate of said Michael Scothern dec^d

An Instrument of writing purporting to be the last will & testament
 of James D. Beard dec^d was presented for out and proved
 by the oaths of John Lineweaver & John Burkholder two of the
 subscribing witnesses thereto and ordered to be recorded and
 on the motion of Henry Beery the executor therein named
 who made oath thereto according to law and together with
 Isaac Wenger his security (who justified as to his sufficiency)
 entered into and acknowledge a bond in the penalty of \$2000
 conditioned as the law requires. Certificate is granted the
 said Henry Beery for obtaining a probat of said will in due
 form. it is ordered that George Hoogan, Silas Henton, Benjamin
 Miller & Samuel Bournan or any three of them do appraise
 the estate of said James (D) Beard dec^d

Upon the petition of Andrew Henton & others who filed their
 petition and on their motion it is ordered that Peter D. Kervitz
 Adam McDoug. & Abraham Harrison be and they are hereby
 appointed Viewers to act and report upon the said petition
 according to law

J M Bowman & Robert Bowman each presented in Court accounts against the Commonwealth which being sworn to were examined and allowed by the Court and ordered to be certified to the auditor of public accounts

At the suggestion of members of the bar & for reasons satisfactory to the Court, it is ordered that, Allen L. Bryan, A M Newman & Isaac Handery, be appointed a committee to report to the Court at its June term next, a plan for remodelling & improving the interior arrangement of the Court house so as to facilitate the maintenance of order & the dispatch of business & to secure the comfort of those engaged in the business or attending upon the session of the Court. The said committee will report a plan with estimates of the costs -

The Sheriff of this county presented in Court an account against the Commonwealth amounting to \$360 which was sworn to in Court, was examined and allowed and ordered to be certified to the auditor of Public accounts

An instrument of writing purporting to be the last will and testament of John L. Brown dec^d was presented in Court and proved by the oaths of S. Clair Kyle & A. M. Brown two of the subscribing witnesses and ordered to be recorded. and on the motion of Mary Brown the executrix & Allen M. Brown the executor therein named who made oath thereto according to law and together with Wm. B. Curran & Edward P. McCarren their securities, who justified as to their sufficiency, entered into and acknowledged a bond in the penalty of \$5000 - conditioned as the law requires. certificate is granted the said Mary Brown, Allen M. Brown for obtaining a probate of said will & discharging from and it is ordered that John A. Herwig, Philander Herring & S. Clair Kyle, do appraise the estate of said John L. Brown dec^d

Ordered that

Peter Brick Jailer presented in Court an account against the

Commonwealth amounting to \$14.85 which being sworn to in Court, was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

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

Naason Bare

At a Court held for Rockingham County
at the Court-house thereof on Monday the
16th day of November 1857

Present

Naason Bare P. J. Member of the Court } Gent
Archibald Hopkins Dan Smith & Wm. H. H. } Jurors

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

- 1 ✓ of \ A Deed of Bargain & Sale from Jacob Miller wife to Joseph Good
- 2 ✓ \ Same from John Miller to Harvey Alger
- 3 ✓ \ Same from Cyrus Miller wife to Jacob Armentrout
- 4 ✓ \ X Same from Jacob S. Pifer wife to William S. Downes
- 5 ✓ \ " Same from John & Leahrick to George W. & Elston
- 6 ✓ \ Same from Benjamin Erving to W. Donough & James & Carris
- 7 ✓ \ Same from George W. & Hutz wife to Abraham Funkhouser
- 8 ✓ \ Same from Wm. Robinson wife to George Hancock
- 9 ✓ of \ Same from Anne Lee to John Lee
- 10 ✓ of \ Same from Mansfield Marshall wife to Daniel Thomas
- 11 ✓ of \ Same from Jacob Bille wife to Joseph Baker
- 12 ✓ \ Same from Joseph Baker wife to Catharine Reedy
- 13 ✓ of \ Same from Jacob A. Mitchell wife to Arthur Craton
- 14 ✓ \ Same from George Miller wife to John Archant
- 15 ✓ of \ Same from Peter Shickle wife to Allen W. Brown

- 16 ✓ \ A Deed of Bargain & Sale from Mem Snyder wife to Anna Snyder
 17 ✓ \ Same from David Sipe's attorney to Peachy Derron
 18 ✓ of \ Same from Henry Kieuaner wife to Peter Whitmer
 19 ✓ of \ Same from Peter Whitmer wife to John Kennedy Jr
 20 ✓ \ A Deed of Trust from Joseph Andrew wife to Sam Paul Trust for J. P. Doolen
 21 ✓ \ A Deed of Bargain & Sale from Wm Plough wife to Zebulon D Gilmer
 22 ✓ \ Same from John McElmick wife to Zebulon D Gilmer
 23 ✓ \ Same from Isaac Burner wife to Abraham Lincoln
 24 ✓ X Same from Charles McEwen wife to Karel Rogers & Philip Lecl.
 25 ✓ \ Same from Michael Layman wife to Daniel Layman
 26 ✓ of \ Same from Abraham Munkhouse wife to David Rof
 27 ✓ of \ A Deed of Trust from Thos Lummis to Gid Roentzen Trust for N Sipe
 28 ✓ of \ A Deed of Bargain & Sale from Jno Tjeller wife to Manassah Rail Road Company

Settlements of the estates of John Yeigler dec^d Benjamin Strickler dec^d Mary Martz dec^d, George Berkey dec^d, Joseph Miller dec^d, John Argabright dec^d & Nancy McCulloch dec^d having been filed in the Clerk's office of this Court for the time prescribed by law, were presented in Court and no exceptions being offered, they were examined by the Court, and confirmed and ordered to be recorded.

Settlements of the Guardians of Elizabeth Le Kyger's estate, John Lamm, Julia Ann Roadcap's estate, Susanna & Mary Henrich, Sarah M. Moyers & Isabella McElesche late Isabella Mc Smith having been filed in the Clerk's office of this Court for the time prescribed by law, were presented in Court and examined by the Court, and confirmed and ordered to be recorded.

Settlement of the accounts of George Kline committee for Nancy Allebaugh, having been filed in the Clerk's office of this Court for the time prescribed by law, was presented and examined and confirmed and ordered to be recorded.

On the Motion of Peter Whitman who made oath thereto according to law and together with Jacob (Dunbar) Jearns Young William ~~Whitman~~ Michael Whitman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2500⁰⁰ conditioned as the law requires certificate is granted the said Peter Whitman for obtaining letters of administration in due form upon the estate of John S. Heatwole dec'd (the widow of said John S. Heatwole having in writing relinquished her right to administer) ordered that Adam Shewalter, John H. Trunkhouse, Adam Shank and Thomas Reed do appraise the estate of the said John S. Heatwole dec'd and report thereon according to law.

On the Motion of Benjamin Hoover, ^{the attorney for the Comtee being present} it is ordered to be certified that he has been assessed and paid \$12.06 tax upon three tracts of land and that ^{Lea & George Lohr} ~~Samuel Lohr~~ have been assessed with the same land. it is ordered that the same be certified to the auditor of Public accounts in order that the same may be refunded to said Hoover.

Isaac Harsenty, receiver of this court this day returned into court his report which was examined by the court and ordered to be recorded.

Ordered that John R. Kogler be appointed a commissioner to apportion hands to a road heretofore established upon the petition of B. B. Brounshorn others and it is further ordered that ^{James} ~~Philip~~ Keltzel be appointed a surveyor of said road.

Upon the petition of Pollard & Blakemore who have paid the tax imposed by law to enable them to keep a Public inn in this county it is ordered to be certified that that they are persons of good character not addicted to gaming or drinking and that their house is a proper place to keep an ordinary

the attorney for the grantee being present
 On the Motion of Henry Meff, it is ordered to be certified
 that Joseph Kline has been erroneously assessed with \$10.20
 tax and that the same be certified to the auditor of Public
 accounts in order that the same be refunded

On the Motion of Samuel Trunkhouse the executor named
 in the last will & testament of Samuel Paul dec^d proved at a
 former term of this court who made oath thereto according to
 law and together with John A. Lerum Abraham Barel. Daniel
 Byerly & Michael Whitmer & Peter Paul his securities (who qualify
 as to their sufficiency) entered into and acknowledged a bond
 in the penalty of \$28000⁰⁰ conditioned as the law requires. certifi-
 cate is granted the said Samuel Trunkhouse for obtaining
 a probate of the will of said Samuel Paul dec^d in due
 form. and it is ordered that Jacob Dundore Reuben Swope
 Jacob Lineweaver & Peter Swope do appraise the estate of the
 said Samuel Paul dec^d and report thereon to the court
 according to law

On the Motion of Samuel E. Long who made oath thereto
 according to law and together with Jacob Shickle his security
 (who qualifies as to his sufficiency) entered into and acknowl-
 edged a bond in the penalty of \$2500⁰⁰ conditioned as the
 law requires. a certificate is granted the said Samuel E. Long
 for obtaining letters of administration in due form upon the
 estate of David Secrist dec^d and it is ordered that Joel
 Gasler. Adam Shank Daniel Shickle & Christian Trunk or
 any three of them do appraise the estate of the said David Secrist

The last will and testament of Ananias Dairson dec^d
 was presented in court and proved by the oaths of William L.
 Lackie and Wm D. Ewing two of the subscribing witnesses thereto
 and ordered to be recorded. and on the motion of James A.
 Patterson & Nicholas K. Frost the executors therein named
 who made oath thereto according to law and together with

John Crawford Benjamin Byerly Jacob Nicholas and John Cleasor their executors (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$24,000 - conditioned as the law requires. Certificate is granted the said James A. Patterson & Nicholas & Frost for obtaining a probate of said will in due form, and it is ordered that Abraham Mosler, James G. Patterson, Stephen S. Karmelinger Jr., William L. Lackie and Daniel Boon do appraise the estate of Annias Davison dec'd -

A Power of Attorney from Ann (Davison) to James A. Patterson & Nicholas & Frost, was presented in Court and being acknowledged before a Notary Public for this County, is ordered to be recorded

Deard & Lewis

vs

John H. Austin &

Pleff

Defts

} upon a notice

This day came the parties by their attorneys and by consent it is considered that the Pleff recover against the Defts \$30.72 with legal interest thereon from the 1st day of July 1854 \$21.18 with legal interest from 26th July 1853. subject to a credit of \$2.75 \$46.44 legal interest from 25th Aug 1854. and \$57.67 with legal interest from 16th day of March 1854 subject to a credit of \$20. of date 25th of March 1854. and the costs by the Pleff about their motion in this behalf expended

George Harreberger

vs

J. S. McCarri & others

Pleff

Defts

} upon a notice

This day came the pleff by his attorney, and it appearing to the Defts both had legal notice of this motion and they being solemnly called and not appearing, it is considered that the Pleff recover against the Defts \$38.26 with legal interest on \$28 part thereof from the 12th day of July 1853 and on the residue thereof from the 12th

day of January 1856 till paid and the costs by the Plff about his motion in this behalf expended

William Whitmer

Plff

vs

J. S. McCann & others

Defts

} upon a motion

This day came the Plff by his attorney, and it appearing to the Court that the Defts had had legal notice of this motion, and they being solemnly called and not appearing, it is considered that the Plff recover against the Defts \$38.24 with legal interest on \$26.29 part thereof from the 7 day of February 1855 and on \$11.95 the residue thereof from the 25 day of January 1856 till paid, and the costs by the Plff about his motion in this behalf expended

Amos Harrison is Seized on Delivery from notice proved execution awarded

An instrument of writing signed by thirty one persons setting forth that they have associated themselves together as a fire company in the town of Harrisonburg, which is ordered to be recorded according to law

Gabriel Wood

Plff

vs

Chasman & Bruffy

Deft

} upon a motion

This day came the parties by their attorneys and on motion and for reasons appearing to the Court, it is ordered that the execution issued from the Office of this Court in the name of Chasman & Bruffy against Gabriel Wood be quashed and that the said Wood recover against the said Chasman & Bruffy his costs in this behalf expended

Upon the petition of Henry Ince & others for the establishment of a road. This day came the parties by their attorneys and on

motion and for reasons appearing to the Court, it is ordered that the writ of Ad Quod damnum awarded in this cause to the heirs of He Burtner be dismissed, and that the said road be established according to the report filed in this cause, and that John H. Moore be appointed surveyor of the same, and that Elisham Coffman be appointed a commissioner to a foreign hand to work upon the same.

Upon the petition of Jonathan D. Shavers for the establishment of a road, the Viewers heretofore appointed to act and report upon said petition this day made & filed their report, and it is ordered that Ann Kemper through whose land said road is proposed to be established be summoned to appear here on the first day of the next term of this Court to shew cause if any she can why said road shall not be established according to law.

Ordered that a writ of election be issued to cause an election to be held in District No. (McGrawford & Dayton) for an additional constable in said District, which election to be held on the 26 day of December next, and that the Court's officers appointed to superintend the last general election in said district do superintend the election of said constable.

Elizabeth C. Edwards by instrument of writing under her hand made choice of Hazlet & Coffman as her guardian and thereupon the said Hazlet & Coffman appeared in Court and together with Frederick Speck his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of twenty five dollars conditioned as the law requires, which bond is ordered to be recorded.

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

Naason Bare

Tuesday November 17th 1857

Present

Nathan Base of Merrill Coar-freiter Isaac Handesttz Gent
Arch^d Hopkins & Darrice Smith } Jurors

Corporation of Harrisonburg vs Dougherty & Burnett

On Motion it is ordered that this cause be placed upon the
Docket

Butler vs Clifton & Murry & on (D) Bond notice for execution awarded
same as same &

The same order

Dualey vs Early &

The same order

Probaugh vs Austin &

The same order

Alaffer vs Burke &

The same order

Commonwealth vs Alver Blain up an attachment the attach
awarded at the last term of this Court being returned not found
V it is ordered that a new attachment be awarded against him
returnable to the next term of this Court and to be directed to the
sheriff of this County

Same vs John Peyton The same order and also an attach
V is awarded to be directed to the Sheriff of Albemarle County
Made returnable to the next Court

Commonwealth vs J. Roller on motion for reasons of hearing to the
Court it is ordered that this cause be dismissed

On the motion of Henry Neff who made oath thereto according to
law and together with Nathan Base, Horro M. Silbert & Benjamin & Coover
his securities (who justified as to their sufficiency) entered into and
acknowledged a bond in the penalty of \$5000⁰⁰ conditioned as the law
requires certificate is granted the said Henry Neff for obtaining letters
of administration in due form upon the estate of John A. Miller dec^d
V and it is ordered that Peter Richie, Isaac Bowman, John Bowman and

and Martin Garber do appraise the estate of John A Miller dec^d and report thereon to the Court according to law

Commonwealth vs Owens, same vs McDonnan same vs H McDonnan
same vs Murry (Slaves), same vs Mitchell, same vs A B A Miller
same vs Smiley, same vs Burgeff, same vs Gordon, same vs B Miller &
same vs Ho Miller on Motion and for reasons appearing to the Court
 it is ordered that the aforesaid causes be continued until the next term

Commonwealth vs Joseph Ribble upon an Indictment
 the capias last awarded being returned & executed, it is ordered that a new capias be awarded according to law

Same vs Madison Glover upon a Capias
 The same order.

Commonwealth vs Charlotte Harrison

On Motion & for reasons appearing to the Court, it is ordered that this cause be dismissed.

Ordered that the following named persons be appointed School Commissioners for the several Districts viz. Almy Stevens for Dist No 1. Abraham Byrd for No 2. B F Lincoln No 3. Peter P Kowitz for No 4. Wm Sellers for No 5. Madison Meier for No 6. J S Leonard No 7. Thomas K Karmelberger No 8. G M Maury No 9. Geo W Kemper for No 10. Joseph Beery for No 11. John Mc Cluffman No 12. Jacob Beery No 13. M D Harris for No 14. Peter S Roller for No 15. James H Dever for No 16. Gordon R Herola No 17. A M Ervine for No 18. J Fred Ralston for No 19. Arch D Hopkins for No 20. Derrick Perrybacher for No 21. Henry Meff for No 22. Benjamin Dumble No 23. and Jacob Caspinger for No 24.

Commonwealth
 }
John Bare } upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the said John Bare & his attorney, and

thereupon by consent the Court overrule the Defendants demurrer to the Indictment in this cause and thereupon came a jury to wit Samuel Sheets Jr. Peter Stearns John L. Beane, J. Van Fleet, David Beattie, Wm A. Newlen, Jackson Showalter, Wm L. Lachie, Geo. W. Effinger, Philo. Bradley, David Reedy & Reuben Zerkle who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find the Deft Not guilty" it is considered that the Deft recover no costs against the prosecutrix

Wm. J. Stevens who has been duly appointed Superintendent of Schools for this County, appeared in Court and together with Andrew B. Brick his security entered into and acknowledged a bond with penalty of five thousand dollars conditioned as the law requires, which bond is ordered to be certified and recorded

Commonwealth

vs

Elias Bowman

} Upon an Indictment

This day came as well the Attorney for the Commonwealth as the deft by his attorney and the matters of law arising out of the defts demurrer to the indictment in this cause being argued the Court upon consideration are of opinion that the first count of said indictment is not sufficient to sustain the matters set forth therein and therefore quash the same and the Court doth overrule the demurrer to the second count of said indictment and sustain said second count and thereupon came a jury to wit Joseph Celine, Jonathan Park, Jason Harrison, Peter Tuttle, Wm A. Conrad, John Pence, Robert Bowman, Milo Smith, Andrew W. Dyer, Alonzo Nicholas, John M. Claffman and Wm L. Lachie who being elected tried and sworn the truth to speak upon the issue joined and heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find for the defendant not guilty" It is therefore considered

that Deft. be discharged of the offence aforesaid

McCampbell v. Peacemaker On Motion continued until the next term

Miller Hornet v. Bryan & Leetes & Hollard on motion and for reasons appearing to the Court it is ordered that the said causes be continued until the next term

Commonwealth

vs

Andrew Coleyton

} Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney, and the matters of law arising out of the Deft's demurrer except to the indictment being argued the Court are of opinion that the said indictment is not sufficient to sustain the same it is therefore considered that the same be quashed and dismissed from the docket

Commonwealth vs Emmanuel Chipe upon a rule

On Motion and for reasons appearing to the Court it is ordered that the said rule be discharged

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

Maason Bare

Wednesday November 18th 1857

Present

Maason Bare J. M. McCarpenden, Daniel } Gent
Smith Isaac Hardisty Arch Hopkins } Justice

Commonwealth

vs

Anderson Newman Pealet

} Upon an Indictment

This day came as well the attorney for the Commonwealth as the Deft by their attorney, and on the motion of the Deft and for

her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty fifteen thousand dollars conditioned as the law requires, which bond is ordered to be recorded.

John Driver is appointed surveyor of road No. in the place of Jacob Gyirle decd.

Commonwealth vs ~~Wisswander~~ Greiner & same as Greiner &
On Motion the aforesaid causes are continued until the next term
at the costs of the Defendants

Commonwealth vs Wisswander continued until the next term

Commonwealth

vs

Marcellus Gibson

} Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney, and the matters of law arising out of the Deft demurrer to the indictment in this cause being argued. The Court doth overrule said demurrer and sustain the said indictment and thereupon came a jury to wit James Harrison Jonathan Frank Joseph Cline Alner J Nicholas Allen Alonrad John McHaffman Andrew Mandelt Robert Bowman David Keratwile Peter Skrine Peter Tutwiler and Reuben Gyirle who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the Court to consider of their verdict and after some time returned into Court and upon their oath do say "We the jury find the defendant guilty and fix his fine at five dollars". It is therefore considered that the Commonwealth recover against the said Marcellus Gibson the said sum of five dollars, and the costs by about the prosecution in this behalf expended.

Valley Turnpike & Co vs Nutwiler's admrs vs Waspers' admrs vs Gaim & Rockingham Turnpike Co vs Bryan. On Motion continued until the next term

On the Motion of James Bolton, it is ordered that the estate of Isaac Bolton dec^d is committed to the Sheriff of the This County, for administration according to law. and it is ordered that Riley Armentrout, Aaron Armentrout, Cyrus Meier & Strother Brighton any three of them being first duly sworn for that purpose do appraise the estate of said Isaac Bolton dec^d and report thereon to the Court according to law

Commonwealth

vs
John Kelly Jr

} Upon an Indictment

This day came as well the Attorney prosecuting for the Commonwealth as the Def^t by his attorney and the Def^t having heretofore filed a general demurror to the indictment, now files a separate demurror to each count of the said indictment, which demurrors being argued the Court doth sustain the demurror to the first count of the said indictment and overrule the demurror to the second count of the indictment, and thereupon came a jury to wit David Steatwole Peter Strine, Jason Harrison, John McLaughman, Jackson Showalter, Joseph Trunk, John Pince, Henry Heynart, John LeBeard, Robert Bowman, Joseph Loline and Wm L Lachie who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence, retired from the bar to consider of their verdict, and after some time returned into court, and upon their oath do say, "We the jury find ~~for~~ the defendant guilty and fix his fine at ten dollars". It is therefore considered that the Commonwealth recover against the said Kelly the said sum of ten dollars, and the costs against the prosecution in this behalf expended

Rockingham Male & Female Seminary vs Hunter, same vs Harmlinger, Pellicus vs Perkins, Harrahan vs O'Neil, on Motion the aforesaid several causes be dismissed

Attwiler vs Kaylor continue until the next term at the Costs of the Def^t

Klecker vs Tully, White for vs Grove, Leannady vs Thompson, Gouley vs
 Bear's ex. Harris vs Windale, Maury's ex vs Rader, Leffman and son vs Hulvy
 Mansfield vs Rader vs Gray, same vs same, same vs Digg's same vs same
 Shaver vs Holinger, Sprinkler vs Derron, Long vs Miller, Hurley vs same
 same vs same, Linkey vs Stinespring, Liggitt vs Mauch, Clifton vs
 Crawford, Dunsore vs Bateman, Mayerhoeffer vs Rollett, Harber vs
 Randel, Pritchett vs McEneaney, same vs same, Pierce vs Williams
 Mayersolgrim, Rice vs Golladay, Leupha vs Leupha, Whitmore vs
 Brewer, Bayne vs same & Mayerhoeffer vs Stinespring On Motion
 the aforesaid causes are continued until the next term

The Petitions of Homers Richards & Moore, Lenelle Mefrick
 Charles S. Weaver, W. Shaver & A. Henton, are severally
 continued until the next term

Robert M. Mooney Constable presented in Court two accounts
 against the Commonwealth, one for \$11.60 and one for \$16.80 which
 being sworn to in Court, were examined and allowed by the Court
 and ordered to be certified to the auditor of public accounts

John C. Woodson Trustee Plaintiff
 vs
 Emanuel Rhodes Defendant } Upon a bond taken for the
 suspension of the sale of two colts
 levered upon by the Deft as the property of Robert C. Mauch

This day came the parties by their attorneys and the facts
 being admitted and the question raised whether said property
 is liable to the levy of the Deft execution, being argued the Court
 upon mature deliberation are of opinion that said property
 is not liable to the levy of said execution, but that the right
 of possession and ownership is in the trustee John C. Woodson
 it is therefore considered that the plaintiff recover against the
 Deft his costs in this behalf expended

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

Naason Bare J.C.

181
Thursday November 19th 1857

782

Present

Naason Barr of Wm W. Carpenter, Isaac Hoadley } Gent
Peter P. Keontz Arch^d Hopkins } Justices

Samuel R. Sterling who has been heretofore appointed a Notary public for this County appeared in Court and together with W. C. Sprinkel his security entered into and acknowledged a bond in the penalty of \$500⁰⁰ conditioned as the law requires which bond is ordered to be certified and recorded

Respect M^o H^c

vs

Plffs

Benjamin L. Bushnell

Deft

} Upon an Attachment

This day came the Plaintiffs by their attorney and the Deft being solemnly called and not appearing and thereupon a verdict being sworn and examined touching the premises it is considered by the Court that the Plffs recover against the Deft the sum of \$115⁰⁰ with legal interest thereon from the 26th day of September 1856 till paid and the costs by the Plffs about their suit in this behalf expended

10 Court to C Upon the Petition of Andrew Keontz and others for the establishment of a road in this County. The viewers heretofore appointed this day made their report in these words to-wit which was received and it is ordered that Reuben H. Garrison, Reuben H. Gurnbert, W. D. Devel John E. Devel John Lehigh Jones, Reuben Garrison, Peter Keontz, Adam McLong, Elizabeth Hoagnes & Catharine Hoagnes be summoned to appear here on the first day of the next term to show cause if any they can why ~~they~~ the said road shall not be opened & established through their land agreeably to the report aforesaid

William H. Harper's admors

vs

Plffs

Robert Hooke

Deft

} In Case

This day came the parties by their attorneys and

by their attorneys mutually submit all matters in difference between them in this suit, to the final determination of Samuel & Lewis and John & Lewis, and their award, or the award of such person as they shall choose for an umpire thereupon is to be made the judgment of the Court and the same is ordered accordingly

Henrich & Melher vs. Cook. On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term

Corporation of Harpisonburg vs. Dougherty & Burnett. On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term

Hickey vs. Stinespring. On Motion ordered that this cause be dismissed

Benjamin A. Richard vs. Huffman. On Motion and for reasons appearing to the Court, it is ordered that this cause be continued until the next term at the Court of the Dept.

Mem & Dunlap }
John Robinson Jr. }
Deft } Upon a subpoenaing and

On Motion it is ordered that said Mem & Dunlap & John Robinson Jr. be summoned to appear here on the 1st day of the next term, to try the right of the property in dispute

Samuel Sager vs. Mc Smith. On Motion and for reasons appearing to the Court, it is ordered that this cause be dismissed

Blain vs. Bligh, & same vs. McCall. On Motion and for reasons appearing to the Court, it is ordered that the said causes be dismissed

Alcock vs. Byerly & Henton. Brathwaite vs. Kelly. & Cynes vs. Cynes. Leedy vs. O'Rourke. & Levin Nicholas vs. Mc March & Brayer vs. Reed, on Motion the said causes is continued until the next term

David Jones

Plff

vs

Joseph Billheimer & Co

Deft

In Case

On the motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term at the costs of the Deft

Bost v Rockingham Turnpike Company On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed

John Hendricks admits

Plff

vs

David Gilmer

Deft

In Case

This day came the parties by their attorneys and thereupon came a jury to sit. Samuel Sheets, David Reedy, John Penic, Jason Harrison, Reuben Zerkle, Joseph Cline, Isaac Lohr, Robt Bowman, Merd Lachie, Jonathan Fink, David Heavole and Henry Maignant who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into court and upon their oath do say "We the jury find one cent for the Plaintiffs" and thereupon the Plffs by attorney moved the Court to set aside the said verdict on the ground that since the case was submitted to the jury they had discovered new evidence which motion the Court doth sustain and set aside the said verdict and grant a new trial in said cause upon the usual conditions

Robinson vs Smith Continued until the next term at the costs of Deft

Straus, Allen & Hartman vs Stinespring, McGaher & Co vs Yancy, Gilmer vs Siles & Berriff, Blackmore vs Dougherty & Burnett. On Motion the said causes are continued until the next term.

