ROCKINGHAM COUNTY CIRCUIT COURT
HARRISONBURG, VA

Minute Book 31

1/5/1860 -
6/6/1861

Dem

At a Court Summoned and held for the County of Rockingham at the Court-house thereof on Thursday the 5th day of January 1860 for the examination of Jackson Garrison. who stands charged with a felony by him committed in this that he did on the 24th day of December 1859 in the County of Rockingham feloniously. and of his malice did kill and murder one Dennis Toomey".

Present

+ Michael H Harris + Mont D Carpenter Isaac Gent
Wright Speck & Bushrod Rust } Justices

The prisoner Jackson Garrison appeared in Court in pursuance to his recognizance entered into before a justice of the peace for this County. and many witnesses being sworn and examined touching the premises. and the Court upon mature deliberation are of opinion that no felony has been committed by the prisoner. it is therefore ordered that he be discharged and acquitted of the said offence

And thereupon the Court arose

J. S. Speck

Jno H Hopkins. P. D Harris & Isaac Hardesty appeared in accordance with summons

In the Clerks Office of the County Court of Rockingham January 6th 1860

H & S M Ott Pltffs } In Debt
v
Jackson Garrison Deft }

This day the defendant appeared in the Office aforesaid and confessed judgment for $113.62 the debt in the writ mentioned with interest and costs

It is therefore considered that the plaintiffs recover against the defendant $113.62 the debt aforesaid, with legal interest thereon from the 5th day of January 1860 till paid. and the costs by the Pltffs about their suit in this behalf expended

Teste

J W Garnett CRC

State of Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 16th day of January 1860

Present

H. Sterling Doyle, Marty. Wm. McCarpenter, Robert Black & J. Kite — Gent. Justices

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

A Deed of Bargain & Sale from Shem Heatwoles exrs to Shem S Heatwole
Same from Shem S Heatwole to Shem Heatwoles exrs
Same from Shem Heatwoles exrs to Davis Heatwole
Same from Jacob Byers admr to Peter McAnnemant
A Deed of Trust from S. Blair Miller & wife To T. L Yancey Trustee for Sam. Miller &c.
A Deed of Bargain & Sale from M Shewalter & Comrs to Wm Sanfley
Same from John Ballard to Floyd G Roche
Same from John H McIlwain & wife to Isaac Stone
Same from Henry H Rogers & wife to Charles Rogers
Same from Jacob Brunk & wife to David A Heatwole
Same from Same to James Linaweaver
Same from David Lanaes to James S Harris Trustee
Same from George Nicholas to Samuel Carman
Same from John Bare to George Weel
Same from Samuel Carman to George Nicholas
Same from John J Keller & wife to Susan Smith
Same from George Brunner & wife to George Weel
Same from Wm Noel & wife to Michael Shaver
Same from John VanTrump & wife to John A Shewalter
Same from Henry M Miller & wife to Jacob H Beahm
Same from George Fawley & wife to Philip Ritchie
Same from Philip Ritchie & wife to George Fawley
A Deed of Trust from Jo Baker & wife to F E Brown Trustee for Martin Brenneman

A Deed of Bargain & Sale from Catharine Reery to Joseph Baker
Same from Mary A Probst to Henry F Probst
Same from Joseph S Effinger & to Dennis Toomay
Same from Daniel Garber & wife & to Jacob Driver
Same from Same to Jonas Bloser
A Deed of Trust from Nason Bare & wife to B Hoover & T L Guncy. In Trust &
Same from Joshua Ritchie to Jno Ritchie In Trust for Jas Ritchie
A Deed of Bargain & Sale from Benj F Hockman & wife to Geo Mueller
Same from Riley Armentrout & wife to Joab A Armentrout
Same from Levi Sager & wife to Simon Mumaw
Same from Noah Anes & wife to Emanuel Driver
Same from Emanuel Driver & wife to Sam'l & John Driver
Same from E F H Warren Trustee to Samuel R Allebaugh
Same from George Kratzer & wife to Gideon Kratzer
A Power of Attorney from Mary L Gordon to John N Gordon
A Deed of Bargain & Sale from John Gordon's heirs to David R Hopkins
A Division of Richard Winfield. dec'd Land
Same of Christian Kratzer dec'd
A Deed of Bargain & Sale from Ill Heatwole & wife to Jacob Brunk
Same from D A Richard & wife to Solomon & Wm Bowman
Same from M J Mayerhoeffer & wife to George Perkey
Same from Same to Lewis F Mayerhoeffer
A Deed of Trust from Daniel Fales to H Wilson In Trust for Wm Fales
Same from Jno E Brown to Wm G Thompson In Trust for Wm Brunk &
A Deed of Bargain & Sale from David Hoover & wife to Abraham Hoover
Same from Abraham Hoover & wife to David Hoover
Same from John R Kegler & wife to Jacob L Silbert
Same from Jacob L Silbert to John R Kegler
Same from Jacob L Bowman & wife to David P Bowman
Same from Thomas Kirkpatrick to Jacob Shank