Lampbell vs Skelton. On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term at the costs of the Plff

George M. Hickle

vs

Jonathan Peale

Plff

Deft

In Debt

This day came the parties by their Attornies and thereupon came a jury to wit. Wm A. Connor, Charles F. Campbell, Peter Neff, John M. Houghman, Jackson Shawaker, Peter Strine, Peter Tutwiler, Wm A. Newlen, Alner J. Nicholas, Andrew J. Van Pelt, Andrew W. Dyer and John C. Beana who being elected, tried and sworn the truth to speak upon the issue joined and not having time to hear all the evidence were adjourned until to morrow morning at 10 o'clock

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

Naason Bare

Friday November 20 1857

Present

Naason Bare of Archibald Hopkins, Isaac } Justices
Hardisty, Wm. H. Carpenter & Peter P. Kootz }

Upon the Petition of A. J. Van Pelt who has paid the tax imposed by law a license is granted him to keep a Public Ordinary in this County, the Court being of opinion ^{that he} is a person of good character ~~and~~ ^{not} addicted to gaming or drinking

Joseph H. Sheets

vs

Hiram Golladay

Plff

Deft

Upon a removal from a Justice of the Peace

It appearing to the Court that the Plaintiff is not an inhabitant of this Commonwealth on Motion of the Defts by Attorney, it is ordered this suit be dismissed at the next term unless security for the payment of such costs and damages as may be awarded the Defts and also of the fees which will become due from the Plff to the officers of this Court be given with the Clerk within

Sixty days from this time and the cause is continued until the next term at the costs of the Plaintiff

sumo 10 Samuel Barley who has been duly summoned to appear here at this term as a witness on behalf of John Sealvent agt for & Barley being solemnly called and not appearing it is ordered that he be summoned to appear here on the third day of the next term to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

sumo 10 John Aldridge who has been duly summoned to appear here as a witness on behalf of N. C. Smith & ad. J. McIntyre for & being solemnly called and not appearing it is ordered that he be summoned to appear here on the 2nd day of the February Court next to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

sumo 20 Zachariah Burns and Alex. Lee O'Brien who have been duly summoned to appear here as witnesses on behalf of the Commonwealth agt against J. W. Sealvent & being solemnly called and not appearing it is ordered that he be summoned to appear here on the third day of the February Term next of this Court to shew cause if any they can why he shall not be fined and attached for his failure aforesaid

Peale vs Peale. Miller for vs Smith & McIntyre vs same

On Motion & continues & until the next term at the costs of the Defts

George W. Hinkle

10

Jonathan Peale

Plff

Deft

} In Delt

This day came the parties by their attorneys and the jury sworn and impaneled for the trial of this cause on yesterday appeared in court in person and to their adjournment and having fully heard the evidence retired from the bar to consider of their

verdict, and after some time returned into Court and upon their oath do say "we the jury find for the (Def^t)". It is therefore considered that the Def^t recover against the Plaintiff his costs about his defence in this behalf expended

Coalvent vs Barley. Campbell vs Billhimer, & Commonwealth vs Hensley On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term

Thomas vs Rains. Keyle vs Barnett. Gougeon vs Stubby. Perry vs Harnsberger

Jacob Deatrick for	Plff	} In Debt
vs		
James H. Coursey & Jno. C. Shorwall	Def ^t	

This day came the parties by their attorneys and by consent of parties, it is considered that the Plff. recover against the Def^ts \$250. part of the Debt in the declaration mentioned with legal interest thereon from the 15th day of September 1856 till paid, and the costs by the Plff about this suit in this behalf expended and the trial of the issue as to the balance is continued until the next term

John R. Becker for	Plff	} In Debt
vs		
Charles F. Campbell	Def ^t	

This day came the parties by their attorneys and thereupon the def^ts waived their plea and confessed judgment for the debt in the declaration mentioned it is therefore considered that the Plff. recover against the Def^ts \$38.51 with legal interest thereon from the 21st day of September 1856 till paid, and the costs by the Plff about their suit in this behalf expended

Warren ap^{pe} vs Huffman vs. Leav^{er} vs Walker & Haught vs Down vs
continued until the next term at the costs of the Def^ts

Adam S. Haught for } Plff
vs } In Debt
Christian Dorman } Deft

This day came the parties by their attorneys, and on the motion of the Deft by his attorney leave is granted him to file an additional plea

Deveras Mearzy, Bryan & Hall & Samers same continued until the next term

Algernon S Gray } Plff
vs } In Debt
Wm H Gailey & } Deft

This day came the parties by their attorneys and thereupon came a jury to wit Wm A. Conrad, Peter Strine, Peter Tutuiler, Wm L Lackie, Jackson Showalter, Jonathan Fink, Isaac Lohr, Samuel Sheet, David Deatwale, Marcus J Van Bels, Robert Bourman and Joseph Celine who being elected tried and sworn the truth to speak upon the issue joined having heard the evidence, upon their oaths do say, 'We the jury find for the Plaintiff the amt of \$540.32 with int from the 23^d January 1855 till paid.' It is therefore considered that the Plff recover against the Defts \$540.32 the verdict aforesaid legal interest thereon from the 23^d day of January 1855 till paid, and the costs by the Plff about his suit in this behalf expended

Charles B Smith for } Plff
vs } In Debt
M. C. Smith } Deft

This day came the parties by their attorneys, and the deft by his attorney saith that he hath well and truly paid the debt in the declaration mentioned to which the Plff by his attorney replied generally and the trial of the issue is continued until the next term

The Rule made at a former term of this court against

Miriam Miller for failing to attend as a witness on behalf of the Commonwealth against George W. Smiley. Being returned executrix and he being solemnly called and not appearing, it is ordered that the said rule be made absolute and that an attachment be awarded against him returnable here on the 2nd day of the February Term next of this Court

Siri Houale

Pliff

vs

Jacob Aker

Def

In Case

This day came the parties by their attorneys and the Deft. with he did not appear upon himself in manner also at the same time filed an account of offsets which he desires to prove & form as the Pliff hath alleged, to which the Pliff by his attorney replied generally & the trial of the issue is continued until the next term

Gomer & Blakemore

Pliff

vs

George S. Portney

Def

In Debt

This day came the parties by their attorneys and by consent it is considered that the Pliff recover against the Deft the debt in the declaration recited and the costs by the Pliff about his suit in this behalf expended subject to the credits entered on the bond and an account of offsets filed. as to the offset the pliff replied and the trial of the issue as to said balance is continued until the next term

Roller's ex vs Alston on Motion continued until the next term

Jacob Deatrick for

Pliff

vs

James H. Courney

Def

In Debt

On Motion and for cause shown this cause is removed to the Circuit Court of this County for a trial to be had therein

Joseph Randol

Plff

10

George W. Entzler

Def

In Case

This day came the parties by their attorneys and the Deft. said he did not assume upon himself in the manner & form as the Plff against him hath alleged to which the Plff replied generally & the trial of the issue is deferred until the next term.

M^r Mayerhoeffer for

Plff

10

Robert S. R. Beana

Def

In Debt

This day came the parties by their attorneys and by consent it is considered that the Plff recover against the Deft \$49.92 part of the debt in the declaration mentioned with interest thereon from the 2nd day of August 1856 till paid and the costs by the Plff about his suit in this behalf expended and as to the balance of the Debt the Deft pleads a payment to which the Plff replied generally and the trial of the issue is continued until the next term.

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

C. Vaason Bare

Saturday November 3rd 1857

Present

Naaason Bare J. Isaac & Hardesty, Atty^s } Genl
 Hopkins Peter P. Koontz & Amos Coar-ford } Justice

The Court doth make the following allowances for jury service during the present term to be paid by the Commonwealth to wit.

Samuel Streets	50	Philo Bradley	50
Jonathan Thinks of Jr.	1 50	Jackson Shawalter	1 00
Peter Strime	1 50	Peter Tiedman	1 00

copy present stand

v John C Beard	\$ 1 00	v David Heatonville	1 50
v Wm A Newlen	50	v Reuben Yircle	1 00
v Henry Heynaut	50	v Jason & Harrison	1 50
v David Reedy	50	v Joseph Colvine	1 50
v Wm L Lackie	1 50	v John Pence	1 00
v Wm A Coonrad	1 00	v Geo W Effinger	50
v A J VanPelt	1 00	v Robert Bowman	1 50
v H C Smith	50	v Andrew W Dyer	50
v A J Nicholas	1 00	v John M & Cuffman	1 50

which Sheriff is ordered to pay to the several persons entitled to the same.

The Court doth make the following allowances for jury service during the present term to be paid by the County of Rockingham viz

v to Samuel Sheets Jr	\$ 3 50	v Philo Bradley	\$ 2 50
v Jonathan Frank of Jr	2 50	v Jackson Showalter	3 00
v Peter Strine	2 50	v Peter Tutwiler	3 00
v John C Beard	3 00	v David Heatonville	2 50
v Wm A Newlen	3 50	v Reuben Yircle	3 00
v Hy Heynaut	3 50	v Jason & Harrison	2 50
v David Reedy	3 50	v J ^r Colvine	2 50
v Wm L Lackie	2 50	v John Pence	3 00
v Isaac Lohr	4 00	v Wm A Coonrad	3 00
v Geo W Effinger	3 50	v A J VanPelt	3 00
v Robt Bowman	2 50	v H C Smith	3 50
v A W Dyer	3 50	v A J Nicholas	3 00
v Jno M & Cuffman	2 50	v L F Campbell	2 00
v Peter Neff	2 00	and it is ordered that the	

Sheriff pay the same to the several persons entitled thereto.

Littleton W Garnerie clerk of this Court presented in Court an account against the County amounting to \$53.54. which being sworn to in open Court was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts.

Ordered that a writ issue to the Sheriff of this County commanding him to cause an election to be held in the 4 Magisterial District of this County on the 26th Day of December next for the election of a justice of the peace to fill the vacancy occasioned by the death of John G. Brown & it is ordered that the officers & constables to superintend the last general election do superintend said election

Benjamin Stickler's adm^r *Plff*

vs

George E. Deneale

Def } upon a removal from before
a justice of the peace

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

Bear vs Byrd, Pennybacker vs Same & Same vs Same. On Motion & for reasons appearing to the Court it is ordered that said causes be dismissed.

Friedrich Ragan

vs

Francis Flick

Plff

Def } upon a writ of unlawful
detainer

This day leave the parties by their attorneys and the *Plff* having failed to comply with the order entered in this cause at a former term of this Court, requiring security for the payment of such costs and damages as might be awarded to the defendant, and of the fees which would become due to the officers of the Court, on the motion of the Defendant, by his attorney it is ordered that the cause be dismissed and that the *Plff* be over against the Defendant \$5. damages according to law, and his costs by him about his defence in this behalf expended.

Larue vs Beazly, Rockingham Male & Female Seminary vs Reherd, same vs Smith, same vs H Miller, same vs Ewing, same vs Sterlington, same vs Bear, same vs Shannors, same vs Kern Miller, same vs Gamble, same vs Celary's adm^r, same vs Jones, Crutcher vs Bolt vs Ransel & Speck for vs Williams

On Motion and for reasons appearing to the Court it is ordered that the aforesaid several causes be continued until the next term

Abrent Isaac Hardisty 192 Gent 2nd

Andrew Houch

Pleff

100

Edward Overholtz & Isaac Hardisty Defts } ^{forth coming}
 upon a bond taken on

This day came the Pleffs by their attorneys and thereunto came Isaac Hardisty by his attorney who claims to be the land lord and therefore claimed the rent due from the Deft Overholtz and thereupon the Pleff moved the court to exclude any evidence on the part of said Hardisty to prove his title to said the property for which the rent is due which motion the court doth sustain ~~said motion~~ and refuse to permit the said Hardisty to prove title to said property it is therefore considered that the Pleff have execution against the Deft for \$40⁰⁰ the penalty of the bond aforesaid and the costs by the Pleff about his motion in this behalf expended but the said execution may be discharged by the payment of \$20⁰⁰ with legal interest thereon from the 2^d day of April 1857 till paid and the case Memorandum upon the trial of this cause said Hardisty excepted to an opinion of the court delivered and rendered his trial of exceptions which are in these words: "Overholtz" which were signed sealed and enrolled and ordered to be made a part of the record

~~Ed Overholtz &~~

~~Pleff~~

Present Isaac Hardisty Gent 2nd

100

~~J R Effinger &~~

~~Defts~~

~~In case~~

This day came the parties by their attorneys and the Deft filed his plea of Non assumpsit. ~~And also filed a special plea~~ ^{and also} the affidavits of J R Effinger denying the statements for the court admitted the affidavit and rejected the special plea upon a demurrer by the Pleff whereupon the Pleffs admitted J R Effinger not to be a partner and so the matter had been referred to the court by consent on proof of the account the court gave judgment against Jacob R Effinger.

White as Liggett & Effinger as McIlwain's admrs on motion and for reasons appearing to the Court this cause is continued until the next term

E P Winston & Co

Plffs

vs

J P Effinger & Co

Deft

In Case

This day came the parties by their attorneys. The Defendants pleaded non assumpsit and a special plea avowing affidavit denying the entire existence of the partnership of Jacob P Effinger & Joseph S Effinger, whereupon the Plffs demurred to said special plea which demurrer was sustained, and the affidavit of Joseph S Effinger denying said partnership, was admitted & filed with the plea of non assumpsit and the issue being joined on the plea of non assumpsit, and both parties waiving a jury agreed to submit the trial of the issue to the Court whereupon the evidence being heard and the Plaintiffs admitting that no partnership existed between the Defendants Joseph S & Jacob P Effinger, at the time of the purchase of the goods for which this suit is brought, & the evidence being that Jacob P Effinger alone purchased said goods, it is therefore considered that the Plffs recover of the Deft. Jacob P Effinger the sum of \$214.62 with interest from the 8th day of November 1856 till paid and the costs by the Plffs about their suit in this behalf expended whereupon the Deft Jacob P Effinger moved the Court to set aside said judgment & grant him a new trial, on the ground that an affidavit having been filed denying the existence of the partnership of Joseph S & Jacob P Effinger it is necessary to prove said partnership, which motion the Court with overrule & the defendant except to the opinion of the Court overruling the motion for a new trial

At Bryd

Plff

vs

David Hork

Deft

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

This day came the parties by their attorneys and on motion it is considered by the Court that there is error in the judgment of the justice below and that the same be

be reversed and annulled. and it is therefore considered
that the said Bryon recover against the Deft \$12.51 with
legal interest thereon from the 13th day of October 1854 till
the day of ¹⁸⁵⁵ ~~annulment~~ ^{the day of the annulment} ~~the day of the annulment~~ ^{the day of the annulment}
paid, and the costs before the justice below and also the
costs by the said Bryon in his behalf expenses

Ordered that all the causes on the Docket not tried or otherwise
disposed of be continued until the next term

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

J. Hardisty P.P.J.

11

At a Court held for Rockingham County
at the Court house thereof on Monday the
21st day of December 1857

Present

Maason Bane of Robert Black (Devilleas) Gent
Monty & Reuben Huffman & H. A. Kite } Justices

The Clerk of this Court returned into Court a list of Deeds and
other writings admitted to record in his office during the month
of November 1857. which being seen and inspected by the Court, is
ordered to be entered on the minutes as follows to wit

- 1 ✓ of \ Deed of Bargain & Sale from Peter S. Roller com^{rs} to Augustine Coffin
- 2 ✓ of \ Same from B. F. Black wife to M. Lowerback
- 3 ✓ of \ Same from Jacob Baker wife to Leroy Tompkins
- 4 ✓ of \ Same from James Shiflett to Bernard B. Thompson

- 5 ✓ of \ Deed of Bargain & Sale from James Chapman wife to Bernard B Thompson
- 6 ✓ \ same from Harney Kyle contr to Ann Kemper
- 7 ✓ \ Abstract between Hockman & Long & Lewis Leopold
- 8 ✓ of \ Deed of Bargain & Sale from John Weger wife to David S Jones
- 9 ✓ of \ Deed of Release from W. G. Smith & to David S Jones
- 10 ✓ of \ Deed of Trust from David S Jones to W. G. Smith Trust for M. C. Leffinger &
- 11 ✓ of \ Power of Attorney from Harrison Looker to John J. Monty
- 12 ✓ of \ same from John Looker to same
- 13 ✓ of \ same from Malinda Lyralie to same
- 14 ✓ \ Deed of Bargain & Sale from John J. Monty wife to Samuel Miller
- 15 ✓ of \ same from Jacob Leale to Eli Long
- 16 ✓ \ same from same to Bushrod Rust
- 17 ✓ \ same from John Base wife to James McFuch
- 18 ✓ \ Power of Attorney from Anna Daifon to Jacob Patterson & W. D. Davis
- 19 ✓ \ Deed of Bargain & Sale from Abraham Paul to Morris Lowenbach
- 20 ✓ of \ same from James Plick wife to John Bowman
- 21 ✓ \ same from Mary A. Prophet to Noah W. Shuler
- 22 ✓ \ Deed of Trust from Abram Simmer to H. C. Woodson Trust for A. C. Brewer &
- 23 ✓ of \ Deed of Bt from Catharine Haynes to Jacob Hapler Trust for Trinity Church
- 24 ✓ \ Deed of Bargain & Sale from H. C. Harnsberger contr to Allen C. Bryan
- 25 ✓ \ same from Robert A. Gray wife to George Bruffy

Settlements of the estates of Michael Miller dec^d, Merv Smith dec^d, Jacob Rhoads dec^d & Joseph Altaper dec^d having been filed in the Clerk's Office of this Court for the time prescribed by law were presented in Court and no exceptions being offered the same are confirmed and ordered to be recorded.

Settlements of the accounts of the Guardians of John Lowman & George Andes, Phoebe Andes, Jacob Seedy, Daniel F. Poland & Wm R. Eddams and Catharine Eddams & having been filed in the Clerk's Office of this Court for the time prescribed by law were presented in Court and no exceptions being offered to them they are confirmed and ordered to be recorded.

Thomas Hanafin	Plff	} In Chancery
vs		
Reuben Long	Def	

This cause came on to be further heard at this 21st day of December 1857 upon the papers heretofore read the proceedings heretofore had and the report of commissioners J. R. Kogler by J. T. Logan his deputy, to which there is no exception and the same is confirmed, and the sale made by him on the 15th of December 1857 to Allen L. Bryan is also hereby confirmed, and it appearing by said report & the papers filed in this cause, that the entire amount of the proceeds of the sale except costs & expenses has been transferred to said Bryan, and he having paid the costs of this suit & the expenses of the sale, including commissioners, commission it is further adjudged ordered & decreed that said John R. Kogler commissioner execute a deed with special warranty to said Allen L. Bryan, at the cost of the latter, & acknowledge the same for recording for the land in the bill mentioned & this cause is retained in court at present at the instance & costs of said Bryan

George W. Leupp's admrs	Plff	} In Chancery
vs		
Sarah Leupp & others	Def	

This cause came on to be again heard this 21st day of December 1857, upon the papers heretofore read the proceedings heretofore had, and the report of Samuel Parent and Hugh Connell admrs of George W. Leupp as commissioners, to which there is no exception and the same is hereby adopted, and the sale made by them to B. F. Byerly on the 22nd of August 1857 appearing to be advantageous to the estate, the said sale is hereby confirmed. It is thereupon adjudged ordered and decreed that said commissioners proceed to rent out the real property taken by them of said Byerly, at the present, for the benefit of George W. Leupp's estate, and if an opportunity offers of making an advantageous sale of the property, said commissioners are authorized to contract for the sale of it, subject to the ratification or rejection of the court. It is further adjudged ordered and decreed that said Samuel Parent and

Leigh Connel may withdraw the bills filed with their report & collect the money, and apply the same to the payment of the debts of the decedant George McLeuph, giving preference & paying first the debts which constitute a lien on the real property sold by the said Parent & Connel, and said Parent & Connel are required to place their papers & vouchers in the hands of one of the commissioners of this court annually, for a settlement of their accounts & proceedings under this decree who will report thereon to the court.

John E. King & wife

vs

Joseph I. Manzy & others

Plffs

Defts

In Chancery

This cause came on by consents to be heard this 21st day of December 1857, upon the bill, and answers of the defendants by their guardian ad litem L. W. Garmire, whereupon the argument of counsel being heard, the court doth agree over and decree that Joseph Manzy, General T. Hopkins and Albert P. Nicholas who are appointed commissioners for that purpose do, as early as conveniently they can, proceed to make partition of the slave property in the bill mentioned and assign to the plaintiff one equal fourth thereof, and if required by the guardian of the defendants, they are further authorized to make partition of the remaining three fourths, and assign to each of the defendants one equal fourth of the whole, but will not make partition of the three fourths unless required to do so, by the guardian of the defendants. In making partition if said commissioners find it impracticable to make the shares one equal fourth of the whole, they are required to ascertain what difference shall be paid in money, and by whom it shall be paid. The said commissioners are further required to make report of this court at its next term.

On the motion of Naason Bane who made oath thereunto according to law and together with L. W. Garmire and Henry Neff, his securities (who justified as to their sufficiency) entered into and acknowledge a bond in the penalty of four hundred dollars conditioned as the law requires. Certificate is granted the said

Wason Beane for obtaining letters of administration in due form upon the estate of Daniel May dec^d and it is ordered that John Branner, George Wice, Henry Reff & Branson Croark do appraise the estate of the said Daniel May dec^d.

John E Brown Constable & Peff }
as } In Chancery
Levinus & Lowdeshell Deft }

This cause came on to be heard this 21st day of December 1857 on the report of John E Brown Const^{ble} of sale &c. whereupon after argument of counsel the report is received and the sale confirmed and it is adjudged ordered and decreed that the said Brown after recording collecting of the money proceed to pay to Sholes the sum of forty dollars and forty nine cents with interest upon \$15.29 thereof from 12th day of Sept 1851 till paid 30 cents cts. and interest upon the remainder from 15th day of Feb 1852 till paid 30 cents cts. also 27 cents pd by Cortes as tax on land after first paying the costs of this suit for making of dec^r which Brown is hereby ordered to make to said Cortes for the land after which if there is any money remaining from the same to be paid to Levinus & Lowdeshell.

Ordered that the Overseers of the Poor for this County bind out according to law John William Meyers born April 5th 1832 to Christian Meyers until he arrives to the age of 21 years the said Christian Meyers to pay to the said apprentice when he arrives to the age of Twenty One years the sum of one hundred dollars and furnish him with a good free account.

Ruben Harrison for Peff }
as } upon a suggestion that the Off
Daniel Bowman Deft } is indebted to C. Shoemaker

This day the said the Defendant appeared in Court and was examined on oath and it appearing from such examination that there is a liability upon the said Deft

It is therefore considered that the Plff have execution against the Deft for \$23 with legal interest thereon from the 15th day of October 1857 till paid.

On the Motion of Richard Fletcher ^{granted for Ann T Lewis} the commonwealth's attorney being present It is ~~ordered~~ ^{the estate of Mrs Lewis} to certify that ^{for the year 1857} has been assessed with tax upon certain real estate in the County of Rockingham which assessment as appears from evidence ~~that~~ is erroneous and ought to be corrected and that said estate has paid the sum of \$17.36 too much tax, which is ordered to be certified to the auditor of Public accounts in order that the same may be refunded.

On the Motion of Belier T Lewis the attorney for the commonwealth being present. It is ordered to be certified that the said Lewis has been assessed with an abatement tax upon a tract of land in the County of Rockingham which tax amounts to \$29.96 the tax for 1857 is erroneous and should be \$22.26 being \$7.70 too much tax which is ordered to be certified to the auditor of Public accounts in order that the same may be refunded.

An Instrument of writing purporting to be the last will & testament of David Shiflett dec^d was presented in court and proved by the oath of Alexander Wyzanton of the subscribing witnesses thereto and continued for further proof.

The last will and testament of Heelly Heerton dec^d was presented in court and proved by the oaths of Peter ^{Whitmer} ~~Creston~~ David Rhodes the subscribing witnesses thereto and ordered to be recorded and it appearing from the said will that the testator has appointed no executor. On the motion of John Heerton who made oath thereto according to law and together with David Rhodes and Peter Whitmer his securities (who justified as to their sufficiency) entered into an acknowledged bond in the penalty of \$500⁰⁰ conditioned according to law. Certificate is granted the said John Heerton for

obtaining a certificate of administration in due form with the will annexed of the said Hetty Keenton dec^d

Upon the petition of Ananias Keenton & others for the establishment on the motion of Hon^{ble} J^{ts} John E. Dovel by counsel of a road in this County, it is ordered that a writ in the nature of a writ of ad quod damnum be awarded to be directed to the Sheriff of this County commanding him to summon and impanel a jury of twelve freeholders of the Vicinage, not related to either party to meet on the lands of the said Hon^{ble} J^{ts} John E. Dovel on the 14th day of January 1858 the said jury after being duly sworn by the Sheriff shall view the lands of the said Hon^{ble} J^{ts} John E. Dovel and ascertain what will be a just compensation to them for the land of theirs proposed to be taken and for the damage to the residue of their tract beyond the peculiar benefits which will be derived in respect to such residue from the road as in the said request to be made and sealed by the said jurors together with this writ be returned by the said Sheriff to the next Court

Upon the Petition of Jonathan B. Shaver & others for the establishment of a road in this County. On the Motion of Amos Kernsper it is ordered that a writ in the nature of a writ of ad quod damnum be awarded according to law to be executed on the 14th day of January next and that the same with the request to be made in pursuance thereof be returned to the next Court

Upon the petition of John H. Austin who has paid the tax imposed by law a license is granted him to keep a house of private entertainment in this County the Court being of opinion in that he is a man of good character not addicted to drinking or gaming

Mary Keef heir of Daniel Lowry dec^d being over 14 years of age by an instrument of writing under her hand made choice of John B. Keef as her guardian and thereupon the said John B. Keef appeared in Court and together with William Lowry his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty

of nine hundred dollars conditioned as the law requires, which bond is ordered to be recorded

This day Nathan Heston & Jeremiah Parrot appeared in open Court & first being duly sworn declared on oath, that the Philip Parrot late of Rockingham County, Virginia, was awarded in County land warrant No 11,707 - issued on the 13th of November 1855, for 80 acres departed this life on the 2^d of January 1856 in Rockingham County Virginia, and they are satisfied that the said Philip Parrot had received, under land warrant some time before his death, which is ordered to be certified

W. J. Mayerhoeffer

vs.

Daniel Stinespring Guo for Abraham Hoffman's heirs Deft.

Plff } upon a notice

This day came the Plff by his attorney, and the the summons awarded against the Deft at a former term of this Court, being returned, executed and he being solemnly called and not appearing, it is ordered that the power and authority of the Daniel Stinespring as such guardian be revoked and annulled, and that the Plff recover against the Deft his costs about his motion in this behalf expended

Robinson & Furber on & Bond notice prove a execution awarded

John Beery

vs.

Bernard Hall vaker Defts

Plff

Plff } upon a notice upon a bond ^{when} for the delivery of property, on the day of sale

This day came the parties by their attorneys, and on the motion of the Plff by his attorney, it is considered that the Plff have execution against the Defts for \$49.24 the penalty of the bond aforesaid and the costs by the Plff about his motion in this behalf expended but that said execution may be discharged by the payment of \$24.62 with legal interest thereon from the 10th day of September 1857 till then and the costs

203
 Mc Smith ~~appellants~~ Appellants }
 vs } upon an appeal
 David Bryon Appellee

This day came the parties by their attorneys and it appearing that the appellee has departed this life. it is ordered that the said case be revived in the name of Benjamin Wenger administrator of the appellee. and it further appearing that Wm H Gailey the security for the appellants is insolvent. It is ordered that unless the appellants give new and good security by the next term of this court that this cause be dismissed.

Wm H Gailey Appellant }
 vs } upon an appeal
 G W Effinger Appellee

This day came the appellee by his attorney and it appearing to the court that Wm H Gailey the security for the appellant is insolvent it is ordered that the appellant be summoned to appear here on the first day of the next term to show cause if any he can why he should not be ruled to give good and sufficient security in said case.

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

On the motion of Elizabeth Snyder. It is ordered that the estate of Jmas Strine dec^d be committed to the Sheriff of this County for administration according to law.

Sigler vs Austin & Dunlap & Robinson Jr On Motion severally continue until the next term at the Court of the Depts

The last will and testament of Henry Sellers dec^d was presented in court and proved by the oaths of George Agentry & James Simms the subscribing witnesses thereto and ordered to be recorded

On the motion of John R Kogler who made oath thereto according to law and together with Abraham Paul and James Crawford his securities (who justified as to their sufficiency) entered into and acknowledged a bond with penalty of \$500⁰⁰ conditioned as the law requires. certificate is granted the said John R Kogler for obtaining letters of administration de bonis non upon the estate of David Burkholder deceased

A sale bill of property sold by J^d D Long trustee in a deed of trust executed by Henry H. Baker. Trust for P. H. Wheeler. was presented in court and ordered to be recorded

McC Gibbons

Appellant

vs
McC Stoner

Appellee

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

This day came the parties by their attorneys and the court having fully heard the parties upon mature deliberation are of opinion that there is there is error in the judgment of the justice below. it is therefore considered that the judgment of the justice below be reversed & annulled ~~and~~ and that the the appellant recover against the appellee the sum of \$19.70 with legal interest thereon from the 29 day of January 1857 till paid and thirty cents costs before the justice and the costs by the appellant in this behalf expended

Ordered that the court be adjourned until the this money in January 1858

Maason Bare

At a Court held for Rockingham County
at the Court-house thereof on Monday the
13th day of January 1858

Present

Naason Bare J. Robert Black. & A. Kitey Juns
Donellus Martz & Reuben Huffman } Justices

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

- 1 ✓ \ Deed from Mary Ann Lenoire to Merit Lenoire trustee for Margt. Saupé
- 2 ✓ \ Deed from Susan & Corrine to Charles H. Saupé
- 3 ✓ of \ Deed of Bargain & Sale from St. McDermas wife to R. & M. Bowman
- 4 ✓ \ Deed of Trust from Daniel Murray to St. Ann's church for Mary Murray &
- 5 ✓ of \ Deed of B.S. from John Suank wife to George H. Christman
- 6 ✓ \ Same from John L. Woodson com^r to Charles H. Merriam
- 7 ✓ \ Same from Jackson Herin com^r to Same
- 8 ✓ of \ Same from Same to Samuel Coates
- 9 ✓ of \ Same from Same to John Kline. *See in out deed*
- 10 ✓ \ Deed of B.S. from Philip Pence wife to Sylvanus Pence
- 11 ✓ of \ Same from Algernon S. Gray to Emmanuel Royer
- 12 ✓ of \ Same from Jeremiah Hef to Addison Clearper
- 13 ✓ \ Same from V.B. Rogers wife to C.R. Harris
- 14 ✓ of \ Deed of Trust from Momb Moore to St. Mury Ind Trust for Deant Murray
- 15 ✓ \ Deed of Bargain & Sale from Mary Steele to Robert Steele
- 16 ✓ \ An Agreement between George Kiser & Herry Le Bree
- 17 ✓ \ Deed of Bargain & Sale from Geo Kiser wife to Harvey L. Le
- 18 ✓ \ Deed of Trust from Gabriel Wood to St. A. Christman Ind Trust for Jennings & L. L.
- 19 ✓ \ Deed of B.S. from Joseph Miller wife to George Roof
- 20 ✓ \ Same from Jacob Royer wife to George Sellers
- 21 ✓ \ Same from David Bradley wife to Charles H. Bradley
- 22 ✓ of \ Same from Eli H. Kountz wife to Benjamin F. Baxter

- 24 ✓ of \ Deed of Bargain & Sale from Jacob Shankwife to John Baldwin
 25 ✓ of \ same from Selas Pickwife to Margaret Cluffman
 26 ✓ of \ same from John Meryant wife to John Meryant *see the Sacchar House June 10, 1872*
 27 ✓ of \ same from Abraham Shankwife to D. P. Bourman
 28 ✓ of \ same from Samueel Shankwife to same
 29 ✓ of \ same from Malon Douglass wife to John Strickler
 30 ✓ of \ same from Emmanuel Ammentrouit wife to Simeon Pilconkel
 31 ✓ of \ same from John Steenaley to Hiram Smith
 32 ✓ of \ same from Allen & Bryan comrs to same Good
 33 ✓ of \ Deed of Trust from Elias Bourman to George Schopf Trust for George Schopf
 34 ✓ of \ Deed of Bt from David P. Bourman wife to Samuel Shank of
 35 ✓ of \ same from David A. Heatur wife to Daniel Heatur
 36 ✓ of \ same from Daniel Heatur wife to Jacob Brunk
 37 ✓ of \ same from same to David A. Heatur
 38 ✓ of \ Deed of Trust from Jacob Roadcap wife to Jas. Kenney Trust for Samuel & Cluffman
 39 ✓ of \ Deed of Bt from James Kite wife to Adam Long 24/435
 40 ✓ of \ same from Emmanuel Royer wife to William Miller
 41 ✓ of \ same from John Effinger to Hiram Loring
 42 ✓ of \ same from Samuel Sanger wife to Peter Dinkel

Settlements of the estates of Mary Sipe, dec^d. David Sipe dec^d. Joseph Langwer dec^d. George Corvick dec^d. Adam Howdeshell dec^d. Andrew Curme dec^d. & Christian C. Dear dec^d. having been filed in the Clerk's office of this Court for the time prescribed by law. were presented in Court and no exceptions being offered. the same are affirmed and ordered to be recorded.

Settlements of the accounts of the Guardians of Sarah Beenz & Sarah S. Bear. & Isaac & Pennybacker having been filed in the Clerk's office of this Court for the time prescribed by law were presented in Court and no exceptions being offered to the same they are affirmed and ordered to be recorded.

An account of the Debt of the estate of James Douson dec^d. & having been filed in the Clerk's office of this Court for the time prescribed by law. was

presented in Court and no exceptions being offered there, the same is affirmed and ordered to be recorded

Settlement of the account of Andersen Mr Newman receiver for the heirs of Isaac S. Connybacker dec^d having been filed in the clerk's office of this Court for the time prescribed by law, was presented in Court and no exceptions being offered there, the same is affirmed and ordered to be recorded

✓ Margaret Yancey vs Doerick	and Bond notice provided & the award
✓ Same vs Same	The same order
✓ Thurmond Jr vs Seely	The same order
✓ Hall for vs Coromont	The same order
✓ Hoffman for vs Leichel	The same order
✓ Nicholas vs vs Liskey	The same order
✓ Ruffner vs Liggette	The same order
✓ Kogler for Smith	The same order
✓ Heighton vs Gordon	The same order
✓ Beranthe vs Same	The same order
✓ Same vs Same	The same order
✓ Logan vs Same	The same order

Jacob L. Spittler's adm ^r	Deft	} upon an award
George H. Whitger	Deft	

This day came the parties by their attorneys and the award made in this case being returned, it is ordered that the parties to the same be summoned to appear here on the 1st day of the next term to shew cause if any they can why said award shall not be entered up as the judgment of this Court

✓ Campbell for M. Dater & on Bond	notice provided & execution awarded
✓ Black vs Burtner	The same order
✓ Pais vs Minispring	The same order
✓ Kyle vs Robinson	The same order
✓ Pease vs Thomas	The same order

On the motion of David Whitener it is ordered that Henry B. Harnsberger, Simon S. Harnsberger & Jacob Dundore ^{David B. Harnsberger} be and they are hereby appointed commissioners to assign to Mary F. Heatswale her dower the land of John S. Heatswale.

Mary Catharine Newman, Nancy Jane Newman & Martha W. Newman being over the age of 14 years by an instrument writing made choice of them Heatswale as their guardian and the court doth appoint the said them Heatswale guardian for William S. Newman, Andrew S. Newman & Elizabeth F. Newman ^{who are under the age of 14 years} all orphans of Alexander Newman dec'd and thereupon the said them Heatswale appeared in court and together with David Shank & Jacob Shackel his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires, which bond is ordered to be recorded.

The last will and testament of Darnice Smith dec'd was this day again presented in court and John W. Smith one of the executors therein named who swore oath there to according to law and entered into and acknowledged a bond in the penalty of eight thousand dollars conditioned as the law requires which bond is ordered to be recorded. The said Darnice Smith by his said will request that no security be required of his executors and the court accordingly require none.

Upon the petition of Andrew Heaton & others for the establishment of a road in this county, and the writ of Ad Quod ad amicum awarded at the last term to Wm. S. F. & E. Dovel being returned executed on motion of the said Wm. S. F. & E. Dovel it is ordered that the return of the Sheriff upon said writ be quashed and annulled and that a new writ of ad quod ad amicum be awarded them according to the direction of the ^{1st} of this county law to be executed on the 15th day of February 1858. and made returnable to the next court thereafter and on the motion of Reuben H. Humbert through whose land the said road is proposed to be conducted it is ordered that a writ in the nature of a

writ of Ad Quodammodo be awarded him to be executed
 and directed to the Sheriff of this County to be executed
 on the 1st day of February 1858. and made returnable
 to the next Court thereafter.

The Commissioners heretofore appointed to make
 division of the ~~share~~ belonging of Albert G. Nauzy dec'd. among
 his heirs this day made their report. which was examined
 by the Court and no exceptions being offered there is the
 same is confirmed and ordered to be recorded.

Ordered that that the overseers of the Poor bind to Geo. Ceraun
 a Negro boy son of Louisa a free woman of color -
 said boy is aged six years. to be bound until he arrives at
 the age of 21 years of age and at the end of his apprenticeship
 said Ceraun shall pay the said apprentice \$150⁰⁰

Ordered that St Clair Kyle, Allen McBrown, John
 Williamson and Adam Rader or any three of them being
 first duly sworn for that purpose do appraise the estate
 of John G. Brown dec'd and report thereon to the Court according
 to law.

On the motion of Jacob M. Cowen & Asher Argabright who
 made oath thereto according to law. and together with Joseph
 McConrad Thomas K. Miller, Yellerton & Annison, Madison
 Moore, Daniel Byerly, Michael Shapen, Samuel Bowman
 and Peter S. Roller their securities (who justified as to their sufficiency
 entered into and acknowledged a bond in the penalty \$36000⁰⁰
 conditional as the law requires. certificate is granted the
 said Jacob M. Cowen & Asher Argabright for obtaining letters
 of administration upon the estate of Conrad & Kate in one
 form. the widow of the said decedent having by an instrument
 writing relinquished her right to administer. and it is ordered
 that Jacob Bear Thomas K. Miller, John C. Mackey, Simon B. Jennings

do appraise the estate of the said Court and de Kite no. 2 and report thereon to the Court according to law

James W Burges, who has been duly elected a constable for this County, appeared in Court and together with James L Corney, George Kiser, Elijah Huffer and John Plummer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires, which bond is ordered to be recorded: and thereupon the said James W Burges took the several oaths required by law.

On the motion of Wm S Gailey - Mary E Nelson the mother of Martha Jane Rebecca Quince is authorized to bind her said Daughter to the said Wm S Gailey, until she shall arrive to the age of eighteen years, upon the conditions set forth in a contract between said Mary E Nelson & Wm S Gailey

Augustine Hocker late of the County of Rockingham, who stands charged with a felony by him committed in this that he did on the day of 1857 one Steer of the value of twenty five dollars of the goods and chatties of James Steele feloniously and steal take and carry away, was led to the bar in custody of the Sheriff of this County, and sundry witnesses being sworn and examined touching the premises, and the Court upon mature deliberation are of opinion that there is not probable cause to charge the prisoner with the felony aforesaid, it is therefore ordered that he be acquitted and discharged of the offence aforesaid

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

Naason Bare

210
Tuesday January 19th 1858

Present

Macon Base. J. Robert Black Reuben Hoffmann } Gent
(Domillas Martz & H. A. Kite } Justices

On Motion of John T. Harris attorney for the Commonwealth it is ordered that an election be held in the County of Rockingham on Saturday the 30th day of January 1858 for a commissioner of the Revenue for the first district of said County to supply the vacancy occasioned by the death of Commodore Rile, and it is further ordered that a poll shall be opened on said day at each of the places of voting in the said County, and that the Commissioners & officers appointed at each precinct to conduct the late Genl election in May last be and they are hereby appointed to conduct this election, and the said commissioners and officers shall in all respects touching said election be governed by the laws now in force in this state

Michael Lohr

against

Lucinda Scotchrothas

Plffs

Defts

M Chancery

Ordered that L W Gamble be appointed guardian ad litem for the infant defendants and thereupon the said Guardian filed his answer. This cause came on by consent to be heard this 19th day of January 1858 upon the bill & exhibits answer of the defendant Lucinda Scotchrothas and the answer of the infant defendants by their guardian ad litem wherein upon the argument of counsel being heard, and the court being of opinion that partition ought to be made of the tract of land which was conveyed to the complainant Michael Scotchrothas filed with the bill as exhibit R. & it is thereupon adjudged ordered and decreed that Dorillas Martz Peter P. Moritz & Philip Hollinger who are appointed commissioners for that purpose do go upon said land and make equal partition thereof reserving the portion sold to John Hollinger & assign by metes & bounds one equal half thereof according to quality & quantity to the plaintiff and

the other half by metes & bounds to the defendant excluding from said partition the part thereof sold & conveyed to said Holinger. And said Commissioners are required to make report of their proceedings to the Court at its next term.

Brightman's fees to Kiser & Bond. Notice proved and execution awarded

Ordered that Henry Westmann Guardian of the two infant children of Maria Jones de. F. bind out according to law said Children the boy until he is 21 years of age and the girl until she is 18 years of age The master to pay at the expiration of their terms to the boy \$200 & to the girl \$80. The master to give bond and security for the payment of said amounts

Thomas W. Gamery who has heretofore been appointed a Notary Public in and for the County of Rockingham appeared in Court and together with L. W. Gamery his security entered into & acknowledged a bond in the penalty of \$500.00 conditioned as the law requires, which bond is ordered to be recorded

J. D. Gilmore

vs

Sillley admr

Boston &

vs

Sillley &

Plff

Deft

Plff

Deft

In Chancery

In Chancery

These causes came on to be heard together this 19th day of January 1858 upon the papers formerly read & the report of Master Commissioner Henry Westmann & upon the argument of counsel being heard, whereupon it appearing to the Court that the personal estate of George Sillley de. F. is not sufficient to meet the liabilities of the estate & that there is a balance due the admr upon a final settlement of \$2.26 Jan'y 9th 1857. It is adjudged ordered and decreed that out of the land fund there be paid 1st the sum of \$2.26 with interest from the 9th day of January 1857 till paid to R. M. Money the admr.

2nd The sum of \$57.10 to J D Gilmore the amount which the report of Com^r Martmann shows that he is entitled to on the 1st day of January 1858. 3rd The sum of \$126.82 to Albert Sigler the amount which the report of Com^r Martmann shows him entitled to on the 1st day of January 1858. 4th The sum of \$36.70 to E Lee. \$10.95 to George M Shaffett, \$39.54 to Warront Ingahay the amounts which the report of Com^r Martmann shows these creditors entitled to on the 1st day of January 1858. It is further adjudged ordered & decreed that the costs of suit in the case of J D Gilmore v Silley's Adm^r be paid out of the same fund. And it appearing to the Court that the security of R M Mooney a Com^r appointed in the case of Dalton v Silley is insufficient it is adjudged ordered & decreed that the said Com^r before receiving any money under the decree of said Court enter into a new bond in the penalty of \$1200. conditioned for the faithful discharge of his duties.

An Indenture between Ann Clarissa a free negro and James A Campbell binding James Augustus Thompson to the said Campbell was presented in Court and approved and ordered to be filed in the Clerk's office of this Court.

Thomas Bramham late of the County of Rockingham who stands charged by a felony by him committed this that he did on the 9th day of January 1858 in the County of Rockingham unlawfully maliciously and feloniously stab cut and wound Mount Dietrich with intent to maim, disfigure, disable and kill him the said Mount Dietrich, was led to the bar in custody of the Sheriff of this County, and sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation are of Opinion that a felony has been committed and that there is probable cause to charge the prisoner therewith. It is therefore ordered that he be remanded for trial before the Circuit Court of this County on the first day of the next term thereof, and thereupon the prisoner moved the Court to be admitted to bail, which motion was resisted by the Attorney for the Commonwealth, the Court

doth sustain the said motion and admit him to bail upon condition that he enter into a recognizance in the sum of \$500. with good and sufficient security in the like sum of five hundred dollars for his personal appearance before the Circuit Court of this County on the 8 day of May next then and there to answer and admit or else be pressed against him for the felony aforesaid and also enter into a recognizance to keep the peace until the 8 day of May next in the sum of \$200 and the like sum of \$200 for his security which recognizance may be given before the Court or any justice of the peace for this County and thereupon the prisoner is remanded to jail

Be it remembered that Wm A Dietrich, Christian Snell, George Snell, Wm Williams and Daniel J Wright personally appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars each to be levied of their respective goods and chattels Lands and tenements and for the use of the Commonwealth Yet upon this condition that the said Wm A Dietrich, Christian Snell, George Snell, Wm Williams and Daniel J Wright shall make their personal appearance before the Circuit Court of Rockingham on the first day of the next term thereof then and there to give evidence on behalf of the Commonwealth against Thomas Bramham who stands charged with a felony by him committed and not to depart thence without the leave of the said Court, then this recognizance to be void otherwise to remain in full force

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

Naason Pace

A Court summoned and held for the County of
 Rockingham at the Court house thereof on Saturday
 the 15th day of February 1858 for the examination
 of Jackson Hottinger who stands charged with a felony by him
 committed in this ~~that~~ ^{State} ~~of~~ and on the 22nd day of January 1858
 in the County of Rockingham and to escape and carry off take a slave
 the property of J. M. Brine without his consent and with intent to
 defraud and deprive him the said J. M. Brine of the said slave
 Present

Osway & Sterling Jonathan S. Speck, Andrew } Gent
 Monk Anderson M. Newman & Isaac Hardesty } Justices

The said Jackson Hottinger was led to the bar in custody
 of the Sheriff of this County and on the Motion of the Prisoner
 by his counsel it is ordered that his examination be
 continued until the next regular term of this Court and
 thereupon the prisoner was remanded to jail

Be it remembered that David J. Bear, J. M. Brine, J. C. C. C. & Joseph Frank this day appeared in Court and severally
 acknowledged themselves to owe and be indebted to the
 Commonwealth of Virginia in the sum of one hundred dollars ^{each}
 to be levied of their goods and chattels and lands and tenements
 and for the use of the Commonwealth. yet upon this condition
 that the said David J. Bear, J. M. Brine, J. C. C. C. & Joseph Frank
 shall make their personal appearance before this Court on the
 first day of the next term of ~~the Court~~ to give evidence on behalf
 of the Commonwealth against Jackson Hottinger who stands
 charged with felony and not to depart thence without the leave
 of said Court then this recognizance to be void otherwise to remain in full force

Joseph S. Neely & Jacob Teter witnesses on behalf of Jackson Hottinger
 as of the Commonwealth appeared in Court and entered into
 a recognizance according to law for their appearance before this Court
 on Monday next. and thereupon the Court arose

O. C. Sterling

At a Court held for Rockingham County
at the Court house thereof on Monday the 15th
day of February 1858

Present

Reason Bare P. O. Sterling Christian } Gent
Myers & Mem. Saffley Reuben Dove } Justices

The Clerk of this Court returned into Court a list of Deeds and other writings admitted to record in his office during the month of January 1858 which was seen and inspected by the Court is ordered to be entered on the minutes as follows to wit

- 1 ✓ \ A Deed of B Sale from Sarah Keenol to D Pennybaker Dec 1857
- 2 ✓ \ Same from Joshua R. Myers wife to Abraham Spitzer Dec 1857
- 3 ✓ \ Same from James Blythe wife to B F Ralston
- 4 ✓ \ Same from Jacob A Mitchell wife to John Shoemaker
- 5 \ Same from E F Williams to G W Maury
- 6 \ Same from Same to Same
- 7 \ Same from Reuben Shupe wife to John Good
- 8 \ Same from John Dundore to John McPalmer
- 9 \ A Deed of Trust from John McPalmer to J Matthews for John Dundore
- X \ A Deed of B Sale from John Whitmore wife to Frederick S Rhodes
- \ A Deed of Trust from John D. Heston to F Henson for Allen & Bryan
- \ Same from Benj. H. Gore to Same R. Sterling for F. G. Way
- \ A Deed of B Sale from Joseph Frank to Timothy Frank
- \ Same from Same to Solomon Frank
- X \ Same from Mary Chickie to L W Gamble Trustee
- \ Same from Jackson Spicer wife to Mem. Webster
- \ Same from Mem. Webster wife to John B. Gouger
- \ A Deed of Trust from M. E. Pangle to T. L. Yancey for M. E. Pangle
- \ Same from M. E. Pangle to Peter Fitch for David Pangle's est
- \ A Deed of B Sale from Darius Smith to John W. G. Smith
- \ A Deed of Trust from H. L. Clifton to S. L. Maury for Mark's Mapie
- \ A Deed of B Sale from L. C. Spears exors to L. C. Brunk & M. J. Zerk
- \ Same from Same to Isaac Manger
- \ A Deed of Trust from Isaac Manger to E. H. Warren for L. C. Spears's ex.

- \ A Deed Trust from Lo Brunk wife to B H McCarren for L L Spears is
- \ same from M J Zerkle wife to same for same
- \ A Deed of BtS from Benj. Hensley sen: wife to B Hensley Jr
- \ A Deed Trust from John Bailey to S M Harnsberger for L L Kempfer &
- \ A Deed of BtS from Benj Hoover wife to Henry Geil
- \ A Deed of Trust from Daniel Murry to S Harnsberger for M Murry
- \ A Deed of BtS from A Gray to Isaac Cleuph
- \ same from Jno Shawater wife to Abraham Painter
- ✓ \ same from A R Lyons to Peter Long & Peachy Meine
- \ same from B F Reichler to John L Meise
- \ same from John Rollins ex to James Alexander
- \ same from Samuel Bare to W M Murry Trustees
- \ same from Mary K Lofland to Edward S Pease
- \ same from Christopher Kyser to Wm J Gailley Trustee
- \ same from David McRosenbarger wife to M L Efferinger
- \ same from Christian Brunk wife to David B Bowman
- \ same from John Dunsore to A B Trich for Bank of Rockingham
- \ same from J Holbourne wife to John O Shawater
- \ A Deed of Trust from J. Branham to Holwoodson for H Carley
- \ same from Wm P McCall to J R Kougler for Peter Paul &
- \ same from Wm Shawater wife to A Bryan for R M Kyle
- \ same from J H Mitchell to E Dunsore trustee for M Mitchell
- \ same from Henry Beery to H Yancey Trust for John Hensley
- \ A Deed of BtS from M L Efferinger to James J Miller
- \ same from Thomas Sawasow to David Armentrout
- \ same from David B Bowman to Abraham Shank

Settlements of the estates of John Hearnfelle dec^d, Philip Keller dec^d, Joseph Byerly dec^d, Joseph Smith dec^d, John G Hulva dec^d and John Meise dec^d, having been filed in the Clerk's office of this Court for the time prescribed by law were presented in court and no exceptions being offered thereto, the same are affirmed and ordered to be recorded

Settlements of the accounts of the Guardians of Mary M Beery &

John B Whitmore & Jacob Reed, Philip M Reed, Sarah E Reed and B D Stickler, having been filed in the office for the time prescribed by law were presented in court and no exceptions being offered thereto the same are affirmed and ordered to be recorded

a certificate of the qualification of Merileam Williams as a justice of the peace for Rockingham County was presented in court and ordered to be filed

Ordered that John Showalter of Anthony be appointed a surveyor of Precinct No 2 of road No 18 in the place of Charles Mason

The Last will and testament of Jacob Reynel dec^d was presented in court and proved by the oath of Philip Rinne & John Carham two of the subscribing witnesses thereto and ordered to be recorded and there being no executor appointed by said will the widow said decedent appeared in court and renounced her right to administer and thereupon on the motion of John T Rinne who made oath thereto according to law and together with Elizabeth Rinne & Philip Rinne his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Three hundred dollars conditioned as the law requires. certificate is granted the said John T Rinne for obtaining letters of administration with the will annexed of the said Jacob Reynel dec^d and it is ordered that Peter Armentout Samuel Shawer & Andrew Burtran do appraise the estate of the said Jacob Reynel

On the Motion of Mem M D Harris who made oath thereto according to law and together with M D Harris James S Harris & John T Brown his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$7000⁰⁰ conditioned as the law requires. certificate is granted the said Mem M D Harris for obtaining letters of administration in due form upon the estate of Leonard Tuttle dec^d and it is ordered that P D Roller John Tervan, David Prop & Geo Sherman do appraise the estate of the said Leonard Tuttle dec^d the widow of the said decedent having relinquished her right to administer

On the motion of Edward T H Meerman who made oath there to according to law and together with Thomas L Yancey his security (who made oath justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$200.⁰⁰ conditioned as the law requires certificate is granted the said Edward T H Meerman for obtaining letters of administration in due form upon the estate of Sophia Leathra de.?

On the motion of John H Rhodes who made oath there to according to law and together with Jackson Rhodes, Emmanuel Rhodes, Abraham S Rosenbarger, Eli H Martz and Daniel B. Rea his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$22000.⁰⁰ conditioned as the law requires certificate is granted the said John H Rhodes for obtaining letters of administration ^{in due form} upon the estate of George Rhodes de.?
and it is ordered that Edwin Rosenbarger George Martz, Cyrus Rhodes do appraise the estate of the said George Rhodes.

Josiah S Roller & Frederick Speck who have heretofore been appointed a Notary Public for the County of Rockingham appears in Court executed new bonds with security and conditioned as the law requires.

John Thomas this day produced credentials of his ordination and also of his being in regular communion with the German Baptist Church took the oath of allegiance to the Commonwealth and Daniel Thomas, Joseph Earley and L W Yancey his securities entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law requires where upon on his motion a testimonial is granted him in due form.

On the motion of Henry B Harnsberger Surveyor of this County Robert Le March is appointed his deputy surveyor and thereupon the said Robert Le March took the several oaths required by law.

The last will and testament of Samuel Miller Sen dec^d was presented in Court and proved by the oath of Jackson & Coon one of the subscribing witnesses thereto and ordered to be ~~deposited~~ for further proof

Jackson Hottinger late of the County of Rockingham who stands charged with a felony by him committed in this that he did on the 22^d day of January 1858. in the County of Rockingham did to escape & carry off take a slave the property of P. M. Brine without his consent and with intent to defraud and deprive him the said P. M. Brine of the said slave." the prisoner was led to the bar in custody of the Sheriff of this County and by consent of the Prisoner by his counsel O. C. Sterling who committed him took his seat as one of the Justices of this Court. and there being some doubt upon the warrant & commitment for what offence the prisoner has been committed. and the prisoner objecting to said warrant and commitment for such uncertainty by consent of the Attorney for the Commonwealth and the prisoner it is entered of record that the prisoner is examined under the act of March 17th 1856. and thereupon sundry witnesses being sworn and examined touching the premises and the Court upon mature deliberation are of opinion that a felony has been committed. and that there is probable cause to charge the prisoner with the felony aforesaid and it is ordered that the said Jackson Hottinger be tried for the said felony before the Circuit Court of this County on the first day of the next thereof. and thereupon the prisoner was remanded to jail

Be it remembered that P. M. Ervine, David J. Bear, John Secret, James Le Keltzel and Conrad Sanger appeared in Court and severally acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of one hundred dollars each to be levied of their respective goods & chattels lands & tenement and for the use of the Commonwealth. Yet upon this condition that the said P. M. Ervine, D. J. Bear, John Secret, J. Le Keltzel and Conrad Sanger, shall make their personal appearance before the Circuit Court of this County on the first day of the next term thereof as witnesses on behalf of the Commonwealth against Jackson Hottinger charged with a felony and not to depart thence without the leave of this Court. then this recognizance shall be void otherwise to remain in full force.

George W. Cutler late of the County of Rockingham who stands charged with a felony by him committed in this that he did on the 29th day of January 1858 in the County of Rockingham unlawfully, maliciously & feloniously slay A J Sigler with intent to maim disfigure disable and kill the said A J Sigler was led to the bar in custody of the Sheriff of this County, and on the motion of the Attorney for the Commonwealth and for persons appearing to the Court it is ordered that examination of the prisoner be continued until the next term of this Court and thereupon on the motion of the prisoner by his attorney summary witnesses were sworn and examined and the Court upon mature deliberation are of opinion that there is but light suspicion of guilt of the prisoner. It is therefore ordered that the prisoner be admitted to bail for his appearance here at the next term of this Court to answer the charge aforesaid in which bail must be in the sum of one thousand dollars for himself and the like sum of one thousand dollars for his security, and that the said George W. Cutler shall enter in a recognizance in the sum of two hundred dollars and the like sum of two hundred dollars for his security, conditions that the said George W. Cutler shall keep the peace and be of good behaviour towards all the citizens of the Commonwealth and particularly towards A J Sigler until the next term of this Court. & Thereupon the said George W. Cutler appeared in court and together with John B. Smith B. Thompson Brown James E. Chapman, Zachariah Rains John Wolfrey and Robert M. Mooney his securities severally acknowledged themselves to one and be indebted to the Commonwealth of Virginia the said George W. Cutler in the sum of one thousand dollars and the John B. Smith B. Thompson Brown James E. Chapman Zachariah Rains John Wolfrey and Robert M. Mooney ^{jointly} in the like sum of one thousand dollars to be levied of their respective goods & chattels lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said George W. Cutler shall make his personal appearance before this Court on the first day of March term next of this Court to answer the felony aforesaid and not to depart thence

without the leave of the said Court then this recognizance to be void otherwise to remain in full force

Be it remembered that on this 15 day of February 1858
George W. Entler, John Schmidt Benjamin T Brown John
Wolfey, Zachariah Rains Robert M Morney and James
E Chapman personally appeared in Court and acknowledged
themselves to owe and be indebted to the Commonwealth of Virginia
the said George W. Entler in the sum of Two hundred dollars
and the said John Schmidt Benjamin T Brown John Wolfey
Zachariah Rains Robert M Morney ^{jointly} and James E Chapman
in the like sum of Two hundred dollars to be levied of their
respective good and chattels, lands and tenements and for
the use of the said Commonwealth, Yet upon this condition
that the said George W. Entler shall keep the Peace and be
of good behaviour towards of the citizens of the Commonwealth and
particularly towards A J Sigler until the March Term next
of this Court and then this recognizance to be void otherwise
to remain in full force and Virtue

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

Maason Bare

Tuesday February 16 1858

Present

Maason Bare Jp. O. Sterling Reuben (Dove) Gent
Christian Moyer Allen Saffely } Justices

Spray v. Rollett on O Bond notice granted with an award

Clifton v. Murray v. Moore &

The same order

Heinsborough v. Miller &

The same order

Heasble v. Same

The same order

Harnesberger v. Whetzel &

The same order

Bushnell v. Lewis

The same order

Boyer v. Rains

The same order

Sanger v. Whetzel &

The same order

Upon the Petition of George Houston for a change of a public road in this County. It is ordered that Messrs Geo Bowman and ~~Sherman~~ Bowman be appointed Viewers to act and report upon said petition according to law.

A Deed of Emancipation from John H Austin to Charles his slave as presented in Court and acknowledged by the said John H Austin, and ordered to be recorded.

Ordered that the Clerk of this Court register Charles a Negro this day emancipated by John H Austin, the said Charles is 50 years old black complexion and considerably gray, five feet 7 inches high No Scars or Marks Visible.

The Sheriff of ~~Adams~~ ^{Adams} County presented in Court an account against the Commonwealth amounting to \$7.00 which being sworn to was examined by the Court and allowed and ordered to be certified to the Auditor of Public accounts.

Joseph A Mitchell heretofore appointed ^{qualified as} a Notary for this County, appeared in Court and together with Jacob A Mitchell his security entered into and acknowledged a new bond in the penalty of \$500.00 conditioned as the law requires which bond is ordered to be certified and recorded.

Commonwealth

Moble & Owens

} Upon an indictment for assault & battery

This day came as well the Attorney for the Commonwealth as the Deputy Attorney and thereupon came a jury to wit Calvin Keegle, Jno Hoover, W L Smith, Wm McGay, David Sherry, Abraham Layman, Samuel Walters, George Brice, Alfred L Rohr, John H Huffman, Robt Ripeter and Benjamin H Kemper who being elected tried and sworn the truth to speak upon the issue joined and after having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and after some time returned into Court and upon

their oath do say in the jury find the defendants guilty & of the damages at 1 Cent." It is therefore considered that the Complainant recover against the Defendant one cent the damages aforesaid and the costs expended in prosecuting the said Indictment aforesaid.

W. Garrison for Byrd & Co. on (L) Bond Notice, Process & Execution awarded

The Last will and testament of Augustus Waterman dec'd was presented in Court and approved by the oaths of S.W. Gamble & Andrew Houch. two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Albert G. Waterman the executor therein named who made oath thereto according to law and entered into an acknowledgment in the penalty of \$35000⁰⁰ conditioned as the law requires, certificate is granted the Albert G. Waterman for obtaining a probate of said will in due form: the testator by his said will requested that no recinity should be required of said executor and the Court accordingly require none, and it is ordered that Robert A. Gray, Allen H. Ruffin, S.W. Gamble and D. L. Gamble do appear to estate of the said Augustus Waterman dec'd

The Grand jury sworn and impanelled on yesterday appeared in Court in pursuance to their adjournment and retired from the bar consider of their presentments and after sometime returned into Court and presented the following Indictments viz. an Indictment against Peter Hille for Lascivious cohabitation a true bill, an Indictment against Jacob Perkey for Lascivious cohabitation a true bill, an Indictment against Halse Morris for Lascivious cohabitation a true bill, an Indictment against George Sipe for Lascivious cohabitation a true bill, an Indictment against Burton Crawford for Lascivious cohabitation a true bill, an Indictment against John Cook for retailing ardent spirits without license a true bill, an Indictment against John A. Dice for Assault & Battery a true bill, an Indictment against Lewis Muttelanger for assault & battery a true bill, an Indictment against Lewis Muttelanger for an assault & battery a true bill & an Indictment against Lewis Muttelanger for an assault & battery a true bill and the said Grand jury not having any further business before them

were discharged. and it is ordered that summons be awarded against the several persons this day indicted to be directed to the Sheriff of this County and returnable here on the first day of the May term next of this Court

Commonwealth

vs

Abner Blain

} Upon an Attachment for a contempt

This day came the Defendant who was examined upon oath in Court. it is ordered that the said attachment be dismissed and that the Commonwealth recover against the Deft the costs expended in prosecuting said Attachment

Commonwealth

vs

Henry McDorman

} Upon an Attachment

This day came as well the attorney for the Commonwealth as the Deft by attorney, and by consent it is ordered that the Deft be fined one cent. and that the Commonwealth recover the costs by her in this behalf expended

Commonwealth vs Jno. McDorman on Motion Dismissed

Committed to Murry. Hares Court? until the next term

Commonwealth vs Madison Glover upon a capias

As the capias awarded against the Deft being returned not executed it is ordered that a new capias be awarded against him made returnable to the May term next of this Court

Same vs John Peyton upon an attachment

The same order

Same vs Ananias Miller upon an attachment

The Same order

Committed to Mitchel continued until the next term

Commonwealth vs A H Miller same vs B Miller same of Miller same vs Smiley, same vs Burgess & same vs Gordon on motion and for reasons appearing to the Court it is ordered that the aforesaid cause be continued until the next Court

Commonwealth

vs } Upon an Indictment for retailing ardent
John Newander } Spirits without licence, for the second offence

This day came the ~~prosecutor~~ as well the attorney for the Commonwealth as the Defendant by his attorney and thereupon came a jury to wit William H Gay, Samuel Hawters, John & Coover Benjamin H Kemper, Abraham Deputy, H C Smith, Wm H Carver John Rhodes David Sherkey, Abraham Layman, Solomon Burtner & Silas Denton who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and upon their oath do say that the jury find the defendant guilty as alleged in the indictment and the Court in exercise of its discretion dispense with the imprisonment imposed by law. It is therefore considered that the Commonwealth recover against the Deft the sum of thirty dollars the fine imposed by law and the costs expended in prosecuting the said indictment and thereupon the Deft moved the Court to set aside the aforesaid verdict and judgment, which motion the Court doth overrule

Ino S Calvert vs Saml Barley upon a rule to

On motion it is ordered that the said rule be discharged

Commonwealth

vs } Upon an Indictment
A M Peale & H Carver }

This day came as well the attorney for the Commonwealth as the Deft by his attorney and on the motion of the attorney for the Commonwealth the order requiring security for Court of the prosecutor Henry Hargis be set aside and thereupon on the motion of the Deft by their attorney

the trial of the cause is continued until the next quarterly term of this Court. and on their Motion it is ordered that the Prosecutor Henry Proger be summoned to appear here at the May term next of this Court to show cause if any thing can why he shall not be ordered to give security for all costs that have or may hereafter accrue to any person in the prosecution or defence of this indictment and all fees to the officers of this Court now due or hereafter become due and in the event of his failure to give such security why this indictment shall be dismissed.

John Sharper Plff }
 103 } Upon a distress warrant
 Wm. Rindol & Zachariah Rindol Defs }

This day came the parties by their attorneys and by consent of parties the order of reference made at a former term of this Court is set aside and by like consent it is ordered that all matters of controversy arising out of this suit be submitted to the final determination of Berry H. Kemper and A. Johnson and their award or the award of such person as they shall choose for an umpire thereupon, it to be made the judgment of the Court and the same is ordered accordingly.

William Sharper heirs Plffs }
 102 } unlawful detainer
 Catharine Grim &c Defs }

This day came the parties by their attorneys and thereupon came a jury to wit Abraham Desputy, John Rhodes, Joseph Miller, Silas Denton, Benjamin H. Kemper, Henry Soule, John & Coover, David Sherkey, W. C. Smith, Wm. Garner, George Saufley & Alfred G. Rohn who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say "We the jury find the Defs guilty & that the Plffs are entitled to the possession of the premises named in the summons & Complaint". Therefore it is considered that the Plaintiff recover against the Defendants, the possession of the premises aforesaid, and their costs by them in this behalf expended, whereupon the Plffs pray a writ to the Sheriff of this County to be directed, to cause them to have possession of the premises aforesaid and to them it is granted returnable here on the 1st day of the March term next of this Court.

Franklin Pierce

Plff

} upon a Motion

E. F. Williams admr of A. G. Maury Deft

This day came the parties by their attorneys and by consent, it is ordered that the power and authority of the Deft as administrator of Albert G. Maury dec^d. be revoked and annulled and that the Plff recover against the Deft the costs by the Plff about his suit in this behalf expended.

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

Naason Base

Wednesday February 17 1858

Present.

Naason Base of O. Sterling Allen Saffley Gent
 Reuben Dove & Christian R. Majors } Attorneys

Silas Beard

Plff

} In Chancery

Sophia Margaret Beard & others Defs

On the motion of complainant, Silas B. Gamble is assigned guardian ad litem to the infant defendants Amanda Beard, David Beard, Elizabeth Beard & Ruth Beard and filed their answer, and thereupon by consent of parties this cause came on to be heard upon the bill and exhibits, the answer of the Deft Sophia Margaret Beard, and of the said infant defendants by their guardian ad litem, with general replication to said answer, whereupon the argument of counsel being heard, it is adjudged, ordered and decreed that De Witt Coffman Henry Beery and Silas Henton, who are hereby appointed commissioners for that purpose, do go upon the tract of land of A 17712 mentioned in the bill being the land devised by David Beard to his three sons, James Silas and Charles Beard lying on Lincolns Creek in Rockingham County and divide the same equally according to quantity & quality

between the complainant Silas Beard, and the Defendants Sophia Margaret Beard, and her children, the heirs and devisees of James Beard deceased, dividing the same into two tracts of equal value and assigning one of said tracts to Silas Beard, and the other to the Defendants the heirs and devisees of James Beard. And said Commissioners are required to make to this Court at its next term a report of said partition required by them together with a fair plat of said division, showing the respective boundaries of the tracts, and the courses and distances in order to a final Decree.

Michael Lohr Plaintiff
 against } In Chancery
 Lucinda Scottron & others Defts.

This cause came on to be again heard this 17 day of February 1858 upon the papers heretofore read and the proceedings heretofore had, and the report of Commissioners (Donlas Marty, Peter P. Mount, Peter Holinger, to which there is no exception, and the same is hereby confirmed and adopted and it is further adjudged, ordered and decreed that said report be withdrawn by the Clerk of this Court and recorded in the deed book.

It is further adjudged, ordered and decreed that the Commissioners aforesaid do proceed to assign to the defendant Lucinda Scottron widow of Michael Scottron dec^d by metes and bounds one equal third in quantity and quality of the land which by the report aforesaid was allotted to the widow and heirs of said Michael Scottron as her dower in said land and make report to this Court at its next term.

Ordered that the Clerk of this Court register Joseph Arthur Nelson a bright mulatto, aged about 25 years, five feet nine inches high, has a slight scar over the left eye, a slight scar above the second joint of the index finger of the left hand, and a scar nearly the whole length of the third finger of the right hand and was born free.

Tutwiler, Adams & Co. Valley Springs Co. Keiston & Gully, White Iron, Lyons Harris & Minale, Mangy & Co. Baden, Coffman & Co. & Henry & Shaver & Holinger On Motion severally continued until the next term.

Managers. G. D. R. Co. v. Gray. same as same same as Diggs. same as same
 Clarke v. Blackaby. Liggitt v. Mianch. Clifton v. Co. v. Crawford. Dundane
 v. Bateman. Moyerhoffer v. Roller & Rockingham Male & Female Seminary
 v. Rehner. same as Smith. same as Miller. same as Ewing. same as Kerling & son
 same as Bear. same as Shamas. same as Kern Miller. same as Gamblill. same
 as Clary & Co. same as Jones. Seagles v. Austin. Luff v. Luff &
 Whitman v. Brewer & Baynes same on Motion severally continued
 until the next term.

Huffman v. Kernsper. on Motion Dismissed

Robert Steele & others

Plff.

v.

A. S. Gray executor of David Steele decd. Def.

Upon a Motion

This day came the parties by their attorneys and by consent
 it is ordered that the power and authority of the said Algernon S.
 Gray as executor of David Steele decd. be revoked and annulled. &
 that the Plff. recover against the Def. their costs about their motion
 in this behalf expended.

C. W. Hoffman for Plff.

v.

Lumpkin Lee

Def.

In Case

This day came the parties by their attorneys and
 the Defendant. pleaded Non assumpsit. to which the Plea the
 Plff. replied generally, and the trial of the issue is continued until
 the next term.

Roller v. Hoghead. on Motion this cause is dismissed

The Corporation of Harrisonburg

Plff.

on a motion

v.

Dougherty & Burnett for Isaac Siken

Def.

Upon a suspending. Com.

This day came the parties by their attorneys and
 thereupon sundry witnesses being sworn and examined touching

the premises and the Court upon mature deliberation are of opinion that the wagon in controversy ^{was} not the property of William Miller but the property of James L. Manspin as trustee under the will of Mary L. Manspin dec'd. it is therefore concluded that the Corporation of Harrisonburg recover against the Defendant Leag. Also the costs expended in the prosecution of the said motion

Joseph H. Roan and Quad Plff }
 vs }
 Runcle & others Defts } Chancery

This cause came on again to be heard upon the papers formerly read & leave is given to W. T. McGahy to file his petition governing thereupon the argument of counsel heard. The Court doth approve & order & decree that the receiver in this cause out of any money coming to Franklin Runcle pay to W. T. McGahy or any person entitled to receive the money the sum of \$2.75 with interest from the 7 day of March 1855 & 30 cents costs & the costs of this petition

David Bear Guardian for Archy Hopkins orphan of James Hopkins dec'd appeared in Court and tendered his resignation as such Guardian, and it is ordered that his resignation be received and entered of record

Commonwealth }
 vs } No 1. upon an indictment for retailing and
 Richard Jarvis } Spirits without license

This day came as well the Attorney prosecuting for the Commonwealth and the defense to the above been being argued the Court doth overrule the same as the Deft by Attorney, and thereupon came a jury to wit Calvin Keagle Benjamin D. Kemper, George Saufley, Alfred L. Robt, Abraham Deputy, Henry T. Martmann, William Harner, Solomon Butner, John Rhodes Robt Rappetoe, Silas Henton and Michael Sellers who being selected then and sworn the truth to speak upon the issue joined upon the plea in abatement and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oath do say "We the jury find for the Commonwealth" and thereupon the Deft moved the Court to set aside said Verdict which motion the Court doth overrule and

thereupon the Deft tendered his plea in abatement to which the Atty for the Commonwealth objected. the Court did reject the said plea and thereupon the defendant pleaded not guilty & filed a demurrer and the trial of the cause is continued until the next term

Commonwealth
vs } upon an indictment for retailing ardent
Annie's Miswender } spirits without license

This day came as well the attorney prosecuting for the Commonwealth as the Deft by her attorney. and thereupon came a jury to wit Samuel Nanters, John Glover, Solomon Burtner, Alfred E. Rober, George Brice, Joseph Miller, Abraham Layman, Robt Ruppel, George Saufley, John Rhodes, Fleming & Meadman and William Harner who being elected & sworn to try the plea of the abatement filed in this cause by the Deft. and having heard the evidence upon their oath do say & the jury find that the plea is true, and that Jacob A Rhodes, who was a member of the Grand jury who found the indictment named in said plea was not the time of such finding of said indictment a freeholder". It is therefore considered that the said cause be abated & dismissed

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

Naason Bare

Thursday February 18th 1858

Present

Naason Bare J. J. O. Sterling Wm Saufley } Gent
Christian R. Myers & Reuben Dove } Justices

Commonwealth vs Richard Jarrals fifty two cases on motion
it is ordered that the aforesaid causes be dismissed

Commonwealth vs Jas. Hamplere 8 cases The same order

Same vs Perkey Mich. 24 cases The same order

Same vs Wm Winnick 5 cases The same order

Same vs Mary Swann 8 cases The same order

Same vs Thos. Alexander 7 cases The same order

Commonwealth vs Archibald Roach

This day came as well the attorney for the Commonwealth as the Deft by Attorney and on Motion and for reasons appearing to the Court it is ordered that this cause be dismissed

Same vs Robert Philips

The Same order

Same vs H Miswander

The Same order

Same vs H Parrot

The Same order

Same vs Mrs Johnson

The Same order

Same vs Jackson Glover & Co

The Same order

Same vs Jno Seely

The Same order

Same vs A Miswander

The Same order

Same vs Lewis Drails

The Same order

Same vs O Munich

The Same order

Same vs Jno Dixon

The Same order

George K Moyers

Pleff

vs

John Green

Deft

} Upon a writ of Habeas Corpus detained

This day came the Plaintiff by his attorney and for reasons appearing to the Court it is ordered that this cause be dismissed and that the Pleff recover against the Deft his costs by him about his suit in this behalf expended

John Roller is appointed surveyor of the road leading from Roller's Mill to Meeden's Church in the place of Leonard Truitt

Samuel Coates

vs

(David Heller &

Plff

Defts)

Upon a notice removed from a justice of the peace

This day came parties by their attorneys, and at appearing to the Court that the justice who removed this cause to this Court, ought to have acted separately on each claim embraced in the notice, and that the motion before the justice ought to be regarded as a separate motion on each receipt, and that the justice ought not to have removed the proceedings to this Court on the motion of Defts the order of removal is set aside, and that the papers in the case are to be delivered to the justice Jackson Hoar, before whom said notice was returned, to be proceeded upon by him, as if no order of removal had been made, and that the Plff recover against the Deft his costs by him in this behalf expended

Upon the petition of George Houston for a change of a public road in this County, the Viewers heretofore appointed, this day made and returned their report, and upon consideration whereof, the Court doth establish the same, according to the report aforesaid, when the Overseer of the said road shall be satisfied that the same is in good order

William H. Gailey

vs

J^r Burkholder or of J^r N. Bear

Plff

Deft)

Upon a Notice

This day came the parties by their attorneys, and on motion and for reasons appearing to the Court, it is ordered that this cause be dismissed, and that the Deft recover against the Plff his costs by him in this behalf expended

Benjamin V. Richard

vs

Anthony Huffman

Plff

(Deft)

Upon an Award

This day came the parties by their attorneys, and the Court not having time to hear all the argument of counsel, the further argument is continued until tomorrow

Ordered that the Court be adjourned until tomorrow evening at 9 o'clock
Naason Bare

Friday Oct 19th 1858

Present

Naason Barr. of Ole Sterling. Wm Saufley } Gent.
Reuben Dove. & C. R. Mogens } Dist. cos.

Settlements of Emanuel Sellers dec^d (Daniel Loring dec^d Jacob Nave dec^d and Maria Yount, having been placed in the Clerk's office of this Court were presented in Court and no exceptions being offered thereto the same are confirmed and ordered to be recorded.

Bryan vs Hall & same vs same on motion severally continued until the next term at the Costs of the Deft

On the motion of Richard P. Hatcher guardian for Miss Lewis it ordered that there shall be refunded to him \$15.00 the amt of land tax of the estate of Tho Lewis dec^d over charged on the Land book of the com^{rs} of the revenue for the No district of Rockingham County, Va for 1857. also that there be refunded to Delia M Lewis \$6.70 the amount of land tax over charged her on said Land tax book of said com^{rs} for the year 1857. The error was caused by charging the said estate with 184 acres @ \$75 per acre when it should have been entered only 134 acres at \$75 per acre making an over charge for 1st year 1857 of \$35. The amt of tax charged was \$55.20 when it should have been only \$40.20 making said over charge of \$15. The above over charge of the Land tax for^d Delia M Lewis for the year 1857 was caused by charging her with a tract of 81 acres at \$75 per acre making \$24.30 tax, when it should have been charged only 50 acres at \$75 per acre and 31 acres at \$21 per acre both tracts producing a tax of \$12.60 thus making an over charge against D. Delia M Lewis of \$6.70. These errors satisfactorily proven to the Court ^{and} the reasons why it orders of refund as to the said over charge of the tax on the said lands of the estate of Tho^s Lewis dec^d and the said Delia M Lewis for the year 1857 are made. The Commonwealths attorney for said County defended before the Court the aforesaid application for a ref.

An agreement between Amanda J. Kayser and Jerry Tournay, binding William Smith a son of S. Amanda J. Kayser to the said Jerry Tournay

was presented in Court and ordered to be filed.

Corporation of Harrisonburg

vs

Dougherty & Burnett for Isaac Aiken

Pliff

Defts done

Upon a suspending

This day came again the parties by their attorneys and on motion and for reasons appearing to the Court it is ordered that the judgment rendered in this case during the present term be set aside and a new trial be granted the Defendants upon the usual terms.

Benjamin F. Richards

vs

Anthony Hoffman

Pliff

Deft

Upon a motion to enter up judgment

upon an award

The award of Anderson M. Newman - Isaac & Hardesty and Abraham Byrd made under a written agreement between Benjamin F. Richards of the one part and Anthony Hoffman of the other part together with the said written agreement of submission having been returned to this Court at its last March Term and a rule having been duly made and served upon both of said parties to shew cause if any they can why said award should not be entered up as the judgment or decree of this Court as was agreed to be done by said submission, whereupon came the parties by their attorneys and the argument of counsel being heard & no sufficient cause being shown by either party to the contrary, it is pursuant to the said award considered and decreed by the Court in conformity to said award that the Plaintiff Benjamin F. Richards convey or cause to be conveyed by deed with special warranty binding himself & the parties he represents to the defendant Anthony Hoffman the four tenths or four share in the three half acre lot in Kezletown in Rockingham which three half acre lots are a part of the real estate of B. Richards deceased and are now in the possession of Solomon Burtner as an tenant property and which four tenths are held by said B. F. Richards as set forth in the article of submission which is here referred to - and it is further considered and decreed that the said Anthony Hoffman do convey or cause to be conveyed by deed with special warranty to

the said Benjamin F. Richard binding himself & those under whom he claims his interest of six tenths (as set forth in the said agreement of Submersion) in the lot in Keegletown herein as the Orchard lot and in the house lot of half an acre in Keegletown occupied by Levison, and in the $3\frac{1}{2}$ acre lot about $\frac{1}{4}$ of a mile from Keegletown, which last mentioned lots are also a part of the real estate of the late D. Richard. The said conveyance from Richard to Cluffman & from Cluffman to Richard to be made & delivered at the same time, pari passu, and to be to pass the shares they respectively represent, and it is further considered and decreed in pursuance of said award, that the said Anthony Cluffman pay to the said Benjamin F. Richard, upon the said Benjamin F. Richard executing or causing to be executed to him the deeds for the interest of four tenths in the Daryard property, hereinbefore required to be executed the sum of three hundred dollars with interest thereon from the 27th day of February 1857 till paid, and that the said Cluffman do pay to said Benjamin F. Richard on the 1st day of January 1859 (or as soon thereafter as D. Richard shall execute or cause to be executed the deeds hereinbefore required of him, the further sum of three hundred dollars with interest thereon from 27th of February 1857 till paid, which is to be in full discharge of all claim of Benjamin F. Richard & those whom he represents, against said Cluffman for rents and profits of lots. ^{Memorandum} ^{of the Court} ^{in this case} ^{excepted to an opinion of the Court} ^{and filed their exceptions in the records} ^{Richard's} ^{which were signed and sealed} ^{and enrolled and ordered to be made a part of the record}

Overseers of the Poor

vs } Upon a warrant charging the Deft with being
Andrew Jackson Daugherty } the father of a bastard child of which Ruth
Amey, an unmarried white woman, was delivered

On Motion it is ordered that this cause be continued

R. H. Harrison vs Hawcutt & Jelly, Garnishers. The defts having been duly summoned to appear here and answer the suggestion of the Plffs they, having failed to appear. It is ordered that they be summoned to appear here at the next term to show cause if any they why they shall not be attached for their failure

✓ Same vs Shoemaker upon an order

The Same order

Pritchett vs. McLean. Hummer vs. Sams. Robinson vs. Gilman vs. Plogger

On Motion severally continued until the next term

Dunlap vs. Robinson Jr. Continued for the Deff.

Roller vs. Logghead. Michie vs. Robinson vs. Levine. Harvaterger vs. Sanger vs. Rhodes vs. Denial. Uerner for vs. Smith & Stenspring vs. Smith. On Motion it is ordered that the aforesaid cases be dismissed.

Daniel Smith Esq. a Justice of the peace for District No. in this County, this day by an instrument of writing resigned his said office as a Justice. It is therefore ordered that an election to fill the said Vacancy be held in said District on the fourth Thursday in May next, and it is further ordered that on the same day an election be held in District No. for a Justice of the peace in said District to fill the Vacancy occasioned by the Death of Samuel Miller, and that the officers and commissioners to be appointed to superintend the general assembly election to be held on that day.

John W. G. Smith	Plff	} In Case
Daniel Murray	Deft	

This day came the parties by their attorneys, and the Deff with that he did not appear upon himself in the manner & form as the Plff in his declaration mentioned to which plea the Plff replied generally, and the trial of the issue is continued until the next term

John Kinnear	Plff	} In Case
Wm H. Rodiffer	Deft	

The same order

Abraham Shepherd & ¹⁰Pliff } In Debt
 Robert L. March Def

This day came the parties by their attorneys and the deft filed his plea of Infancy & payment to which plea the Pliff's attorney replied generally and thereupon the trial the issue is continued until the next term.

George Barman ¹⁰Pliff } In Debt
 Abraham & Caturale Def

This day came the parties by their attorneys and the deft filed his plea of infancy & payment to which plea the Pliff replied generally and the judgment obtained in the office is set aside and the trial of the cause is continued until the next term.

Joseph H. Shuck & Trustees ¹⁰Pliff } Upon a Summons for unlawful
 Philip Harrison Def Detainer

This day came the parties by their attorneys and thereupon came a jury to wit (David Sherkey, Solomon Burtner, William Garner, Michael Bowman, George Bull, George Saufley, John & Clover, Lemuel Tutinler, Abraham Layman, Abraham Deputy, Calvin Keagle and Rob. Ripetoe, who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence but not having time to hear the argument of counsel were adjourned until tomorrow morning at 10 o'clock.

Ordered that hereafter the Court will try no cause or motion that can be tried at a quarterly term, that can be tried at a monthly term.

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

Saturday February 20 1858

Present

Naason Bare P.J. O.C. Sterling Reuben Dorey Gent
Wm Saufley & Co R Myers } Justices

Ordered that the following named persons be allowed the sums affixed to their respective names to be paid by Commonwealth for jury service during the present term

Copy sent to and

Michael Sellen	\$. 80	Benj F Kemper	\$ 1 50
Wm Harner	1 50	David Sherkey	1 00
John Rhodes	1 50	Silas Heriton	1 00
Solomon Bentner	1 50	George Brill	1 00
Sammuel Vauter	1 50	Abraham Deputy	1 00
Wm Milguy	1 00	Rob Ripetoe	1 50
Alfred L Rohr	1 50	Abraham Layman	2 00
John Hoover	1 00	Calvin Keegle	1 00
Geo Saufley	1 00	John Heffernan	50
W L Smith	4 00	Joseph Miller	50
H T Hartmann	1 00	and it is ordered that the	

Sheriff of this County pay the same to the person entitled to

Ordered that the following named persons be allowed the sums affixed to their respective names for jury service during the present term to be paid by the County of Rockingham

Michael Sellen	\$ 4 50
Wm Harner	3 50
David Sherkey	4 00
John Rhodes	3 50
Silas Heriton	4 00
Solomon Bentner	3 50
Geo Brill	4 00
Sammuel Vauter	3 50
Abm Deputy	4 00
Samm Ripetoe	3 50
Alfred L Rohr	3 50
Abm Layman	3 00
John Hoover	4 00
Calvin Keegle	4 00
Geo Saufley	4 00
John Heffernan	50
W L Smith	4 00
Joseph Miller	4 50
H T Hartmann	3 00
Wm Harner	4 00

And it is ordered that the Sheriff of this County pay the above sums to the persons entitled to the same

On Motion of John Ledwoodson, by the unanimous consent of the Bar practicing in this court, it is ordered to be entered as a rule of the Court that no contested motion or other contested cause not requiring a jury shall be heard at a Quarterly term, unless it be such that by law can only be tried at a Quarterly term. Motions for award of executions on forfeited delivery bonds motions for probat of wills, for the appointment of Executors or administrators or any other motion where the same is not contested shall not be considered within the rule.

Commonwealth

No

No 1

} upon an indictment

Richard Jarnold

This day came as well the attorney prosecuting for the Commonwealth as the Deft by his attorney. and on the motion of Deft by his attorney the court doth reconsider their action in refusing to set aside of the Verdict in this cause. which motion was argued and on consideration the Court sustain the said Motion and set aside the said Verdict and grant a new trial therein. and the trial of the cause is continued until the next term.

Wm N Jordan

Plff

No

Jos H Whetzel &

Deft

} In Deft

This day came the parties by their attorneys. and the Deft by Atto pleaded payment to which the Plff replied generally. and the trial of the issue is continued until the next term.

Same

Plff

No

Jacob H Writtersell &

Deft

} In Deft

The Same order

Benjamin Bealer

Plff

No

Wm L Anderson &

Deft

} In Deft

The Same order

Ordered that all cases on the Docket not tried or otherwise disposed be continued until the next term

William Harper's heirs Plff.
vs
Catherine Guinn & others Defs. } Upon an action of unlawful Detainer

This day came again the parties by their attorneys and on the motion of the Defs by Attorney and the Defs by Attorney moved the Court to set aside the verdict and judgment rendered in this cause on Tuesday last, which motion was resisted by the Plff by Attorney, on consideration whereof the Court doth set aside the verdict and judgment aforesaid, and grant a new trial in the cause upon the Defs paying the costs of the trial aforesaid

Abraham Shepherd & Plffs.
vs
Robert Le March Defs. } In Debt

This day came again the parties by their attorneys and on motion and for reasons appearing to the Court it is ordered that this cause be dismissed, and that the Defs recover against the Plff his costs by him about his defence in this behalf expended

Anthony Miller for Plff.
vs
A C Smith Defs. } In Debt

This day came the parties by their attorneys and it appearing to the Court that this cause has been depending here more than twelve months without a trial being had therein it is ordered that the same be removed to the Circuit Court of this County for trial, and leave is given to the Defs to retake the deposition of witnesses

Wm E. Effinger vs A. D. Rutherford. This day came the parties by their attorneys & thereupon the deft pleads a payment of fees & costs to which the Plff replies generally & the trial of the issue is continued until next term

D S Jones

Plff

vs

Joseph Billheimer

Deft

In Case

This day came the parties by their attorneys. & on the motion of the Deft. and it appearing to the court that this cause has been depending here more than twelve months without a trial being had therein it is ordered that this cause be removed to the Circuit Court of this County for trial to have therein

Philip Keller's adm^r

Plff

vs

R M Mooney

Deft

In Debt

This day came the parties by their attorneys and by consent it is considered that the Plff. recover against the Deft. \$1355.51 1/4 with legal interest thereon from the 1st day of Sept 1857 till paid and the costs by the Plff about his suit in this behalf expended

Same

Plff

vs

Same

Deft

In Debt

This day came the parties by their attorneys and by consent it is considered that the Plff recover against the Deft \$1355.51 1/4 with legal interest thereon from the 1st day of Sept 1856 till paid and the costs by the Plff about his suit in this behalf expended. this judgment is subject to a credit of \$1000. of date 22^d Sept 1857

Joseph H. Shue & Trustees

Plff

vs

Philip Harrison

Deft

Unlawful Detainer

This day came again the parties by their attorneys and the jury sworn and empanelled on yesterday in for the trial of this cause appeared in court pursuant to their adjournment and having fully heard the evidence and argument of counsel retired from the bar and after some time returned into court

and not being able to agree upon their verdict. (David Sherkey one of the jurors is withdrawn and the balance from rendering a verdict. discharged & the cause is continued until the next term for a new trial to be had therein

Chas. D. DeFord Plff
 vs
 Rich^d L. Gray Deft } In Deft

This day came the parties by their attorneys, and
 it appearing to the Court that the summons issued in this cause
 was not executed until after the return day, on motion of the
 Deft. by his attorney, the judgment in the office against him,
 and all the proceedings in the case are reversed as far back as
 the rules in January 1858 including these rules, & the case is
 remanded, that the Plff may sue out an alias summons
 in the office

Chas. D. DeFord Plff
 vs
 Rich^d L. Gray Deft } In leave

The same order as in the above case

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

Naason Bare

A Court held for Rockingham County
at the Court house there on Monday the
15th day of March, 1858.

Present

Naason Base of Fountain McLartyon } Gent.
Benj. Hoover, McDonald Harris & A. McKimman } Justices

The Clerk of this Court returned into Court a list of deeds
and other writings admitted to record in the Clerk's office of this
Court which being seen and inspected by the Court is ordered
to be entered on the minutes as follows viz

- \ A Deed of Bargain & Sale from John B. Longrien wife to George Treclamer
- \ Same from John R. Kugler wife to John Sheets of SC.
- \ Same from Same to Same
- \ Same from Jacob Kugler's exr. to Henry Petry
- \ Same from Henry Petry wife to John R. Kugler
- \ Same from Thomas Hoard wife to Same
- \ Same from John Sheets wife to Same
- \ Same from Same to Same
- \ Same from A. Brydson to Allen LeBryan
- \ A Deed of Trust from David Kasey to Mark Brydson for Jacob Bushange
- X A Deed of Bargain & Sale from S. W. Gannice exr. to John A. Hill X
- \ Same from Melson, carrier, wife to Joseph H. Leonard X
- \ A Deed of Trust from Adam Meise to S. W. Gannice for J. M. of land
- \ Same from Daniel Swank to J. H. Woodson for J. M. Swank
- \ A Deed of Bargain & Sale from Gared S. Hopkins wife to Joseph Manzy
- \ Same from Allen LeBryan wife to Christiana Hartman
- \ Same from Samuel Heuffman wife to James McCalmer
- \ Same from Franklin Q. C. to Zachariah Taylor
- \ Same from Benj. Watson wife to Same
- \ Same from Edwin & F. Williams to Joseph Manzy
- \ Same from Daniel Swank to John F. Showalter, Trustee
- \ A Deed of Trust from Daniel Swank wife to J. M. Swank for J. M. F. Showalter
- \ A Deed of Bargain & Sale from Jacob Dinkler wife to Jacob Lago
- \ Same from Samuel Gove wife to Abraham Burkholder

- \ A Deed of Bargain & Sale from Jacob Achenbach to Giles Dever
- \ Same from Dever by Power of Sale to Polly Shipless
- \ Same from Est. Hearnstenger wife to Henry Hearnst
- + A Deed of Bargain & Sale from John Hearnstenger wife to H. A. White for Henry Miller &
- \ A Deed of Bargain & Sale from Andrew J. Strickler to Lewis Strickler
- \ A Deed of Emancipation from Jno. H. Austin to Charles a slave
- \ A Deed of Bargain & Sale from Franklin Baxter wife to John Stern Trustee
- \ Same from Merula Hearnstenger wife to Richard D. Hearnst
- \ Same from same to G. W. Hearnst
- \ Same from James H. Gladson to Adam B. Gladson
- \ A Deed of Trust from Joseph Stover to Wm. Stover for J. Stover Jr
- \ Same from Peter Hearnstenger wife to E. A. Hearnstenger
- \ A Deed of Trust from John Lee to Ed. Hearnstenger for David Rice
- \ Same from John Hearnstenger to J. Hearnstenger Trust for Hearnstenger & Hearnst
- \ A Deed of Bargain & Sale from Michael Hearnstenger to John Hearnstenger
- \ Same from John H. Blase to Lewis Pence
- \ A Marriage agreement between John Durand & Eliza A. Frankhouse
- \ A Deed of Bargain & Sale from Harriet Warren to Thomas A. Yancy
- \ Same from Lewis Leopold wife to Charles Miller & Son
- \ A Deed of Trust from Thomas G. Hopkins to Wm. Hopkins for Arch. Hopkins
- + A Deed of Bargain & Sale from Harney Dinkler wife to G. B. Dinkler
- + Same from George H. Dinkler wife to Joseph Dinkler

Settlements of the estates of Solomon Garber, Henry Spitzger & George Shonwalter etc. having been filed in the Clerk's office of this Court for the time prescribed by law, were presented in Court and no exceptions being offered thereto, the same are affirmed and ordered to be recorded.

Settlements of the accounts of the Guardians of Jno. Shonwalter, Benj. Hingoramen, Coatharine Lowry, Mary Nave, Sarah Nave, Joseph Nave, Sampson Nave, Elias Nave, Elizabeth Miller, Michael Miller, Virginia Miller, having been filed in the Clerk's office of this Court for the time prescribed by law, were presented in Court and no exceptions being offered thereto, the same are affirmed and ordered to be recorded.

A Settlement of the accounts of John Roller Committee for Polly Samary having been filed in the Clerk's office of this Court for the time prescribed by law and presented in Court and no exceptions being offered thereto the same is ordered to be recorded.

Ordered that the Sheriff summon all the justices of
✓ Rockingham County to appear here on the 2nd day of April Court next to act upon applications for Ordinary and other Licenses and for other purposes.

Jacob A Bovey this day produced credentials of his ordination and also of his being in regular communion with the United Brethren in Christ: Took the oath of allegiance to this Commonwealth and with Joseph Frankhouse & George P Brutner his securities entered into and acknowledged a bond in the penalty of \$500. conditioned as the law directs whereupon on his motion a testimonial is granted him in due form.

The Last will and testament of Robert Hooke dec^d is as presented in Court and proved by the oaths of Charles Lewis and James A Lewis two of the subscribing witnesses thereto and ordered to be recorded.

✓ Jackson Rhodes having obtained from before a justice of the peace for this County an attachment against the estate of John H Bloce who hath privately removed out of this County or so conceals himself so that the ordinary process of law cannot be served on him for debt and a constable of this County having returned that he had executed the said attachment "one black Mare saddle & bridle & Slay" This day came the plaintiff by his attorney and the Deft being solemnly called and not appearing to answer the same it is considered by the Court that the Pltff recover against the Deft \$47.75 with interest on \$37.75 part thereof from 2nd day of February 1858 and \$10 the residue thereof from 28th day of February 1858 till paid and the costs by him in this behalf expended and it is

Ordered that the officer who levied said attachment make sale of the attached effects, and out of the money arising from such sale pay and satisfy this judgment to the Plff. and restore the overplus (if any) to the Defendant, and return an account of such sale to this Court, and Lewis Pence being sworn and examined in Court, stated that he was indebted to the said Jno. B. Bloce in an amount exceeding the debt of the said Jackson Rhodes it is therefore considered that the Plff. recover against the said Lewis Pence the debt Interest and costs aforesaid

Benjamin Snell having obtained from a justice of the peace for this County, an attachment against the estate of John B. Bloce, who has privately removed out of this County and also conceals himself so that the ordinary process of law cannot be served on him and a constable of this County having made return that he had executed the said attachment by summoning Lewis Pence to appear as a garnishee, this day came as well the Plff. by his attorney, as the said garnishee in his proper person who being sworn declared that he was indebted to the Defendant in a greater amount than the Debt due the Plff. and the Def. not appearing though solemnly called, and it appearing that the Def. is indebted to the Plff. in the sum of \$86.98 Debt, it is considered by the Court that the Plff. recover against the Def. the said sum of \$86.98 with interest thereon from 12th day of March 1858 till paid, and the Costs by him in his behalf expensed, and it is further considered that the Plff. recover against the said Lewis Pence the aforesaid judgment, to satisfy the same

Jack Robinson, a very black Negro, age thirty four years five feet four inches high, has white teeth, and a scar on the left arm caused by the bite of a dog which is on his wrist yellow - appeared in Court and at appearing that he was this day emancipated by John Lowers by deed, it is ordered that that the said Jack Robinson be registered by the Clerk of this Court but no leave is given the said Jack to remain within the County set

The Court doth appoint James Moore guardian for Mary Frances Gibson orphan of Richard Gibson and thereupon the said James Moore appeared in Court and together with Hearnet Moore & Jonathan Pease his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$400. conditioned according to law which bond is ordered to be recorded

On the motion of Charles W. Harnberger & Gelverton Le Ammon who made oath thereto according to law and together with William & Miller, Thomas K. Miller, Jacob E. Harnberger, Jacob Ammon and John R. Kogler his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of sixteen thousand dollars conditioned as the law requires certificate is granted them for obtaining letters of administration in due form upon the estate of Alfred & Wolfce? the widow of said decedant having in writing relinquished her right to administer, and it is ordered that Thomas K. Miller, Jacob Miller, Joseph H. Rice & Henry Miller do appraise the estate of the said Alfred & Wolfce?

On the motion of Fountain M. Layton who made oath thereto according to law and together with Rob. Ruffner & Alexander Kyger his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of nine hundred dollars conditioned as the law requires, ~~which bond is~~ certificate is granted him for obtaining letters of administration in due form upon the estate of Mary Allison dec. and it is ordered that V Reuben Allover, Jacob Baker, Elias Loran & Jonathan Miller do appraise the estate of the said Mary Allison dec.

Margaret Ann Wisnander being over 14 years of age appeared in Court and with the approbation of the Court made choice of Isaac Wenger and the Court doth appoint the said Isaac Wenger guardian for John W. Wisnander and Sarah A. Wisnander who are under the age of 14 years children of Abraham Wisnander

and grandchildren of Bernard Hauffman dec^d and thereupon the said Isaac Wenger together with Christian Bernick & Jacob Monger his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of thirty five hundred dollars conditioned as the law requires which bond is ordered to be recorded

Robert Tutwiler & Joseph Tutwiler being over 14 years of age appeared in Court and with the approbation of the Court made choice of John A. Koraum as their guardian and the Court doth appoint the said John A. Koraum guardian for Delila E. Tutwiler & James K. Tutwiler who are under the age of 14 years all orphans of Leonard Tutwiler dec^d and thereupon the said John A. Koraum together with Peter S. Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of two thousand dollars conditioned as the law requires which bond is ordered to be recorded

At a Court held for Rockingham County Virginia on the 15th of March 1858 Samuel H. Lewis appeared in said Court and being duly sworn deposed & said that he was a magistrate in said County 1854 and 1855 and during these years to the best of his belief George Plumbl of said County held as warrantee in a military bounty land warrant for eighty acres issued under the law of September 1850 and the said Plumbl made and acknowledged a transfer of said warrant to Jacob Pirkey before this deponent who certifies the said acknowledgment in the usual form

On Motion of William W. Cooke executor of the estate of Robert Cooke the Court having satisfactory evidence of the facts that the said Robert Cooke died in possession of a bounty land warrant for eighty acres of land issued under the act of Congress granting bounty land to certain officers & soldiers and that the only legal heirs of the said Robert Cooke are William W. Cooke, Ann Mayerhoeffer (late Ann Cooke) wife of Lewis Mayerhoeffer, Elizabeth J. Wilson (late Elizabeth J. Cooke) wife of Robert K. Wilson, Rebecca Fuller late Rebecca Cooke, wife of Samuel Fuller

Martha Meyerhoeffer late Martha Hooke wife of Jno & Meyerhoeffer, Janette & M. Nangle (late Janette & M. Hooke) wife of Charles A. Nangle and Lucy Jane Williams daughter of Sarah Williams dec'd (late Sarah Hooke) and that John Niswander has duly qualified as guardian of the said Lucy Jane, the said facts are hereby ordered to be certified in or to the said John Niswander is hereby authorized, the said John Niswander is hereby authorized & empowered to sell & assign the right title & interest of his said ward in said warrant

Adam Rader

Plff

vs

Deft

Upon a Notice

Turner M Jackson Guard

— This day came the Plff by his attorney and it appearing to the Court that the Deft. hath had legal notice of this motion and he being solemnly called and not appearing, it is ordered that his power and authority as guardian for Ellen J. Maria L. Mary E & Brown & Jackson, be revoked and annulled, and the Court doth appoint Adam Rader guardian for the said Ellen J Jackson, Maria L Jackson, Mary E Jackson & Brown & Jackson children of Turner M Jackson and thereupon the said Adam Rader appeared in Court and together with John Sibert his security entered into and acknowledged a bond with the penalty of eight hundred dollars conditioned as the law requires which bond is ordered to be recorded

On the motion of Peter McWhitmore who made oath that according to law and together with Michael J Meyerhoeffer, Reuben Bonds, Charles A Nangle, & Lewis H Meyerhoeffer his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$2400⁰⁰ conditioned as the law requires, certificate is granted the said Peter McWhitmore for obtaining letters of administration in and for when the estate of Ephraim Whitmore dec'd the widow of the said decedent having in writing relinquished her right to administer and it is ordered that George Saffly, Henry Carpenter, Elias Lorenson & Henry C Lorenson, or any three of them, do appraise the estate of Ephraim Whitmore dec'd

Reuben W. Harrison for Plff }
 vs } Upon a suggestion & Rule
 Daniel Zetlee Deft }

This day came the parties and the deft being examined and it appearing to the Court that there is no liability on the Deft it is ordered that the said suggestion shall be dismissed.

The Court doth appoint Jacob Moyers guardian for John William Smith, Woodford Smith & Charles Smith infants under 14 years, grand children of William B. Smith dec'd, and thereupon the said Jacob Moyers appeared in Court and together with John Miller & Samuel R. Allebaugh his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires. ~~certified~~ bond is ordered to be recorded.

The Court doth appoint Zebulon D. Gilmer curator to collect and preserve the goods and chattels of Henry Sellers dec'd during the contest about the will of the said Henry Sellers dec'd, and thereupon the said Zebulon D. Gilmer appeared in Court and together with Thomas H. Harmsinger his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars, conditioned as the law requires, which bond is ordered to be recorded, and it is ordered that J. L. Michaels, Wood Miller & George Buell do appraise the estate of the said Henry Sellers.

The last will and Testament of Samuel Miller sen. dec'd was this day again presented in Court and further proved by the oath of George W. Bullock one of the subscribing witnesses thereto and ordered to be recorded.

Charles S. Weaver appeared in open Court and being duly sworn, declared on oath that he was well acquainted with George Buell of said County, and has seen a Military Bounty Land warrant for 80 acres in which said Buell was warrantee, and deponent further says he knows of his own knowledge that said warrantee sold and assigned said warrant in 1854 & 1855 to Jacob Purkey. This deponent made the contract with said Purkey for said Buell

as his agent for the sale of the warrant

Ordered that the Overseers of the Poor for this County bind out according to law Mary Jane daughter of Dennis a man of Color to John H. Corran V aged 11 years, send Corran to pay a freedom suit of \$30. when she is 18 years old

Ordered that the Overseers of the Poor bind according to law William Spitzerson of Philip Spitzer, age 17 years to A. Beem to learn the Shoemaker's trade to serve for 3 years & freedom suit worth \$30.

George Nicholas

vs

E. T. Hopkins, W. Maury & J. Maury Defts

Pliff

Upon a suggestion that the Defts are indebted to E. T. Williams

This day came the Pliff by his attorney and thereupon the Defts appeared in court and sworn and examined and it appearing that there is no liability upon the Defts, it is ordered that this cause be dismissed

Alexander Kyger Pliff

vs

Same

Deft

Upon a suggestion the Defts are indebted to E. T. Williams

This day came the Pliff by his attorney and thereupon the Defts appeared in court and were sworn and examined and it appearing that there is no liability on the Defts, it is ordered that this cause be dismissed

Conrad Long

vs

Wm. H. Davis Committee for D. Mace

appellant

appellee

upon an appeal from the prog. of a justice

On Motion it is ordered that this cause be placed upon the docket

Michael Carrman

vs. { Upon Motion to require the Def^t to give pl^{ff}. counter security, as guar^d for Milton Strickler

This day came the parties by their attorneys - and thereupon the said Mark Strickler appeared in Court and together with Albert E. Gay his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1000.⁰⁰ as guaranties for said Milton Strickler, which bond is conditioned as the law requires, and the same is ordered to be recorded.

Absent Naason Bare

Ulrick Wittigson

appellants

vs.

John Mungola

appellee

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

This day came the parties by their attorneys and sundry witnesses being sworn and examined, and the Court upon mature deliberation are of opinion that there is no error in the judgment aforesaid, it is ordered that the same be affirmed and that the appellee recover against the appellants and George May their security in said appeal \$3.55 1/2 with legal interest thereon from this day, and \$6.52 costs recovered before a justice of the peace with damages upon the whole amount of said judgment at the rate of ten per centum per annum from the 18th day of July 1857 till paid, and the costs by the appellee in this behalf expended.

Present Naason Bare Gent^ls

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

Naason Bare

Tuesday March 16th 1858

Present

Naason Bare of Fountain Mc Layton McDonald } Gent
Harris. Anderson Mc Newman } Justices

J. D. Gilmer

Plff

In Chancery

George Liller's admr

Deft

This cause came on to be heard this 16th day of March 1858 upon the papers formerly read & the foregoing petition of J. D. Dove filed in this cause & the argument of counsel being heard it is adjudged ordered & decreed that the receiver appointed by a former decree in this cause pay unto the petitioner J. D. Dove the sum of \$50. with interest thereon from the 30th day of March 1853 till paid & so costs & the costs about his petition in this behalf expended.

Peter S. Roller admr of James E. Williams

Plff

In Chancery

Mary Williams & others

Deft

This cause came on to be heard by consent this 16th day of March 1858, upon the lib exhibit answers of the adult defendants and of the infant defendants by their guardian ad litem and replication thereto whereupon the argument of counsel being heard and the court being of opinion that a necessity exists for the sale of the real estate mentioned in the lib. The court doth thereupon adjudge order and decree that Peter S. Roller who is appointed a commissioner for that purpose, do proceed to make sale of the house and lot in Bridgewater which was occupied by James E. Williams at his death as a family residence and also the property occupied by him as a store & lot either separately or together as he may deem most advantageous having first given three weeks previous notice of the time and place & terms of sale by advertisement inserted in one of the newspapers published in Harrisonburg and put up at three public places in Bridgewater the sale to be made on the following terms viz one third in cash on the day of sale or ninety days thereafter with interest from the day

of sale, and the remainder in two equal yearly payments from the day of sale requiring bonds with good personal security from the purchaser and the title to be retained until the whole amount is paid. But before said Commissioner receives any money under this decree, he is required to execute a bond with good security in the clerk's office of this Court, before the clerk thereof in the penalty of \$1000. with condition agreeably to the act of assembly, & make report to the Court at the next term thereof.

Benjamin F Walker

vs

William W Crooke & others

Plff

Defts

Chancery

On Motion of Complainant, Littelton W Gamble is assigned as guardian ad litem to the infant defendant Lucy J Williams and files her answer, to which the complainant replies generally. And thereupon this cause came on to be heard upon the bill exhibits answer of the infant Deft Lucy J Williams by her guardian ad litem and replication thereto, and the summons awarded in this cause having been returned one month, and they still failing to appear the bill as to them is taken for confessed, whereupon the argument of counsel being heard, the Court is of opinion that it is impossible to divide the slave Leatharine & her infant child and the boys James and John among the parties interested, and that it is proper that said slaves should be sold and therefore adjudged ordered & decreed that Wm W Crooke who is hereby appointed a Commissioner for that purpose, do proceed to sell the said slaves to the highest bidder at public auction, at some suitable place, after giving at least three weeks notice of the time, terms and place of sale by publication in the Rockingham Register, or some convenient newspaper, the sale to be on a credit of sixty days taking from the purchasers negotiable notes well-endorsed for the purchase money, and report to this Court in order to a final decree. But before said Commissioner receives any money under this decree - he is to give bond with good security before the clerk of this Court, in the penalty of \$1000 - with condition according to law.

Asa Baugher

Plff

vs

RMMoonight

Deft

Upon a Notice &

On Motion it is ordered that this cause be placed upon the Docket

A S Woolf

Plff

vs

Same

Deft

Upon a Notice &

On Motion it is ordered that this cause be placed upon the Docket.

Hertford vs Devel & Upon a petition for a writ &

This day came the parties by their Attornies and on motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term at the costs of the depts

Corporation of Harrisonburg

vs

Dougherty & Burnett

Upon a Motion

This day came the parties by their attornies and on Motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term at the costs of the depts

Samuel M Bournan who has been duly summoned to appear here as a witness on behalf of the Corporation of Harrisonburg vs Dougherty & Burnett, being solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the next term to shew cause if any he can why he shall not be fined and attached for his failure to appear.

As George M Cortler who stands charged with a felony by him committed, appeared in Court in pursuance to his recognizance entered into at the last term of this Court and on his motion the examination is continued until the next term of this Court

and thereupon the said George W. Boutler together with Robert McKyle John B Smith and James I A Trotter his securities in open court acknowledged themselves to owe and be indebted to the Commonwealth the said George W. Boutler in the sum of One thousand dollars and the said Robert McKyle John B Smith and James I A Trotter - - - jointly in the like sum of One thousand dollars to be levied of their respective good and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said George W. Boutler shall make his personal appearance before this Court on the first day of the April term next to answer the charge of felony by him committed in this that he did on the 29th day of January 1858 in the County of Rockingham ~~and~~ unlawfully, maliciously and feloniously stab A. J. Sigler with intent to maim, disfigure, disable and kill the said A. J. Sigler and not to depart thence without the leave of the said Court. Then this recognizance to be void otherwise to remain in full force and virtue.

John T. Lewis who has been duly summoned to appear here on this as a witness on behalf of George W. Boutler as Commonwealth being solemnly called and not appearing it is ordered that he be summoned to appear here on the 1st day of the next term to show cause if any he can why he shall not be fined and attached for his failure aforesaid.

Jonas Stoner for J. S. Effinger	appellant	} Upon an Appeal
vs		
Samuel Bechtell & Conrad Sanger	appellees	

This day came the parties by their attorneys and on motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term at the costs of the appellant.

Samuel W. Brazley & Tharp on motion continued until the next term at the leave of the Court.

Robert M. Morrey who has been duly summoned to appear here

as a witness on behalf of Beazley & Sharp and same being solemnly called and not appearing, it is ordered that he be summoned to appear here on the first day of the next term to show cause why he can why he shall not be fined and attached and fined for his failure aforesaid.

Be it remembered that on this day Albert G. Sigler appeared in open court and acknowledged himself to owe and be indebted to the Commonwealth in the sum of one hundred dollars to the value of his good and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Albert G. Sigler shall make his personal appearance before this court on the first day of the April term next, then & there to give evidence on behalf of the Commonwealth against George W. Butler who stands charged with felony - and not to depart thence without the leave of the said court, then this recognizance to be void, otherwise to remain in full force and virtue.

Philip Siggert	appellant	} upon an appeal from the judgment of a justice
vs		
A J Van Belt	Appellee	

On motion it is ordered that this cause be placed upon the docket

Abel Gibbons	appellant	} upon an appeal from the judgment of a justice of the peace
vs		
Emmanuel Rhodes	Appellee	

This day came the parties by their attorneys and witnesses being sworn and examined touching the premises, the court upon mature deliberation are of opinion that there is ~~an~~ error in the judgment of the justice below, and that the same be reversed and annulled and the court proceeded to give such judgment as the justice below ought to have given. It is therefore considered that the appellant recover against the appellee the sum of \$35.00 with legal interest thereon from the 28th day of April 1857 till paid.

and the costs by the appellant in this behalf paid

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

Naason Bare

At a Court held for Rockingham County at
the Court house there of on Monday the 19th day of
April 1858

Present

Naason Bare Cf. Fountain M. Layton } Gent
Wm E. M. Harris, J. A. M. Newman & } Justices

Benj. Glover

The Clerk of this Court returned into Court a list of deeds and
other writings admitted to record in his office during the month of
March 1858, which being seen and inspected by the Court, is ordered
to be entered on the minutes as follows to wit

- \ A Deed of Bargain & Sale from Amos Scott wife to Catharine Sipe
- \ Same from Riley Armentrout wife to Samuel Shaver
- \ Same from Strother Bright wife to Same
- \ Same from Samuel Paul's & Co to Abraham Paul
- \ Same from George H. Anderson to Anthony P. Cluffman
- \ A Deed of Emancipation from John Cowen to Jack Robinson
- \ A Deed of Bargain & Sale from John Nelson wife to Stephen Broadbent
- \ Same from William Tankersly wife Wm. H. Broadbent
- \ Same from A. P. Cluffman wife to John H. Frankhauser
- \ A Deed of Trust from Daniel Good to S. B. Good Trust for Jane Good
- \ A Deed of Bargain & Sale from Daniel Good wife to Samuel Good
- \ Same from Michael Ward wife to Rebecca T. Barnett &
- \ Same from John Thomas wife to George Case
- \ Same from Elizabeth Zigler & Co to John Zigler & Co
- \ A Deed of Trust from Eli Gentry to James Steele Trust for Nicholas Gentry
- \ An Agreement between Elizabeth Zigler & John Zigler &

- \ A Deed of Bargain & Sale from Geo Rodaheffer & wife to John Rodaheffer.
- \ Same from same to G & J R & Celadbrand
- \ Same from G & J R & Celadbrand & wife to George Rodaheffer
- X Same from Nevel Rodgers & wife to James Canal
- \ Same from John de Austin & wife to Jacob Nicholas
- \ Same from Eli Keeran & wife to Ezra Burtner
- \ Same from Jno Wg Smith & wife to Daniel Smith
- \ Same from Jacob Kogler & sons to Henry Beery
- \ Same from Henry Beery & wife to John R Kogler
- \ Same from John R Kogler & wife to Martha Le Tyler
- \ Same from Wm de Reed to Thomas J Humphries Trustee
- X Same from Philip Armentrout to Jacob Block
- \ A Deed of Trust from Bradley to Helverson Trust for Henry & Beery
- \ A Deed of Bargain & Sale from John Thomas & wife to George Westall
- \ A Deed of Loan from Daniel Fisher to Elizabeth Foley
- \ A Deed of Trust from Arch Culane & wife to Thomas J Humphries Trustee
- \ A Deed of Bargain & Sale from Dr. Loushoun & wife to Jacob Araman
- \ Same from Samuel G Baigh & wife to Leonston Shifflett
- \ Same from Samuel Gordon & wife to Thos. Bowler
- \ Same from Abraham Stone & wife to Samuel Gordon
- \ Same from John Ritchie & wife to Same.
- \ Same from Robert Philips to Henry Spitzer
- \ A Deed of Trust from the Rockingham Turnpikes to E A Shanas
- \ A Deed of Bargain & Sale from Preston Lincoln's ex to Archibald Hopkings
- \ Same from Michael Flory & wife to Catharine Miller
- \ A Deed of Loan from John de Westerman to Edward Overholty

Settlements of the estates of John de Jackson, Wm Pickering and Anderson Moffett having been filed in the clerk's office of this court for the time prescribed by law were presented in court and no exceptions being offered thereto the same are affirmed and ordered to be recorded.

Settlements of the accounts of the guardians of Mary F. Gilmore, Cornelius Gilmore, Alm Miller & Isaac Loring Rebecca Kane

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Daniel Lury Men & Stephen Mary F Beine. Anaren P Beine & Ann E Keller having been filed in the office for the time prescribed by law were presented in Court and no exceptions being offered thereto the same are affirmed and ordered to be recorded

Settlements of the Curator of Conrad Rodeheffer dec? and the trustee of Julia Wisnander & having been filed in the Clerk's office of this Court for the time prescribed by law were presented in Court and no exceptions being offered thereto the same is affirmed and ordered to be recorded

Overseers of the Poor as A J Dougherty on motion and for reasons appearing to the Court it is ordered that this cause be dismissed

The last will and testament of Samuel Baker dec? was presented in Court and proved by the oath of John Carpenter & Samuel Base the subscribing witnesses thereto and ordered to be recorded

On the motion of James L Hooke & A Scott Hooke the executors named in the last will & testament of Robert Hooke dec? (heretofore recorded in this Court) who made oath thereof according to law and together with ^{Levi H. Meyerhoeffer} ~~Jacob Nicholas~~ Charles S Meason their securities (who justified as to their sufficiency) entered into a bond in and acknowledged a bond in the penalty of \$2000⁰⁰ conditioned as the law requires. a certificate is granted the said James L Hooke & A Scott Hooke for obtaining a probate of said will in due form and it is ordered that H J Granes David Maiden Men S Davis Men A Mansfield do appraise the estate of the said Robert Hooke dec?

Effenger & Stearns for Roadcap M D Bond Notice proved & execution awarded
Campbell for Birchholder & The same order

Thompson & wife is same The same order

Hinton is Roadcap The same order

Robinson is Hef The same order

Puls is Steele The same order

On Motion ~~it is~~ ordered that ~~the~~ estate of John Larral dec^d be committed to the Sheriff of this County for administration according to law and it is ordered that Henry Sife, Maud Miller & Henry Oarnabarger do appraise the said estate and report thereon according to law

John L Walker who has been heretofore appointed a Notary Public for this County, appeared in Court and together with Litten Mc Gamble his security, entered into and acknowledged a bond in the penalty of \$500, conditioned as the law requires, which bond is ordered to be recorded

On the Motion of Nancy Hamner who made oath thereto according to law and together with Henry Hamner & John L Walker her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500⁰⁰ conditioned as the law requires, a certificate is granted her for obtaining letters of administration de bonis non of the estate of William Hamner dec^d in due form

The Court doth appoint Ephraim William Rehnd Guardian for Sarah E. Whitmer, Frances Whitmer, George D. Whitmer, Mary J. Whitmer, Margaret A. Whitmer and Samuel H. Whitmer orphans of Ephraim Whitmer dec^d who are under the age of 14 years of age and thereupon the said William Rehnd appeared in Court and together with John H. Wartenmann his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1500⁰⁰ conditioned as the law requires, which bond is ordered to be recorded

John P. Gondolph a Native of Germany appeared in Court, this being a Court of record, with common law jurisdiction a clerk and a seal and declared upon oath that ~~it is~~ bona fide his intention to become a citizen of the United States of America and to renounce forever all allegiance that he may have or owe to any foreign prince potentate, State of sovereignty whatever and particularly to Charles Frederick Lewis Leopold a prince in Germany

Upon the petition of Israel May who has paid the tax imposed by law to enable him to obtain a license to keep a public ordinary in this County. It is ordered to be certified that the Court is of opinion that the applicant is sober and of good character, and that he will probably keep a house orderly, useful and such as the law requires. and thereupon the said May took the oath required by law, and together with Isaac Bare his security entered and acknowledged a bond in the penalty of \$200. conditioned as the law requires

~~On the motion of John B Long dec^d who made oath thereto according to law and together with his bondsmen~~
 The Last will and testament of John B Long dec^d. was presented in Court and proved by the oaths of Jacob Brunk and Daniel Hooten Co. two of the subscribing witnesses thereto and ordered to be recorded, and thereupon Adam Shaw alter the executor therein named appeared in Court and refused to take upon himself the burden of the execution thereof, and Eliza Ann Long the widow of the decedant by an instrument of writing under her hand relinquished her right to administer, and thereupon on motion of Benjamin Long who made oath thereto according to law and together with McHenry Effinger, ^{Pymie Bauman} John Eversole John Long and Samuel Seedy his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$7000⁰⁰ conditioned as the law requires, a certificate is granted the said Benjamin Long for obtaining letters of administration with the will annexed of the said John B Long dec^d. and it is ordered that David Hartman, John Eversole, Hugh Snodgrass & Jacob Brunk do appraise the estate of the said John B Long dec^d.

On the motion of John A. Mainfield and Jacob N. Liggert who made oath thereto according to law and together with John N. Hill Giles, Dever Samuel Hooten and Derrick Penningbacker their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty five thousand dollars, conditioned as the law requires, certificate is granted the said John A. Mainfield & Jacob N. Liggert

for obtaining letters of administration upon the estate Richard Winfield deceased. and it is ordered that George Brainer, Delbert Coffman, Jacob Moyers and David P Bowman do appraise the estate of the said Richard Winfield dec^d.

Alice Winfield orphan of Richard Winfield dec^d being over the age of 14 years by an instrument of writing under her hand made choice of Jacob N Siggitt as her guardian and thereupon the said Jacob N Siggitt appeared in court and together with Samuel Siggitt and Allen D Bryan his co-counsellors (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of eight thousand dollars conditioned as the law requires which bond is ordered to be recorded.

The Last will and testament of John Clenton deceased with a codicil thereto annexed was presented in court and proved by the oath of John Sites a subscribing witness to the same will, and the said codicil proved by the oaths of Peter Whitman & Thomas Hoard two of the subscribing witnesses thereto and the same is continued for further proof.

Ann Lewis

vs

James A Campbell

Plff

Deft

} Upon a Notice to rescind an Order binding James Augustus Thompson to the said James A Campbell.

This day came the parties by their attorneys, and after hearing the argument of counsel the Court doth rescind the Order of 19th Jan'y last binding the said James Augustus Thompson to the defendant, and that the Plff recover against the Deft her costs in this behalf expended.

Joseph H Shue & Trustees

vs

Philip Harrison

Plffs

Deft

} Upon a writ of Habeas Corpus Detainer

This day came the parties by their attorneys & by consent this cause is continued until the next term.

On Motion the Court appoint Samuel Tuttle a committee for Lydia Spitzer a person of unsound mind and thereupon the said Samuel Tuttle appeared in Court and together with Josiah S. Roller his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$800⁰⁰ conditioned as the law requires. which bond is ordered to be recorded.

On the Motion of Abraham Trunk who made oath thereto according to law and together with Henry Neff his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one hundred dollars conditioned as the law requires. Certificate is granted the said Abraham Trunk for obtaining letters of administration in due form upon the estate of Lydia May dec^d and it is ordered that Geo. Brunk, Jonathan Branner, Moses Mason & Henry Bellhimer do appraise the estate of the said Lydia May dec^d.

The Last will and Testament of Catherine Fogle dec^d was presented in Court and proved by the oaths of John Minnick & John Lampkin the subscribing witnesses thereto and ordered to be recorded. and Catherine Minnick the executrix therein named having by an instrument of writing refused to ~~take~~ upon herself the burden of the execution thereof, and thereupon on the Motion of Noah Minnick who made oath thereto according to law and together with John Minnick his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one hundred dollars conditioned as the law requires. Certificate is granted the said Noah Minnick for obtaining letters of administration with the will annexed of the said Catherine Fogle dec^d and it is ordered that Philip Hoolinger, Martin Hoampstead & Dorcas Marty do appraise the estate of the said Catherine Fogle dec^d.

On the Motion of Francis W. Shipman who made oath thereto according to law and together with James Steele, Isaac Steele, William

Steele, Robert Steele Samuel Cox and John Miller of Christian his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned as the law requires. Certificate is granted the said Francis W Shipman for obtaining letters of administration de bonis Non with the will annexed of David Steele deceased and it is ordered that Gerner Mifick, Thomas Harrison and David Jones do appraise the estate of the said David Steele dec'd

Remade for no Dorman

On Motion it is ordered that this cause be placed upon the docket

Samuel Shackleton

Plff

vs

John & Co Austin

Deft

} Upon a Notice to

This day came the Plff by Attorney, and it appearing to the Court that the deft hath had legal notice of this motion and he being solemnly called and not appearing, it is considered that the Plff recover against the Deft \$6.71 with legal interest thereon from the 18th day of December 1853 till paid, and the costs by the Plff about their motion in this behalf provided

John Steele orphan of David Steele dec'd being over 14 years of age, appeared in court and with the approbation of the Court made choice of James Steele as his guardian, and the Court doth appoint the said James Steele as guardian for Thomas Steele orphan of the said David Steele who is under the age of 14 years, and thereupon the said James Steele appeared in court and together with Francis W Shipman and Samuel Cox his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Three thousand dollars conditioned as the law requires which bond is ordered to be recorded

Upon the Petition of Elijah S. Hoffman and others for

the establishment of a road in this County. the Commissioners heretofore appointed this cause. this day made their report which was received and the Court did establish the road at the cost of the petitioners

The Last will and testament of Henry Gilmer deceased was presented in Court and proved by the oaths of John Stinerpring and McSweeneyback two of the subscribing witnesses thereto & ordered to be recorded, and on the motion of John R Kogler the executor therein named, who made oath thereto according to law and together with Jacob Bussone, Mariano D Frick, Robert S Skeats, John Dinkle, David Shank ^{Samuel Meeper & Gilberta & Amyron} and Benjamin S Kerlin ^{his} securities (who testified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty thousand dollars conditioned as the law requires. Certificate is granted the said John R Kogler for obtaining a probate of the said will in due form: and it is ordered that John A Fleming, David Stinerpring, John Minwanger & Samie Byerly do appraise the estate of the said Henry Gilmer deceased.

Commonwealth vs George W Entler. on motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term of this Court.

Be it remembered that George W Entler and John B Smith Addison Harpser Wm S Downes Charles S Measer Mrs Wm Kayler John Harpser & Robert M Mooney his securities acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said George W Entler in the sum of One thousand dollars and the said John B Smith, Charles S Measer, Wm S Downes, Addison Harpser Mrs Wm Kayler, John Harpser and Robert M Mooney — jointly in the like sum of One thousand dollars to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth of Va yet upon this condition, that if the said George W Entler shall make

his personal appearance before this Court on the 1st day of June
 May term next of this Court to answer the charge of felony by him
 committed in this that he did stab ^{cut} and A J Sigler with intent
 to maim, disfigure, disable and kill his the said A J Sigler, and
 not to depart thence without the leave of the said Court, then
 this recognizance to be void otherwise to remain in full force

Jacob R Brathwaite presented in Court an account against
 the Commonwealth of Virginia amounting to \$3.50 which being
 sworn to was examined and allowed by the Court and ordered to
 be certified to the auditor of Public accounts

Abel Gibbons appellant
 vs
 Emanuel Rhodes appellee } Upon a Notice by the appellee
 to the appellant to review the
 order and judgment entered in this cause at the last term of this
 Court. This day came the parties by their attorneys, and it appearing
 to the satisfaction of the Court that the judgment entered as aforesaid
 was erroneous by an error of the presiding Officer of the Court in expressing
 the judgment of the Court, it is ordered that the same be set aside
 and the following entry be made *inure* *pro* *forma*. It is considered
 by the Court upon mature deliberation are of opinion that there is
 no error in the judgment of the justice below who rendered judgment
~~doth~~ that the same be affirmed, and that the appellee recover
 against the appellant and Saml Leggett his security in the
 appeal the costs by him about his defence in this behalf
 expended. Memorandum upon the trial of this cause the
 appellant objected to the action and opinion of the Court delivered
 upon the trial and tendered his bill of exceptions in these words
 "Abel v." which were signed, read and enrolled and ordered
 to be made a part of the record

Be it remembered that A J Sigler personally appeared in
 Court and acknowledged himself to owe and be indebted to the
 Commonwealth of Virginia in the sum of one hundred dollars

to be seized of his good and chatties, lamas and tenements and for the use of the commonwealth

Yet upon this condition that the said A J Sigler shall make his personal appearance before this Court on the 1st day of the May term next, then and there to give evidence before on behalf of the Commonwealth against George W. Entler who stands charged with felony and not to depart then or without the leave of this Court, then this recognizance to be void, otherwise to remain in full force

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

Naason Bare

Tuesday April 20 1858

Present

Anderson W. Newman, F. W. Layton, O. Sterling } Gent.
Wm. B. McDermis, Benj. Hoover, Michael H. Lewis } Justices

Reuben Sellers Plaintiff }
Mary Cowen } In Chancery
Deft.

This cause came on to be finally heard this 20th day of April 1858, upon the papers heretofore filed and the proceedings heretofore had and Commissioner Jacob N. Cowen having reported that the whole purchase money for the land sold by him has been paid, the Court therefore adjudge, order and decree that said Jacob N. Cowen pay the costs which have accrued since his former report and distribute the remainder according to the former directions of the Court in this cause, reserving enough to pay for preparing a deed to Mary Jane Bazzle who has intermarried with Philip Layman and make a deed with Special Warrant to her, duly certified ready for recording for the land purchased by her at the sale on the 3^d of March 1856

Peter S Roller adm^r of James L Williams Plff } In Chancery
 Mary Williams & others Defts }

For reasons appearing to the Court, it is ordered that so much of the Decree of March 16 1858, in this cause as prescribes the penalty of the bond to be given by Peter S Roller Commissioner is hereby rescinded, and said Commissioner is required to execute a bond in the penalty of \$2000 instead of one in the ^{penalty} of \$1000 before he receives any money under this decree

Michael Lohr Plff } In Chancery
 Lucinda Scothron & Defts }

This cause came on finally to be heard this 20 day of April in the year 1858. upon the papers heretofore read, the proceedings had & the report of Peter P Keonty, Dorilas Martz and Peter Bloedingher Commissioners appointed at the at the last February term of this Court, by a decree in this cause to assign to Lucinda Scothron her & over in the ^{land} heretofore assigned to the widow and heirs of Michael Scothron deceased, under a former decree in this cause, giving to the widow thirty acres including the Mansion house, and also 12 acres of timber land as land actually metes and bounds in said report and plat, which assignment of dower is approved by the Court, and the report of said Commissioners is confirmed and ordered to be recorded if any of the parties desire the same. It is further ordered that the costs of this suit up to and including the partition between Michael Lohr & the heirs of Michael Scothron ^{be paid one half} & out of the estate of said Michael Scothron & the remaining costs by the heirs of said Michael Scothron, paying to the Commissioners two dollars each per diem for their services

John Woodson Trustee of B. York

On Motion it is ordered that this cause be placed upon the docket

David Leburn this day produced credentials of his ordination and also of his being in regular communion with the Presbyterian Church (Old School). Took the oath of allegiance to this Commonwealth and with William H. Ruffner his security entered into and acknowledged a bond in the penalty of \$1500 conditioned as the law directs, whereupon, on the motion, a testimonials is granted him in due form.

Henry Lamb Plff.
vs
James W. Sharp Def. } Upon an Attachment

This day came the parties by their attorneys and by consent a jury was summoned and a Sunday witnesses being sworn and examined and the argument of course heard. and the Court is of opinion that the lay mare in controversy in this cause is not the property of the said James W. Sharp, as alleged in his petition. It is therefore considered ~~that~~ and ordered that the officer who made sale of the said Mare pay the proceeds to the said Henry Lamb in part discharge of his judgment against Anderson Beazley heretofore rendered by this Court, and that the said Lamb recover against the said James W. Sharp his costs by him in this behalf expended.

Ann Lewis Plff.
vs
James A. Campbell Def. } Upon a Notice

This day came again the parties by their attorneys and the Defendant by his attorney tendered his bill of exceptions to an opinion of the Court delivered in this cause, which exceptions are in the words & figures following to wit "Am" to which were signed sealed and enrolled and ordered to be made a part of the record.

Wm D. Maiden presented in Court an account against the Commonwealth, amounting to \$76.00 which was proven to the satisfaction ⁱⁿ of the Court by witnesses sworn and examined in Court, the Court doth allow the same, and ordered to be certified to the Auditor of Public accounts.

Constables for the several Districts in this County. Several Justices
 of the peace occasioned by resignation & death ^{Removal of S. Williams from the office} and a delegate to fill
 fill the vacancy occasioned by the resignation of Wm G. Stevens. a
 member to represent the County of Rockingham in the ~~next~~ General
 assembly of Virginia the following named persons be appointed
 Commissioners and officers to superintend said election at the
 several places of voting in this County. 1st District At Leesdads
 Store Joseph H. Leesdads Joseph Mayers Jacob Bare, Jacob C. Harnsberger
 & Thomas K. Miller Commissioners and George W. Sanford. Officer
 At McGaheyville Joseph Maury, Peter Miller, Henry Kurling, Jacob
 Rush & Jacob Ammon Commissioners & Jacob Runcle officer
 2nd District At Taliaferro's Store Wm W. Hooke, Isaac Long, Jacob
 Strayer, J. Boyer & Samuel Ruelush Commissioners & Jas. Moore officer
 At Port Republic T. M. Layton, Stephen Harnsberger, J. M. Harnsberger
 Charles Lewis, John H. Harper & John Dunsore Comrs & J. M. Cann Officer
 3rd District At Leesdads Store Jacob P. Slusher, John H. Myers, Abraham
 Frankhouser, Col. Peter Rollet, W. C. M. Harris Comrs & Adam Pifer officer
 Dayton Daniel Dyerly, David Coffman, B. P. Fishback, Gordon R. Herrod
 & J. A. Herring Commissioners & E. W. Ballara officer
 4th District At Leesdads Store Allen W. Brown, Geo. R. Gibbons, J. G. Minor
 Wm. Williams & John Williams Commissioners & S. E. Kyle officer
 Ottaline, James H. Dever, T. M. Erwin, Shem Heaville, D. M. Huston
 & Robert Black Commissioners & Jacob Shank officer
 5th District At Leesdads Store Michael Whitmer, J. P. Coarman, D. T. Bare
 Benj. D. Brown and Arch. Hopkins Comrs & J. P. Burkholder officer
 At Bowman's Mill, David Coffman, John Burkholder, Jacob Muller
 Nick Bowman & Silas Lenton Comrs & Jacob H. Swanck officer
 6th District At the Court house Franklin Pence, O. Esterling, J. T. Rohr
 Wm. A. Coarman, Wm. M. K. Hartmann Comrs & Henry T. Hartmann officer
 Keagletown, George Keagle, A. P. Huffman, Elijah Qualey, Eli Keeran &
 George W. Hinkle Commissioners & David Eiler officer
 7th District At Shadafolis Jacob A. Coarman, Eli H. Coarman, Saml. Brown
 John Moore & Wm. W. Carpenter Comrs & Benjamin H. Lincoln officer
 At Henton's Mill, Leroy Rhodes, Jacob Bailey, Peter Henton, Mike Sellers
 Wm. Sellers Commissioners & John W. Keest officer
 8th District At Timberline George Branner, John Branner, Wm. W.

Thompson Martin Garber & Geo Weill comrs & J. H. Branner officer
 Menonite School house. Dana M Maupin Geo Rader Jackson Horn
 Jno J Bauman & Abraham Funk comrs & Jno Rader Jr officer
 At Coates Store O B Hearn J D Zirkle & Jacob Neff commissioners
 and Jeremiah Tifer officer

9th District. At Sprinkels Store. Samuel R Sprinkel George Hawley
 Wm Hecarner Geo W Tuck (of D) & Jacob Hawley comrs & Jno Hawley officer
 At Mertigs Store Isaac Finks James Dove George May Reuben
 Dove & Joseph Sanders commissioners & George Mertigs officer
 and it is further ordered the aforesaid persons do attend the
 said election at the time and places aforesaid, they being first
 duly sworn for that purpose and make return according to law

Ordered that Hiram Marty Jackson Horn & Geo Branner be
 and they are hereby appointed conductors of the election of
 Militia Officers for the 116 Regiment for Rockingham County Purs-
 uant to the act of assembly passed the 2nd day of March 1858 and
 the amendment thereof on the 6th day of March 1858. and that
 Joseph H Conrad John A Lewis & Jno A Herring be and they are
 hereby appointed conductors for like purposes for the 58 Regiment
 and John A Dice John Burkholder & Nelson Sprinkel for the 145th
 Regiment

Ordered that the agent for this County pay to Sprinkel &
 Gay the sum of \$40.29 out of any money in his hands not
 otherwise appropriated

On the Motion of John R Kogler Sheriff of this County
 Christian Miller is admitted as his Deputy Sheriff and
 thereupon the said Christian Miller took the several oaths
 required by law

Ordered that James Steite a free negro be exempted from
 the payment of County & Parish taxes

The Sheriff having reported the following free negroes as Delinquent for their taxes viz Legrana Sampson Albert Bradford, Leavin Hall & St Clair Gibson. it is ordered that the said Sheriff hire them out according to law

Upon the petition of Madison West, John Fulse, John Kountz, John Argabright, Jno W Lee, Jno H Austin, J D Palmer, Lewis Hyates

who have paid the Tax imposed by law to enable them to keep houses of private entertainment in this County, a license is granted them for that purpose. it is ordered to be certified that the applicants are persons of good character, not addicted to drinking or gaming

James H Courney, A Miller, J W Logan, Henry Neff, R G Coakley, Samuel R Allebaugh, W C Ammon & Henry Neff Deputies for John R Kougler, Sheriff for this County returned into Court lists of delinquents in the hospitalation & property Tax in this County for the year 1857 which being sworn to were examined & allowed by the Court and ordered to be certified to the auditor of Public accounts

Attest James H Courney, W C Ammon, R G Coakley & Henry Neff Deputies for John R Kougler Sheriff of this County, returned into Court a list of delinquents in the real estate Tax in this County for the year 1857 which list being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Siggert vs Wandelt On motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term at the costs of the appellant

Horton vs Dovel upon a writ of Ad Qd. On motion continued until the next term at the costs of the Defts

Absent all the justices except Ole Sterling, Memm & Harris
 Am Newman & Fountain, McLayton Gent Justices

Mc Smith & William Dever appellants
 10 } upon an appeal
 David Bryant adm^r appellee

This day came the appellee by his attorney and
~~it appearing~~ to the court that William Dever one of the appellants
 is dead and the cause is discontinued as to him, and Mc
 Smith the other appellant has failed to give the security as
 required by the order of the December court last. It is therefore
 considered that the said appeal be dismissed and that the
 judgment of the justice below be affirmed, and that the
 appellee recover against the appellant Mc Smith, & Memm & Gentry
 his security the sum of \$8.28 with legal interest thereon from the
 10th day of April 1853 till the 14th day of September 1854 and also
 \$8.20 costs before the said justice, with damages upon the whole
 amount of said judgment thereon to be computed after the rate
 of 10 per centum per annum from the said 14th day of Sept 1854
 till paid, and the costs by the Appellee in this behalf expended

The Corporation of Harrisonburg Pl^{ff}
 10 } upon a Motion
 Dougherty & Bennett for Isaac Aiken De^{ft}

This day came the parties by their attorneys and
 on the motion of the Attorney for the Pl^{ff}, L W Gambie is released
 as security in the suspending bond filed in this cause, and
 thereupon the Pl^{ff} filed a new bond with Ed Hooper
 as security, the Constable who took the bond being present and
 consenting to the same, and thereupon sundry witnesses being
 sworn and examined touching the premises and upon mature
 deliberation ^{the court} are of opinion that the Wagon in controversy was the
 property of James C Maupin and not the property of William Miller.
 It is therefore considered that the Pl^{ff} recover against Isaac
 Aiken the costs in this behalf expended

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

O. C. Sterling

Wednesday April 21st 1858

Present

O. C. Sterling, Anderson M. Newman } Justices
and Fountain M. Layton }

R. M. Harrison for Jno. Shoemaker upon a suggestion

The rule heretofore made against the Defendant being
returned & executed and he not appearing, it is ordered that the
rule be made absolute and that an attachment be issued
against him returnable here at the next term of this Court

Same as George Fawcett upon a suggestion

The same order

Corporation of Harrisonburg

Pleff.

vs

(Dougherty & Buirell vs the

Defts.)

} Upon a Motion

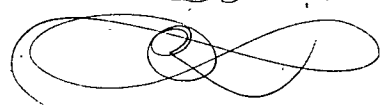
This day came again the parties by their attorneys
and the Defendants by their attorneys ^{on yesterday} excepted to opinions and the
action of the Court and tendered five bills of exceptions which are
in these words, "Corporation's" which were signed, sealed and
enrolled and ordered to be made a part of the record

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

O. C. Sterling

In the Clerk's Office of the County Court of Rockingham April 30 1858

John Connell a native of Ireland this day appeared in the office aforesaid the said Court being a Court of record with common law jurisdiction a clerk and seal and before one Deputy Clerk of said Court upon oath declared that it was bona fide his intention to become a citizen of the United States of America and to renounce forever all allegiance he may have or owe to any foreign prince, potentate state or sovereignty whatever and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland. Given under my hand

Wm D South D.C.


At a Court Summoned and held for the County of Rockingham at the Court House thereof on Tuesday the 1st day of May 1858 for the examination of John Blankenship who stands charged with a felony by him committed in this that he did on the 22nd day of April 1858 in the County of Rockingham steal, take and carry away one pocket book of the value of \$1.00 one single bill for the payment of \$121.68 and of the value of \$121.68 signed by Deliggett the maker thereof, one other single bill for the payment of \$8.24 1/2 of the value of \$8.24 signed by one Jno R. O'Neil the maker thereof one other single bill for the payment of \$105.79 and of the value of \$105.79 signed by one Stephen J. Tew the maker thereof, one other single bill for the payment of \$166.57 and of the value of \$166.57 signed by one John Meperly the maker thereof the said single bills the property of Thomas J. Butler and are and are unsatisfied to the said Thomas J. Butler. Present O. C. Sterling, Jonathan Selfick Jr. & Co. Clerks, Gent. Wm W. Carpenter, Christian R. Mayes, Bushrod Rust, J. Justices

The said John Blankenship was led to the bar in custody of the Sheriff of this County and sundry witnesses being sworn and examined touching the premises and sundry witnesses being sworn and examined the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the said John Blankenship therein it is therefore ordered that he be remanded for trial before the Circuit Court of this County on the first day of the next term thereof and thereupon the prisoner is remanded to jail.

Be it remembered that Mary Ann Gordon Joseph T Logan Washington Larnes & Thomas J Butler personally appeared in Court and acknowledged themselves severally to owe and be indebted to the Commonwealth of Virginia each in the sum of \$100 to be levied of their respective goods and chattels lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Mary Ann Gordon Joseph T Logan Washington Larnes and Thomas J Butler shall make their personal appearance before the Circuit Court of this County on the first day of the next term thereof then and there to give evidence on behalf of the Commonwealth against John Blankenship who stand charged with felony and not to depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force and virtue.

Daniel Brown & George Mcbiter witnesses on behalf of John Blankenship and Commonwealth appeared in Court and acknowledged a recognizance in the sum of \$100 each for their appearance before the Circuit Court of this County on the first day of the next term thereof.

George Miller a witness on behalf of the Commonwealth in John Blankenship being duly summoned to appear here on this day being solemnly called and not appearing it is ordered that he be summoned to appear before the Circuit Court of this County on the first day of the next term thereof to show cause if any he can

why he shall not be fined for and attached for his failure
aforesaid

And thereupon the Court arose
C. C. Sterling.

Virginia p

At a Court held for Rockingham County, at the Court-
house thereof on Monday the 17th day of May 1858

Present

Maasen Base of Jonathan S Specks of Sterling } Gent
Jno G. Coates, A. M. Newman } Justices

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

- \ A Deed of Bargain Sale from St. Clair (Detourne) wife to Robert Jones
- \ same from Edward T. Alcott wife to Thomas Good
- \ same from James Baker wife to O. P. Rogers
- \ same from same to Emmanuel Rogers
- \ same from Albert Elzey wife to James A. Campbell
- \ same from James A. Campbell wife to Charles F. Campbell
- \ A Deed of Trust from Isaac Gordon to J. H. C. Miller Trust for J. Coleman
- \ A Deed of Trust from Austin Williams wife to Geo. M. G. J. Little
- \ same from Ann Kemper to Ed. & Elmer Kemper
- \ same from George Miller wife to John Brown
- \ same from Steeny McMajor wife to Robert Phillips
- \ same from Steeny Neff to William Dykens
- \ same from John Belknap to Abraham S. Byrd
- \ same from Isaac Buffman wife to Jacob Blase
- \ same from James F. Gilman wife to John R. Kogler
- \ same from Mary Ceffinger to Alg. M. Ceffinger
- \ A Deed of Trust from Ansel C. Culan to J. H. M. L. L. Trust for C. B. S. M. C.

- \ A Deed of Bargain & Sale from John Manning wife to Robert Manning
- \ same from Wm Wolfrey wife to Hugh A Hair
- \ same from Daniel Layman to Samuel Good
- \ same from A L Gray to William Eiler
- \ same from Daniel Wine to Michael Horst Trustees
- \ A Deed of Trust from Jno Whitmore to L M Gamblee Trustee for Jno Whitmore &
- \ A Deed of Bargain & Sale from Joseph A Miller wife to Daniel Miller
- \ same from Thos J Butler wife to Lynett King
- \ same from Mary Mitchell to Jacob Durnstone
- \ same from Elizabeth Borenman to same
- \ same from Elijah Durnstone wife to same
- \ same from Samuel Paulick to David A Heatwille
- \ same from John R Sanales wife to Henry Wisnawson
- \ same from D McKeay wife to same
- \ same from George Belantale wife to William S Downes
- \ same from Alexander Riggins to same
- \ same from Eliza Bearn to Jacob Bearn
- \ same from E Bearn & others to Jacob & Eliza Bearn
- \ same from Wm R Speck's & to William Schmucker
- \ same from Albert Melchite wife to same
- X \ same from Isaac Bearn wife & to Helen Shiflett
- \ A Deed of Trust from B F Breyer to H Leffman Trustee for S Garber &
- X \ A Deed of Bargain & Sale from Mary Nicholas wife to Thomas Swanson
- \ same from L M Gamblee wife to John H. Hopkins
- \ A Deed of Loan from Thomas Burke to A H Kemp (Loan)
- \ A Deed of Bargain & Sale from John H. Sontz wife to Nicholas Perkey

Settlements of the accounts of the Guardians of George B. Bersenbright & Elizabeth E. Larnel & Daniel Leffman & having been filed in the Clerk's Office of this Court for the time prescribed by law, was presented in Court and no exceptions being offered, then the same are confirmed and ordered to be recorded

Settlement of the estates of John R. Bear & Maria Broadus & also a list of debts or demands against her estate having been filed in the Clerk's Office of the said

For the time prescribed by law were presented in Court, and no objections being offered thereto the same is confirmed and ordered to be recorded

Ordered that the Sheriff summon all the acting justices of the peace for this County to appear here on the 2nd day of the June Court next to lay the County levy and for other purposes

Commonwealth

vs

George Lipe

} Upon an Indictment

The summons awarded in this cause being returned not executed, it is ordered that a new summons be awarded against him returnable here on the 1st day of August Court next

Same vs Peyton Upon an Attachment

The same order

Same vs Ribble Upon an Indictment

New leafias awarded

Commonwealth

vs

Jacob Perkey

} Upon an Indictment

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

Peter Brick presented in Court an account against the Commonwealth amounting to \$44 10 which being sworn to in Court was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

The Sheriff of Rockingham County presented in Court an account against the Commonwealth amounting to \$75 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

Upon the petition of Jacob Cole who has paid the tax imposed by law, a licence is granted him to keep a house of private entertainment in this County, the Court being of opinion that he is a person of good character and not addicted to drinking or gaming.

Higgett v Dinkler

an (2) Bond notice process & the award

Parcell v Marsden

same order

Deatrick first v Courney

same order

Leall Hall a bright mulatto, 5 feet 11 1/2 inches high, aged about 27 years, has a scar on his skin & one on the forehead and was born free in the County of Rockingham. It is ordered that the clerk of this Court register said Leall Hall according to law.

The Sheriff of this County presented in Court an account against the Commonwealth amounting to \$3.55 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts.

The last will and testament of Mary Brofford deceased was presented in Court and proved by the oaths of J. N. Gordon and George Keezle, the subscribing witnesses thereto and ordered to be recorded and on the motion of Erasmus D. Rinker the executor therein named who made oath thereto according to law and together with Charles S. McQuarrie & Benton Moore his securities (who testified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$15000 conditioned as the law requires. Certificate is granted the said Erasmus D. Rinker for obtaining a probate of the said will in due form, and it is ordered that George Keezle, Anthony Heuffman, Peter Moritz and Robert Cox or any three of them do appraise the estate of the said Mary Brofford dec'd.

Ordered that Joseph McQuarrie guardian for the said Rinker be allowed to appropriate fifty dollars of his ward's estate towards his education and maintenance.

Isaac Rinehart

Plff

vs

Eli Keenan

Deft

upon a notice

This day came the Plff by his attorney and it appearing that the Deft hath had legal notice of this motion and they being solemnly called and not appearing. It is considered by the Court that the Plff recover against them \$120. with legal interest thereon from the 2nd day of March 1838 till paid and the costs by the Plff about his motion in this case expensed

Richard H. Garnrell guardian of Virginia B. Smith appeared in Court and resigned his trust as such guardian

Bear is learner & on @ Bond notice proved & extra awarded

The last will and testament of Mary Magdalene Michael dec'd was presented in Court and proved by the oath of Emmanuel Armentrout, Stephen Armentrout and Jacob Addison Armentrout the subscribing witnesses thereto and ordered to be recorded and on the motion of Henry Michael who on oath thereto according to law and together with William Liff and Peter Michael his securities (who justified as to their sufficiency entered into and acknowledged a bond in the penalty of \$5000. conditions according to law. certificate is granted him for obtaining letters of administration with will annexed of the said Mary Magdalene Michael dec'd in due form and it is ordered that Jacob Armentrout, Henry Kurling, Peter Miller and James McLeaver do appraise the estate of the said Mary Magdalene Michael dec'd and report thereon according to law

The last will and testament of John Horton dec'd was again presented in Court and further proved by the oath John Bowman one of the subscribing witnesses thereto and thereupon the said will with the codicil thereto annexed ~~and~~ ordered to be recorded and there being no executor appointed by the said will on the

motion of John H. Ralston who made oath thereunto according to law. and together with Wm R. Hopkins & Archibald Hopkins his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$1000 - conditioned as the law requires certificate is granted him for obtaining letters of administration in due form upon the estate of the said John Ralston dec'd. and it is ordered that Daniel Rhodes, Peter Whitmer, Thomas H. Board & Jacob Durn are do appraise the said estate

Parad H. Powell alias Frazer son of Lucinda Frazer being upwards of 14 years of age appeared in court and with the approbation of the court made choice of David Gilmer as his guardian, and thereupon the court did appoint the said David Gilmer guardian for Sarah Frances Powell alias Frazer and Mary Catharine Powell alias Frazer, children of the said Lucinda Frazer who are under the age of 14 years of age. and thereupon the said David Gilmer appeared in court and together with Wm B. Yancy his security (who made oath thereunto according to law justified as to his sufficiency) entered into & acknowledged a bond in the penalty of \$1000. conditioned as the law requires

On the motion of Mathias Showalter & John A. Showalter who made oath thereunto according to law. and together with Peter Showalter & Thomas W. Cannelier his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$3500. conditioned as the law requires. certificate is granted them for obtaining letters of administration in due form upon the estate of David Showalter dec'd. and it is ordered that Peter Showalter, Michael J. Mayerhueffer, Henry Celeromer & Peter Heile or any three of them do appraise the estate of the said David Showalter dec'd. and report to the court according to law

Upon the petition of John Scanlon who has paid the tax imposed by law. a license is granted him to keep a ~~house~~ drinking saloon in this county

Charles D. DeFord

Rich^d L Gray

} In lease

This day came the Plffs by their attorney and a witness being sworn and examined. It is considered that the Plffs recover against the Def^t \$160.41 with legal interest thereon from the 21st day of October 1857 till paid and the costs by the Plffs about their suit in this behalf expended.

On the petition of Pollard & Blakemore who have paid the tax imposed by law, a license is granted them to keep a house of public entertainment in this County the Court being of opinion that the applicants are sober and of good character and will probably keep a house orderly usefull and as such as the law requires and thereupon the said Pollard & Blakemore appeared in Court and entered in and acknowledged a bond with good security in the penalty of \$200. conditioned as the law requires and the said applicants took the oath required by law.

Bradley Kyle & Son Store Springs on @ Bond notice process &c^m awarded

Sawley Guad is Sargent

The same order

Doiland Mrs Boyard

The same order

John Wright

Plff

vs

George Liskay

Def^t

} In lease

This day came the parties by their attorneys and the Def^t by his attorney said that he is not guilty in the manner and form as the Plff against him hath complained to which plea the Plff replied generally and the trial of the issue is continued until the next term.

Powell & Co vs Wm @ Maiden

payment placed under trial if the issue continued until the next term.

Andrew Hoogan

Deft

In Debt

James Karanagh

Deft

This day came the parties by their attorneys and the Deft by his attorney said that he hath well and truly paid the debt in the declaration mentioned to which plea the Plff replied generally and the trial of the issue is continued until the next term

John A Patterson

Plff

In Debt

David Stinespring &

Deft

The same order

George Rodaheffer

Plff

In Debt

Wm M Meyerhoeffer

Deft

The same order

Jno R O'neale & Co

Plff

In Debt

John McCall

Deft

The same order

J^d Gordon presented in Court an account against the commonwealth amounting to \$9.00. which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Ordered that the Overseers of the poor for this County bind out according to law, Amanda O'Rourke daughter of Rebecca Baker, to Abraham Rankin until she arrives to the age of 18 years. and at the end of her apprenticeship the said Rankin is to pay her \$50 in good property

Ordered that Frederick Heilyard be appointed surveyor of precinct No 2 from \$10.00 in the place of Samuel Wearn who resigned

John Smith a native of Germany appeared in Court and upon oath declared it was bona fide his intention to become a citizen of the United States of America, and to renounce forever all allegiance he may have or owe to any foreign prince, potentate, state or sovereignty whatever and particularly to William King of Co. Hefen

On the motion of Addison Harper who made oath thereto according to law and together with John Harper & Jackson & Gorn his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$4,000. conditioned as the law requires. Certificate is granted the said Addison Harper for obtaining a probate of ~~the~~ the will of Samuel Miller dec^d in due form and it is ordered that George Fulk (of Dan^t) Jacob Fairley & Wm. Heeveren Jr & John Fairley do appraise the estate of the sd Samuel Miller dec^d and report thereon to the Court according to law

George McCutchen who stands charged with felony, appeared in Court in pursuance to the recognizance entered into by him

Frances Steele orphan of David Steele dec^d being upwards of 14 years of age by an instrument of writing under her hand and seal chose of James Steele, and thereupon the said James Steele appeared in Court and together with Francis McShipman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$1500. conditioned as the law requires which bond is ordered to be recorded

Edw. Whitescarver who has been heretofore appointed and qualified as a notary public for this County, appeared in Court together with Jas. H. Cairney his security, entered into and acknowledged a bond in the penalty of \$300 conditioned as the law requires

Peter S. Roller who has been heretofore appointed a notary public for this County, appeared in Court and together with Jacob S. Roller

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

Be it remembered that on this 17th day of May 1858 Andrew J Sigler, Wm D Downes and Jacob Nicholas personally appeared in court and the said Andrew J Sigler acknowledged himself to owe and be indebted to the Commonwealth of Virginia in the sum of \$500 and the said Wm D Downes & Jacob Nicholas in the like sum of \$500 jointly, to be levied of their respective good and chattels lands and tenements and for the use of the Commonwealth, yet upon this condition that the said Andrew J Sigler shall make his personal appearance before this Court on the 1st day of the June term next then and there to give evidence on behalf of the Commonwealth against George W Entwiler, and not to depart thence without the leave of the said Court, and then the above recognizance to be void, otherwise to remain in full force

Commonwealth vs George W Entwiler upon a charge of Felony. On motion and by consent this cause is continued until the next term of this Court

Be it remembered that George W Entwiler, Zachariah Rains, Wm Raylor and Thomas A Turk personally appeared in open Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia, the said George W Entwiler in the sum of \$1000- and the said Zachariah Rains, Wm Raylor & Thos A Turk jointly in the like sum of \$1000. to be levied of their respective goods and chattels lands and tenements, and for the use of the Commonwealth yet upon this condition that the said George W Entwiler shall make his personal appearance before this Court on the first day of the next term, then and there to answer a charge of Felony and not to depart thence without the leave of the said Court; then the above recognizance to be void otherwise to remain in full force and virtue

The court doth appoint George W Whitmore guardian for his children David Henry Whitmore & Sarah Agnes Whitmore who are grand children of David Shewalter dec'd the said children being under the age of 14 years. and thereupon the said George W Whitmore appeared in court and together with Samuel Ruelbach & Matthias Ruelbach his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of \$500. conditioned as the law requires which bond is ordered to be recorded

Upon the petition of Anareu Herron & others for the establishment of a road in this county, this day came ^{as well} the petitioners by their attorney as Messrs D & John E Dove by their attorney, and the Sheriff pursuant to a writ of ad quod damnum heretofore awarded returned an inquisition in thereon as wth. whereupon on hearing as well the said Petitioners and Messrs D & John E Dove by their attorneys as the testimony of divers witnesses who were sworn and examined and all circumstances being weighed, the court is of opinion that the inquisition aforesaid is erroneous and it is ordered that the same be set aside, and on the motion of the said Messrs D & John E Dove a new writ of ad quod damnum be awarded them to be executed on 4th day of June next and to be directed to the Sheriff of this county

Upon the petition of Anareu Herron & others for the establishment of a road &c. This day came as well the petitioners as Reuben H Clumbert by their attorneys, and by consent it is ordered that the return and inquisition made and returned in pursuance to a writ of ad quod damnum issued in this cause be set aside and that a new writ be awarded the said Reuben H Clumbert to be directed to the Sheriff of this county and to be executed on the 4th day of June next

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

Naason Bare

Virginia fe

At a Court held for Rockingham County
at the Court-house thereof on Monday the 21st
day of June 1858

Present.

Maason Bare C. J. Wm Edm D Harris. Oesterling
John A Dice Charles R Rush

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

A Deed of Bargain & Sale from Le Brene man & wife to De Brene man
Same from James Lee & wife to John H Hopkins
Same from Augustus Allen & wife to Same

Same from Abraham Shaver senr to Jacob Caspinger

Same from Joel Spitzer & wife to John A Showalter

A Deed of Loan from Stephen H Murry to (Darnice Murry

A Deed of Trust from John Stinespring to E A Thomas Trust for R M Kyle &

A Power of Attorney from Saml Allebaugh to Jacob Allebaugh

A Deed of Bargain & Sale from Jacob Allebaugh Att to John B Kline

Same from Jacob Miller & wife to Abraham H Rankin

○ Same from Solomon Bowman & wife to Elizabeth Hoover

Same from Joseph Maury & wife to Burrell Leav

Same from Peachy Harrison's ex to Mary Eeffinger

A Deed of Trust from J Ed Jordan to (De Gamelle Trust for P M Long

A Deed of Bargain & Sale from Sophia Beard to John Baldwin

An assignment from Wm D Maiden to Zachariah Rains

A Deed of Bargain & Sale from J Bloomer to Valley Turnpike Company &

Same from Elizabeth Taylor to Darnice Bowman

Same from Henry Wiseman & wife to Michael Flora

Same from Joshua Ritchie & wife to John Baldwin

Same from Allen Dever & wife to Samuel E Long

A Deed of Trust from Peter Rice to S W Gamelle Trust for Wm Peters

A Deed of Bargain & Sale from William Keller to Jacob Argabright

Same from Samuel Storer & wife to Samuel Gordon

James Steele who was on the 27th day of May in the year 1858 duly elected constable for the sixth Magisterial District of Rockingham County to serve as such for the term of two years commencing on the 1st day of July next. this day appeared in court and together with Nathan Harpser and Dr. Gamble

his securities, entered into and acknowledged a bond in the penalty of Three thousand dollars conditioned for the faithful execution of the duties of his office, which bond is ordered to be recorded by the clerk of this court, and thereupon the said James Steele took the several oaths required by law

William D. Worington who was on the 27th day of May in the year 1858, duly elected constable for the first Magisterial district of Rockingham County to serve as such for the term of two years commencing on the first day of July next. this day appeared in court and together with William Byancey and Thomas K. Miller

his securities, entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned for the faithful performance of the duties of his office which bond is ordered to be recorded, and thereupon the said William D. Worington took the several oaths required by law

- Hiram Mc Harris who was on the 27th day of May in the year 1858 duly elected constable for the second Magisterial district of Rockingham County to serve as such for the term of two years commencing on the first day of July next. this day appeared in court and together with Levi Shaver and Lewis F. Mayershauffer

his securities, entered into and acknowledged a bond in the penalty of Seven thousand ^{five hundred} dollars conditioned for the faithful discharge of the duties of his office and thereupon the said Hiram Mc Harris took the several oaths required by law

James W. Bunge, who was on the 27th day of May in the year 1858 duly elected constable for the third Magisterial District of

Rockingham County to serve as such for the term of two years commencing on the 1st day of July next. this day appeared in court and together with George Sherman, Elijah S. Huffman, Daniel May and James W. Burges

his securities entered into and acknowledged a bond in the penalty of Five thousand dollars conditioned for the faithful performance of the duties of his said office which bond is ordered to be recorded, and thereupon the said James W. Burges took the several oaths required by law.

James P. Downman who was on the 28th day of May in the year 1858 duly elected constable for the fourth Magisterial District of Rockingham County to serve as such for the term of two years commencing on the 1st day of July next. this day appeared in court and together with Jonathan S. Speck and Theodorick Speck

his securities entered into and acknowledged a bond in the penalty of two thousand dollars conditioned for the faithful performance of the duties of his office, which bond is ordered to be recorded, and thereupon the said James P. Downman took the several oaths required by law.

John H. Ralston who was on the 27th day of May in the year 1858 duly elected constable for the fifth Magisterial District of Rockingham County to serve as such for the term of two years commencing the 1st day of July 1858 this day appeared in court and together with William R. Hopkins and Archibald Hopkins

his securities entered into and acknowledged a bond in the penalty of two thousand dollars conditioned for the faithful performance of the duties of his said office, which bond is ordered to be recorded, and thereupon the said John H. Ralston took the several oaths required by law.

Adam H. Brewer who was on the 27th day of May in the year 1858

duly elected constable for the seventh Magisterial District of Rockingham County to serve as such for the term of two years commencing on the 1st day of July next. this day appeared in court and together with Amos Denton, George McGancey, Shelton McCarver and David McFarrell. his securities

entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned for the faithful performance of the duties of his said office, which bond is ordered to be recorded, and thereupon the said Adam H. Brewer took the several oaths required by law

John E Brown who was on the 27th day of May in the year 1858 duly elected constable for the eighth Magisterial district of Rockingham County to serve as such for the term of two years commencing on the 1st day of July next. this day appeared in court and together with Asaen Bone and William Noel his securities

entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned for the faithful performance of the duties of his said office, which bond is ordered to be recorded, and thereupon the said John E Brown took the several oaths required by law

John L Sprinkel who was on the 27th day of May in the year 1858 duly elected constable for the ninth Magisterial district of Rockingham County to serve as such for the term of two years commencing on the 1st day of July next, and thereupon the said John L Sprinkel appeared in court and together with A B Sprinkel, Giles Dever, Derrick Pennyback and George H. Fisk his securities entered into and acknowledged a bond in the penalty of Two thousand dollars, conditioned for the faithful performance of the duties of his said office and thereupon the said John L Sprinkel took the several oaths required by law

James Kenney who has heretofore been duly commissioned and qualified as a Notary Public in and for the County of Rockingham this day appeared in court and together with S W Gairnill his security entered into and acknowledged a bond in the penalty of Two hundred and fifty dollars conditioned for the faithful discharge of the duties of his said office, which bond is ordered to be recorded and ^{also} certified to the auditor of Public accounts

John R Kogler who was on the 28th day of May in the year 1858 duly elected Sheriff of Rockingham County, to serve as such for the term of two years, commencing on the 1st day of January 1859 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof, this day appeared in court and together with John G Heatwole, Frederick Roads, Christian Frank, Jacob Shank, James L Oeltz, Ephraim Wenger, Daniel Bowman, John Belmont, John Dinkler, Frederick Speck, Anson Brich, John H Meastmann, John Hall, Jonathan Speck, Henry Petty, Henry Meastmann, Allen W Brown, Peter Rogers, Peter Shields, Thom Heatwole, David Roads, John Moore and S W Gairnill his securities entered into and acknowledged a bond in the penalty of ninety thousand dollars conditioned for the faithful execution of the duties of his office, which bond is ordered to be recorded by the clerk of this court, who is also directed to transmit a copy of said bond and a copy of this order to the auditor of Public accounts, and thereupon the said John R Kogler took the several oaths required by law.

Benjamin F Walker

Plff

vs

William M Cooke & others

Defts

In Chancery

This cause came on to be finally heard this 21st day of June 1858 upon the papers heretofore read, the proceedings heretofore had, and upon the report of Wm M Cooke the commissioner appointed to see the slaves Catharine, her infant child and the boys James and John, who reports that he sold at public auction the said slaves to B F Walker after advertising the sale in a paper

Wm Peters

Plff

vs

L Jones &c

Defts

Chancery

Upon the motion of the Plaintiff in this cause. it is ordered that Henry T Martmann be appointed guardian ad litem of Lemuel and Jones and Irene Jones infant children of Maria Jones infant children of Maria Jones dec^d and that the said guardian ad litem have to file the answer of said infants during this term of the court and thereupon the said guardian filed his answer

Peter Frick jailor of this Court presented in Court an account against the Commonwealth amounting to \$35.90 which being sworn to was examined and allowed by the Court and ordered to be certified to the auditor of Public accounts

Mary E Bolton orphan of Peter Bolton dec^d being upwards of 14 years of age by an instrument of writing duly certified made choice of Valentine Bolton as her guardian and thereupon the said Valentine Bolton appeared in Court and together with Valentine Bolton his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of one hundred dollars. conditioned as the law requires which bond is ordered to be recorded

On the motion of John D Thomas who made oath thereto according to law and together with George Branner & Abraham Funk his securities who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of three thousand five hundred dollars. conditioned as the law requires. certificate is granted the said John D Thomas for obtaining letters of administration in due form upon the estate of Richard J Thomas dec^d. and it is ordered that Jonathan Branner. Michael Deoman and John J Bauman do administer the estate of the said Richard J Thomas dec^d.

John Wunderlich

ro

Daria M Rosenbarger

Platz

Def.

Upon an Attachment

On Motion of the Plaintiff it is ordered that this cause be placed upon the docket in its proper place.

Anderson Black

12

Charles Black

puff

Def

upon an attachment

The same order

Ordered that Jacob Archant be appointed surveyor of precinct
No 2 of road No 12 in the place of David Bowman.

Ordered that Eli Mave be appointed surveyor of precinct No 2
in the place of Gideon Pence

George E. Deneale Appellant,

10

Francis A Dair

of the peace for Rockingham County

Upon an appeal from

the judgment of a justice

On the motion of the appellant it is ordered that this cause be placed upon the docket in its proper place

Ordered that George Arty be appointed surveyor of precinct No
V in the place of Joshua A Ruffner

Ordered that Henry E Sipe surveyor of precinct to
be authorized to purchase for the use of the said road four
picks. one sleage and one cro bar. and draw upon the agent
of this County for the price of the same.

The Last will and testament of David Shiflett dec^d is as this day again presented in Court and further proved by the

sack of ~~Matthew~~ ~~Doy~~ ~~one~~ of subscribing witnesses thereto and ordered to be recorded

On the Motion of E M Donough Harris who made oath thereto according to law and together with James S Harris his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of \$200. conditioned as the law requires. Certificate is granted the said E M Donough Harris for obtaining letters of administration de bonis non with the will annexed of John Tuttle dec'd in due form and it is ordered that George Sherman Peter S Roller and John T. Loran do appraise the estate of the said John Tuttle dec'd

The Last will and Testament of George Arey dec'd was presented in court and proved by the oaths of A W Brown & Jno R Hoagland two of the subscribing witnesses thereto and ordered to be recorded in the motion of William Arey one of the executors therein named who made oath thereto according to law and together with John de Frankhouser M Harvey Effinger Allen & Bryan and George Arey his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of fifty thousand dollars conditioned as the law requires. Certificate is granted the said William Arey for obtaining a probate of said will in due form and it is ordered that Peter Whitmore Jonathan S Speck John de Frankhouser and Davis Roads or any three of them being first duly sworn for that purpose do appraise the estate of the said George Arey dec'd and report thereon to the court according to law

John J Bowman who has been duly appointed a Notary Public in and for the County of Rockingham by a commission under the hand of the Governor and the lesser seal of the Commonwealth which commission bears date the 15 day of May 1858. appeared in court and together with Littleton W Gornell his security entered into and acknowledged a bond in the penalty of \$500 conditioned as the law requires which bond is ordered to be recorded & a copy thereof certified to the auditor of public accounts and thereupon that John J Bowman took the several oaths required by law

Wm Sellers

Plff

vs

Ed Longacre

Def

Upon an Attachment

and

Wm Carpenter

Plff

vs

Same

Def

Upon an Attachment

On Motion it is ordered that the above named two causes be placed upon the docket in their proper place

Emily G Zircle widow of Jacob W Zircle dec^d appeared in open court and renounced the provisions of her said husband will which is of record in the Clerk's office of this court

On the motion Emily G Zircle the executrix named in the last will and testament of Jacob W Zircle dec^d heretofore recorded in this office who made oath thereto according to law entered into and acknowledged a bond in the penalty of thirty thousand dollars conditioned as the law requires certificate is granted the said Emily Zircle for obtaining a probate of said will in due form. the said testator by his said will requested that no security should be required of his executrix and the court accordingly require none

George W Outler who stands charged with a felony by him committed in this that he did on the 29th day of January 1858 in the County of Rockingham pinlawfully, maliciously and feloniously stab A J Sigler with intent to maim disfigure disable and kill him the said A J Sigler. this day appeared in court in pursuance to the recognizance entered into by him at the last term of this Court and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion that a felony has been committed and that there is probable cause to charge the prisoner therein and that he ought to be tried for said offence before the Circuit Court of Rockingham County. it is therefore ordered

that he be remanded for trial before the said Circuit Court on the first day of the next term thereof. and on motion of the prisoner by Attorney he is admitted to give bail for his appearance before said Court. the said George W. Eutler in the sum of One thousand dollars and his securities in the like sum of One thousand dollars. and thereupon the said George W. Eutler together with Zachariah Rains and John McKaylor his securities (who justified as to their sufficiency) acknowledged themselves to owe and be indebted to the Commonwealth the said George W. Eutler in the sum of One thousand dollars and the said Zachariah Rains and John McKaylor ^{jointly} in the like sum of One thousand dollars to be levied of their respective goods and chattels, lands & tenements and for the use of the Commonwealth. Yet upon this condition that the said George W. Eutler shall make his personal appearance before the Circuit Court of Rockingham County on the first day of the next term thereof then and there to answer an indictment to be preferred against him for the felony aforesaid and not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force and virtue.

Be it remembered that on this 21st day of June in the year 1858 Andrew J. Sigler and Albert G. Sigler personally appeared in open Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars each to be levied of their respective goods and chattels, lands & tenements and for the use of the Commonwealth. Yet upon this condition that the said Andrew J. Sigler and Albert G. Sigler shall make their personal appearance before the Judge of the Circuit Court of Rockingham County then and there to give evidence on behalf of the Commonwealth against George W. Eutler and not to depart thence without the leave of the said Court. then this recognizance to be void otherwise to remain in full force and virtue.

Be it remembered that on this 21st day of June 1858 in the year 1858 Wm. S. Downes and Isaac J. Grove personally appeared in open Court and acknowledged themselves to owe and be indebted to the

Commonwealth of Virginia in the sum of One hundred dollars such to be levied of their respective goods and chattels, lands and tenements and for the use of the Commonwealth. Yet upon this condition that the said Wm S Dorns and Isaac J Grove shall make their personal appearance before the Judge of the Circuit Court of Rockingham County, on the first day of the next term thereof then and there to give evidence on behalf of the Commonwealth against George W Estler, and not to depart thence without the leave of the said Court then this recognizance to be void otherwise to be remain in full force and virtue

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

Naason Bare

Tuesday June 22nd 1858

Present

Naason Bare Jf. B C Sterling, Charles R. Gent
Rush, John A Dice & John G Cortes } Justices

Ordered that Thomas A Gancey be appointed a school commissioner in the place of Thomas K Harnsberger

Peter Nick jailor of this County presented in Court an account against the Commonwealth amounting to \$9.10 which being sworn to was examined and allowed by the Court and it is ordered to be certified that Harrison Jones was confined in jail under an order of a Justice and that the jailor informed the County Court and the Court directed the clothing and that it was proven before the Court that application to the asylum was unnecessary as the derangement was only temporary

Ordered that Samuel E Long be appointed surveyor of precinct No 8 in the place of Jacob Miller

Ordered that John Swartz be appointed surveyor of precinct
 No 2 of road No 12 in the place of Joseph Frank

Ordered that Salem Sellers be appointed surveyor of precinct
 No 3 of road No 27 in the place of Daniel Flook

Ordered that Cyrus Wise be appointed surveyor of precinct No 2
 of road No 32 in the place of Michael Armentrout

Ordered that Wm H. Ruffner be appointed surveyor of precinct No 2
 of road No 36 in the place of Philip Cole

Ordered that Eli Burns be appointed surveyor of precinct No
 of road No 34 in the place of Joseph Baughen

On the motion of James H. Coursey administrator thereto
 according to law and together with Fountain M. Layton his
 security (who justified as to his sufficiency) entered into an
 acknowledged bond in the penalty of eight hundred dollars
 conditioned as the law requires. Certificate is granted the said
 James H. Coursey for obtaining letters of administration upon
 the estate of Susan Showalter dec'd in due form. and it is ordered
 that Cyrus G. Turley, Peter Bryerly, John T. Myers & Pleasant A. Clarke
 do appraise the said estate

John R. Kogler Sheriff of this County presented in court a list
 of Insolvent license for the year 1857 which being sworn to, was
 examined and allowed by the court, and ordered to be certified
 to the auditor of Public accounts.

The Sheriff of this County presented in court two accounts agt
 the Commonwealth one for \$2.85 & other for \$4.75 which being sworn
 to were examined and allowed by the court and ordered
 to be certified to the auditor of public accounts

JR Brathwaite sergeant of the Corporation of Harrisonburg presented in court ~~two~~ accounts against the Commonwealth amounting one \$2.50 and one for \$2.30 which being sworn to was examined and allowed by the court and ordered to be certified to the auditor of public accounts

James A Campbell et al Plff } upon a suggestion that the Defendant
is indebted to Joseph Ramoel
Mountain McLayton & Deft.

This day learned the Plff by their attorney and thereupon the deft Layton appeared in court and was examined on oath and it appearing from such examination that he is indebted to the saier Joseph Ramoel in an amount more than sufficient to discharge the Plff judgment against the saier Ramoel It is therefore considered that the Plff recover against the saier Mountain McLayton \$100. with legal interest thereon from the 31st day of December 1856 till paid and \$6.89 costs of suit, and that the Plff recover against the Deft Layton their costs by them about their suit in this behalf expended, and it is ordered that this cause be dismissed as to John F. Showalter

Ordered that Samuel Shacklett agent for this County be allowed the sum of \$50 for services rendered by him in travelling to Alexandria and that he be authorized to retain that amount out of any funds in his hands or may hereafter come into his hands, as agent for the County in receiving, disbursing & the railroad tax

Present. Mem Byancey. Hiram A Kite. Asher Argalright Mountain McLayton. Samuel Reelush. William Saufley. Reuben Heuffman. Michael H Harris. Mem E M D Harris. Mem Williams. Jonathan S Speck. Robert Black. Archibald Hopkins Jr. Christian Meyers. Jos H Hopkins L A Hoffman Isaac Hardesty. And Houch. A McNewman D K County. Merkle Carpenter (Donlas Marty. Jackson Houn. Benj Hoover. Reuben Dave & Sammie Sprinkle

Gent Justices

Samuel Shacklett agent for this County in disbursing the rail road tax this day made his report which was received and ordered to be filed and the said agent also returned eleven of the bonds of this County issued for the benefit of the Manassas Gap Rail Road Tax Nos 21, 23, 34, 36, 37, 41, 43, 45, 76, 110, 172 & 174 which bonds are ordered to be filed with the agent for preservation

Ordered that the time at which the Sheriff here after shall pay the County ^{rail road} taxes be fixed at the 15th day of June and the 15th day of Dec. in each year

Ordered that the above order fixing the time at which the Sheriff shall pay the County Rail road tax be and the same is hereby rescinded and that the time of the payment be fixed on the 1st day of April & 1st day of October in each year, to the agent and that the agent be and is hereby authorized to expend any surplus that may remain in his hands after the payment of the interest due by the County to the redemption of the County bonds

On Motion and for reasons appearing to the Court it is ordered that the following named persons be exempted from the payment of County and parish levies viz Robert Jones Aaron (Dinner) Wm Snyder, Philip Avey, Jno Moyers (M.R) John Carrier, Isaac Reedy Valentine Morris and Anderson Runyon Senr.

On the motion of Littleton W. Gamble Clerk of this Court Arthur S. C. Sprinkel, David S. C. Gamble and William D. Fouts are admitted as his Deputies, and thereupon the said Arthur S. C. Sprinkel, David S. C. Gamble and William D. Fouts took the several oaths required by law

Henry B. Harnsberger who was on the 27th day of May in the year 1858 by the qualified voters of the County of

Rockingham, elected surveyor thereof to serve as such for the term of six years commencing on the 1st day of July next appeared in open court and together with Littleton W. Gamble and Samuel A. Hoffman his securities entered into and acknowledged a bond in the penalty of three thousand dollars conditioned for the faithful performance of the duties of his said office, which bond is ordered to be ~~entered~~ recorded, and thereupon the said Henry B. Hearnberger took the several oaths required by law

John C. Woodson trustee Plff }
 vs } Upon a Motion &
 Jacob B. Gost Deft }

On Motion and for reasons appearing to the Court it is ordered to be dismissed

Richard Blatterbach for Plff }
 vs } Upon a suggestion
 William McElvete Deft }

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

Resolved, that the President and directors of the Manassas Gap Rail Road Company, be requested to finish the difficult points on their road from Mt Jackson to Harrisonburg as soon as it can be done, having due regard to the interests of the Company

The Committee heretofore appointed by this Court to report upon the expediency of remodeling the interior of the Court House & this day made their report and upon consideration whereof the Court did refuse to authorize the expenditure of any money in the proposed alteration

Ordered that hereafter the County agent be instructed not to allow more than \$2.50 per day for work done upon public roads of this County for a four horse team

The Overseers of the poor for this County this day returned their report which was received confirmed and ordered to be filed

The agent for this County this day returned his report which was received confirmed and ordered to be filed

Ordered that Olo Sterling be authorized to place in the hands of the Constable of the County the tax tickets returned by the Sheriff delinquent for collection

William Black Deft }
 against } Upon an attachment
 Charles Black Deft }

On the petition of Samuel Sheets & Strother Sheets trustees of Henry Sheets, that they are permitted to interfere and assert a claim to the property levied upon in this case the Court reserving the right to try the right of property hereafter and by consent of the parties it is ordered that the Sheriff shall make sale of the wheat & rye which is the subject of the controversy, on a credit of sixty days taking from the purchasers negotiable notes well endorsed and hold the money when collected, subject to the future order of the Court. But if the Sheriff cannot advertise the property for the usual period and make the sale before the crop is ready to cut then he is authorized to employ hands and cut and save the crop and sell the same after it is cut on the same terms

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

Amount of claims allowed by the Overseers of the poor	\$1880. 26
" due agent Overseers of the Poor on his ap	24. 93
Estimate allowance for delinquents say 550 @ 70 cts	245. 00
Amount of Sheriff's Commission say	250. 00
Amount supposed to be due Cox 30 June 1858	300. 00
Amount of claims allowed & appropriations made by the County Court this day allowance to County officers & pay of justices	
supposed number of delinquents in County say 50 @ 75	375. 00
Balance supposed to be sufficient to meet expenses of Poor at Poor house & to meet contingent expenses of County & Parish	

For

By 5600 Leves at \$1.55 each

" Amount supposed to be due from Sheriff say	708. 62
" " of balance in County agents hands	312. 66

Ordered that the Sheriff of this County collect from each titiable in the County not exempted by law \$1.55. 70 cents of which shall be appropriated to the parish and 85 cents to the County and out of the ~~collections~~ arriving from such collection pay the claims allowed by the County & Parish to the persons entitled to the same at the time required by law and the balance after making allowance for delinquents & commissions pay to the agent of the County & Parish

Ordered that the Sheriff a levy of six cents on each hundred on the assessed value of the taxable property of the County and a capitation tax of thirty cents on each titiable of the County be imposed for the purpose of meeting the interest on the bonds issued by the County under the order of the Court adopted at the June term 1855 which shall be collected by the Sheriff who shall receive a compensation of three percent for the collection thereof and pay the same into the hands of Rockingham County

subject to the order of Samuel Shacklett agent of this court one half for the and the Commissioners of the Revenue for this County are required to open a separate column in the Sheriff's Book for the proper amount of the levy imposed by the foregoing order and said Commissioners for said services shall receive each the sum of \$20 for the duties imposed by

Ordered that the surveyor Andrew Lork on the Briery branch road be authorized to abandon that part of his road ascending a long ridge and adopt and work the road up Wines hollow to Lork's creek and from there to the old road and that he be authorized to buy two picks

It is ordered that 75¢ be appropriated to make a road round Cooper's Mountain on the Harrisonburg & Dry river road upon condition that said sum together with such means as can be raised by individuals shall be sufficient to complete said road & that John A Dice be appointed a Commissioner in behalf of this court to receive said sum and enter into contract for the construction of said road upon the aforesaid terms and that he shall return to this court any surplus that may remain in his hands after said road is completed

S R Allebaugh, Henry Neff, R G Loakley, J T Logan, J L Ammon, A Miller & J H Coursey Deputies for J M R Kousler Sheriff of this County Return a into court a list of delinquents in the County Series for the year 1857 which being sworn to was examined and allowed by the court and ordered to be filed

Absent all the justices except. Nasson Bare J. Robert Black Charles R Bush & Henry W. E. } Justices
W D Harris, Michael H Harris and
O C Sterling

On Motion and for reasons appearing to the Court it is ordered that John H. Hartmann be appointed a committee to take charge of the person and property of Daniel Smith a person whose habits are such as to render him incapable of taking care of & managing his estate. and thereupon the said John H. Hartmann appeared in Court and together with John W. Smith his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires which bond is ordered to be recorded. and thereupon the said John H. Hartmann took the oath required by law

Absent

Wm E M D Harris, Michael H Harris, Gent }
J O Sterling } Justices

Present Charles R Rush & Wm B Yancey Gent Justices

Wm Sellers

Plff

vs

Est Longacre

Def

} upon an attachment

On Motion and for reasons appearing to the Court it is ordered that the said attachment be dismissed

Wm H Carpenter

Plff

vs

Est Longacre

Def

} upon an attachment

On Motion and for reasons appearing to the Court it is ordered that the said attachment be dismissed

Upon the petition of Andrew Heenton and others for the establishment of a road in this County. and by consent of the parties contesting the same. it is ordered that the said road be opened and established agreeably to the report filed in this cause, and that the Petitioners do open and put the same in good repair at their own expense

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

Naason Bare

At a Court held for Rockingham County
at the Court-house thereof on Monday the
19th day of July 1858

Present

Naason Bare	J. Charles R. Rush	} Gent Justices
Andrew Couch	Alm Newman	
Jno. A. Dice		

The clerk of this Court returned into Court a list of deeds and
other writings admitted to record in the clerk's office of this Court
during the month of June 1858. which being seen and inspected
by the Court is ordered to be entered on the minutes as follows to wit
A Power of Attorney from Isaac Adams to James & Mitchell & Son
A Deed of Bargain & Sale from Samuel Shavers wife to Henry Armentrout
Same from David Watkins wife to Mary Reed
Same from Allen & Bryan comrs to John Showalter
Same from Thomas L. Yancey comrs to Mem & Coarison
Same from George Hester wife to Charles Nicholas
Same from Madison Hurlvey & to John Gount
Same from John Mason wife to William Ford
Same from Daniel Miller wife to David & Elizabeth Finley
Same from George McKenney Jr to Harrison Bateman
Same from Samuel H. Lewis & to Same
Same from Richard Winfield to Samuel Kline
Same from Wmly Thompson comrs to David Reedy
Same from James Richards wife to Anthony P. Heuffman
Same from Daniel Heuffman & to Silas Sandy
Same from John Dingleline wife to Jacob Spitzer
Same from Wm G. Thompson comrs to George Branner

Deed of Bargain & Sale from William Crebaugh wife to John Archart
 Same from James McDinkler to Isaac Baker

+ Same from Samuel Weise wife to Henry Weise +

Same from Jacob Powell's executor to Solomon Shiflett

Same from John Adair wife to Joseph Rhodes

Same from John Denton's admr. to Jacob Davidson

Deed of Trust from Samuel Seely to James Kenney Trust for pro Seely

Deed of Bargain & Sale from James Weest to Madison Weest

Deed of Trust from Samuel Seely to James Kenney Trust for Sam Shiflett

Deed of Bargain & Sale from Lilliston Wyamille trustees to George O Conrad

Settlements of the estates of Margaret Baxter dec^d John Heinrich dec^d
 Philip Parrot dec^d Reuben Kingree dec^d having been filed in the
 Clerk's Office of this Court for the time prescribed by law were
 presented in Court and no exceptions being offered the same are
 confirmed and ordered to be recorded

A Settlement of the account of Orleton T Burkholder committee
 for Sarah M Kratzen was presented in Court in Court having been filed
 in the Clerk's Office of this Court for the time prescribed by law and
 presented in Court and no exceptions being offered thereto the
 same is confirmed and ordered to be recorded

Settlements of the accounts of Daniel Bouman Guardian for
 David Coffman, Abraham Glick Guardian for Mary Leeb, John
 Earhart guardian for Christina Weise, same guardian for
 Rebecca Weise, George Rhodes guardian for Elmira Stephens and
 Daniel Bouman guardian for Barbara Le Downlock, having
 been filed in the Clerk's Office of this Court for the time prescribed by
 law were presented in Court and no exceptions being offered
 the same are confirmed and ordered to be recorded

Conrad vs Lee Lon @ Bond Notice proved & execution awarded
 Thompson vs Lee The same order

William Peters

against

Cumberlander Jones &

Plffs

Defts

In Chancery

This cause came on to be finally heard this 19th day of July 1858 upon the complainants bill & the exhibits therewith filed the answer of the infant defendants by Henry T. Hartmann their guardian ad litem the general replication thereto, and the deposition of Wentres taken and read in this cause whereupon the argument of counsel being heard it is adjudged ordered and decreed, that Henry T. Hartmann be and he is hereby appointed a commissioner whose duty it shall be to execute & acknowledge a deed in proper form conveying the land in the bill mentioned to the complainant Wm Peters with special warranty, and that the sum of two dollars be taxed in the costs for the execution of said deed & that the plaintiff recover his costs.

David S. Jones & wife & others

Plffs

vs

Jacob Host's heirs

Defts

In Chancery

This cause came on further to be heard on the papers formerly read in the cause and it appearing to the court that under a former decree in this cause entered in the month of October 1856 the commissioner was directed to loan out the money then in his hands at interest until the infant defendants should attain their majority respectively, and it appearing to the court by the report of Commissioner Sommers herewith filed that the larger portion of the money then in his hands has been placed out at interest and that there is now in his hands one thousand dollars of said fund, subject to the order of this court. It is adjudged ordered and decreed that if Maria B. Host the mother and guardian of the infant defendants shall enter into bonds with proper security as required by law to faithfully execute her trust as guardian of said defendants, then that the said Sommers shall pay to the said guardian the money now in his hands and due to the said infant defendants.

and that he shall as soon as he can collect the money loaned out by directions of said former decree receive and pay the same to the said guardian upon the conditions aforesaid or he shall pay to the several infants their respective shares as soon as they arrive at full age of 21 years

On the Motion of Samuel Flory who made oath thereto according to law and together with Peter Showalter his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two thousand five hundred dollars conditioned as the law requires. Certificate is granted the said Samuel Flory for obtaining letters of administration in due form upon the estate of Anna Kline dec^d. and it is ordered that John Haugh Samuel Good & William Rodeheffer do appraise the estate of Anna Kline dec^d. and report thereon to the court according to law

Ordered that John F. Bowman, George Branner & Henry G. Thompson after being duly sworn for that purpose do appraise and lay off to Susannah Kline widow of George Kline dec^d her dower in the real estate of which the said George Kline died seized and make report of their proceedings to the next term of this court

On the Motion of Mathias Showalter & John H. Showalter heirs of David Showalter dec^d. it is ordered that Michael M. Moyerhoeffer, Henry Ekstrom & Peter Deil after being duly sworn for that purpose do proceed to lay off and appraise to Agnes Showalter widow of David Showalter her dower in the real estate of which her late husband the said David Showalter died seized & report thereon to the court

On the Motion of Michael B. Kline & John B. Kline who made oath thereto according to law and together with ^{John F. Bowman & John Sigler} David Shiskey and John Kline his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires. Certificate is granted the said Michael B. Kline and John B. Kline for obtaining letters of administration in due form upon the estate of George Kline dec^d. and

it is ordered that Jacob Moyers, Derrick Pennybaker and John J. Bowman after being first duly sworn for that purpose do appraise the estate of the said George Kline dec^d and report thereon to the Court according to law.

The Court doth appoint John Zigler guarantien for David Kline and Elizabeth Kline orphans of George Kline dec^d who are under the age of fourteen years of age and thereupon the said John Zigler appeared in Court and together with John J. Bowman and Michael Ble Kline his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars, conditioned as the law requires, which bond is ordered to be recorded.

Henry A. Chrisman who was on the 27th day of May 1858 duly elected Commissioner of the revenue for the third revenue collection District of Rockingham County for the term two years commencing on the first day of January in the year 1858, appeared in Court and together with Madison More his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars, conditioned as the law requires, which bond is ordered to be recorded and a copy thereof be certified to the first auditor of Public accounts, and thereupon the said Henry A. Chrisman took the several oaths required by law.

James Grubb v. others	Pliffs	} In Chancery
against		
William Grubb v. others	Defts	

This cause came on to be finally heard on the papers formerly read in the cause, and also the report of the Commissioner herewith filed and to which there is no exception on consideration whereof this Court is of opinion that the said report ought to be received accordingly. It is adjudged, ordered and decreed that said report be received.

and that the amount now in the hands of said Commissioner be paid to John O. Austin, the guardian of the infant defendant William Grub, and as to all matters this cause is concluded.

(Powers of Attorney executed by William Grub and Elias Grub of the state of Ohio, authorizing, Leynis Merce attorney to collect amounts due said Grubs from estate of Diana Grub dec^d appears among papers properly ~~authenticated~~ ^{authenticated} in this is entered at the desire of Commissioner Summers.)

Upon the petition of G. T. Hopkins & others for the establishment of a road in this County. It is ordered that the said petition be referred to Joseph Maury, Jacob Aruman and George Haeberle, ^{who duties it shall be} and they are hereby appointed viewers, ~~who~~ after having being first duly sworn that purpose, to examine and report upon the said petition to the Court according to law.

John J. Wanderlich	Plff	} Upon an attachment
vs		
Daria M. Roremlanger	Deft.	

This day came the Plff by his attorney, and the deft still failing to appear. It is considered that the Plaintiff recover against him Two hundred and twenty one dollars and twelve cents with interest thereon to be computed after the rate of six per centum per annum from the 19 day of January 1858, till paid and the costs by the Plff about his suit in this behalf expended and the examination of Francis Stailing, who was ~~examined~~ summoned as a garnishee in this cause, was produced in Court and it appearing that he is indebted to the deft in the sum of \$61. and also holds a note due to the said deft for \$20. on the 23^d day of Nov. 1857, executed by Thomas Dokey. It is therefore considered that the Plff recover against the said Stailing the said sum of \$61. with legal interest thereon from this day, and that the said Thomas Dokey pay the said sum to the Plff or to the Sheriff of this County.

Benz Van Belt & R. C. Mauch

Plffs

Upon a Notice to quash an
execution sued out by the Defts
against the Defts

Daniel Smith & sons

Defts

This day the parties appeared in court, and it appearing to the court that the said execution is for the use of Wm B Warren, and he appearing in court by his attorney and admitting to sufficiency of the notice, and expressing himself willing to go to trial upon the merits of the said motion & after the examination of witnesses, and the statements of said Warren this counsel in open court, and the court being of opinion that the sum of \$38. with interest thereon from the 19 day of September 1857, 186, 81. has been paid to said Warren before the said execution was issued and that the execution of Daniel Smith appearing in court and admitting that the estate he represented had received the same, it is ordered that the said execution be quashed and that the Van Belt & Mauch recover against the said Warren their costs in this behalf expended.

H. A. Chrisman Commissioner of the revenue for this County presented in court an account against the Commonwealth amounting to \$8.10 which being sworn to, was examined and allowed by the court, and it is ordered to be certified to the auditor of Public accounts. The said Commissioner returned for his district 209 Births and 61 deaths, and that the said returns have been accurately and fully made according to the law regulating the same and within the time prescribed thereby.

A Settlement of the accounts of Frederick Sheck executor of William R. Sheck dec^d was presented in court and no exceptions being offered thereto, on the motion of the heirs the same is confirmed and ordered to be recorded.

On the motion of Smith Sampson who made oath thereto according to law and together with George Learner his security (who justified, as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars conditioned as the law requires. Certificate is granted the said Smith Sampson for obtaining letters of administration in due form from the estate of Sarah Sampson dec^d.

Virginia Baxter Orphan of George Baxter dec^d being over 14 years of age, by an instrument of writing, duly acknowledged made choice of Edward D McWarren as her guardian, and thereupon the said Edward D McWarren appeared in court and together with Thomas Glasgow his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one hundred & fifty dollars conditioned as the law requires, which bond is ordered to be recorded

Upon the petition of John A Fleming praying for relief as security for William R Warren for his due and faithful performance of his duties as one of the executors of the last will and testament of Charles L Spears deceased. This day came the parties: it is ordered that the said William R Warren give a new bond as executor as aforesaid in the same penalty as the former bond and it is further ordered that unless the said William R Warren shall at or before the next term of this court give such new bond his power and authority as executor aforesaid be revoked and annulled

Upon the petition of John A Fleming for relief as security for William A Glasgow for his due and faithful performance of his duties as one of the executors of Charles L Spears dec^d: On the motion of the said John A Fleming, it is ordered that the said William A Glasgow be summoned to appear here on the first day of the next term of this court to shew cause if any he can why he shall not be required to give a new bond as executor aforesaid, or that his power and authority as such executor shall not be revoked and annulled

Philip Siggitt

appellant

vs

Amabel & Co Smith

appellee

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

This day came the parties by their attorneys, and a witness being sworn and examined, and upon mature deliberation the court are of opinion that there is no error in the judgment of the justice below. It is therefore considered that the appellees recover against the appellant and E A Shandas his security in the appeal

sum of fifteen dollars with legal interest thereon to be computed after the rate of six per centum per annum from the 1st day of February 1858 till the 16th day of March 1858, and two dollars and forty cents costs with damages upon the whole amount of the said judgment from the said 16th day of March 1858 at the rate of ten per centum per annum from the said 16th day of March 1858 till paid and the costs by the appellees in this behalf expended

William H. Hamrick who was on the 27th day of May 1858 duly elected Commissioner of the revenue for the second revenue collection district of Rockingham County to serve as such for the term of two years commencing on the first day of January 1859 appeared in court and together with John R. Kosger his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars conditioned as the law requires and thereupon the said William H. Hamrick took the several oaths required by law which bond is ordered to be recorded and a copy thereof transmitted to the first auditor of Public Accounts

Wm Sigler is John H. Austin

On Motion it is ordered that this cause be continued until the next term at the costs of the deft.

Robert M. Mooney who has been duly summoned to appear here on this day as a witness on behalf of John H. Austin & as Wm Sigler being solemnly called and not appearing it is ordered that he be summoned to appear here on the first day of the next term of this court to shew cause if any he can why he shall not be attached and fined for his contempt offered in failing to attend as aforesaid

John L. Woodson Trustee

Plff

Wm. A. Maupin

Def

Upon a notice to try the right to the proceeds
of a horse sold by said John L. Woodson Trustee

This day came the parties by their attorneys and the court having heard the cause doth adjudge order and decree that the said John L. Woodson as Trustee as aforesaid do out of the proceeds of the sale of a bay horse sold by him on the end of June 1857, pay to said Wm. A. Maupin \$44.75 with legal interest thereon from the 1st day of October 1857 till paid the amount of an attachment on behalf of Wm. A. Maupin vs Wm. Randall levied on said same horse and it is considered that the defendant recover against the Plff his costs by him about his defence in this behalf expended

~~Memorandum~~ Upon the trial of this cause the Plff excepted to the opinion and action of the court and tendered his bill of exceptions in these words "John" which were signed, sealed and enrolled by the court and ordered to be made a part of the record

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

Naason Bare

Feb 1857

Morris as Lincoln Guad. D 1 sha + 2
 Leopold as Bean D 1 " + 2
 McGahey as Gannoy 1 " 1
 Stoned as McFarland 1 " 1

March 1857

G W Dimes as Duffell D 1 sha + 3 co

April 1857

I D Jackson as Stinespring D 1 sha + 3 co
 McDowell as Sullivan D 1 sha

August 1857

O Stinespring as Stans Aeller & Harman D 1 sha
 Haffman as Pearson D 1
 Julester as Kayler 1 2

Sept @ P L W

~~Effinger as Byrd~~

1 sha + 1 co

~~Houch & Malhorn as P. Lock Nov 1857~~

~~Stinespring as Straus Aeller & Harman~~

~~Billhimer as Campbell~~

~~Calvert as Barley~~

~~Leedy as Cornwell~~

~~Wissman as Cornwell~~

~~Houch as Overholtz~~

~~Acker as Cornwell~~

~~Clayton as Cornwell~~

~~Campbell as Billhimer~~

~~Effinger & Co as Winston & Co~~

Dec 1858

~~Stinespring as Straus & Co~~

~~Jarvis as Cornwell~~

~~McLure as Smith~~

~~Wacker as Leary~~

~~Calvert as Barley~~

~~Douglas, Dimes as Harrison~~

~~Campbell as Billhimer~~

~~Daugherty as Danna~~

~~Kayler as Danna~~

~~Harrison as Danna~~

L G

200 Blackbirds
120 Song/58
few Heavy for 1958

Small
20 March/58
Barn Swallow
20 March/58
American

20 March/58
J. Macnamara
20 March/58
W. H. Armstrong

N. Vireo
20 April/58
20 April/58
20 April/58

20 April/58
valley ridge
7000 ft
for 1958

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20 April/58
20 April/58
20 April/58
20 April/58