Settlements of the estates of ~~John~~ Perkey dec'd, Samuel Pearl dec'd & George Conrad dec'd & Ephraim Whitmore dec'd having been filed in the Clerks office of this Court for the time prescribed by law, were presented in Court & no exceptions being offered, the same are confirmed & ordered to be recorded.

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Settlements of the accounts of Wm Sawley Guardian for William Kygers heirs & J.S. Piper Guardian for Catharine Eddins &c 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 estate of Joseph Baker dec'd having been filed in the Clerk's Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

John Robinson &c Pltff
vs
James Jones Deft
} Upon a Rule

The rule last awarded in this cause not being returned executed. On Motion of the Pltff it is ordered that a new rule be awarded against the deft returnable here on the 1st day of the next term

Sum'd & Co Post

The Court doth appoint Henrietta Royer Guardian for Drewmer Delila Royer, Virginia Catharine Royer & John Vincent Royer orphans of Samuel Royer dec'd and thereupon the said Henrietta Royer appeared in Court and together with Alexander Kyger her security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $1200 conditioned as the law requires, which bond is ordered to be recorded

On the Motion of Sally Mc Gray the executrix named in the last will and testament of Robert Gray deceased, who made oath and entered into and acknowledged a bond in the penalty of $2000 conditioned according to law thereto according to law, ~~and together~~ a certificate is granted the said Sally Mc Gray for obtaining a probate of the said will in due form. The said Testator having requested that no security should be required of this said executrix the Court accordingly require none

Jackson Horn Guardian for Hannah Davis & others appeared in Court & with the consent of the Court, resigned his trust as such Guardian

Seannah Nave Sampson Nave & Joseph Nave orphans of Jacob Nave decd by an instrument of writing made choice of Anthony Rhodes as their guardian. and the court doth appoint the said Anthony Rhodes guardian for Mary Nave & Elias Nave orphans of same who are under the age of 14 years. and thereupon the said Anthony Rhodes appeared in Court and together with Peter Gover & Peter Rhodes his securities who justifies as to their sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires. which bond is ordered to be recorded

Jacob Mayers Pltff
vs
Miller & wife Defts
} In Chancery

On Motion it is ordered that this cause be dismissed

Susannah Kendall orphan of Samuel Kendall decd being over 14 years of age by an instrument of writing made choice of William Skinners as her guardian. and thereupon he appeared in court and together with Christian Skinners his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $600. conditioned as the law requires. which bond is ordered to be recorded.

The last will and testament of Samuel Coffman decd was presented in court and proved by the oaths of William Knupp & William Bell two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of Abraham Knupp the executor therein named who made oath thereto according to law and together with Joseph Miller & Jacob Miller his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of seven thousand dollars conditioned as the law requires. a certificate is granted the said Abraham Knupp for obtaining a probate of the said will in due form

Ordered that John Smith Joseph Miller John Shinespring & Emanuel Wise or any three of them being first sworn for that purpose do appraise the estate of Samuel Coffman dec'd and report thereon to the Court according to law

On the Motion of Samuel R Sterling Trustee of John G Coffman it is ordered that Wm M K Wartmann be appointed a special Commissioner to examine state and settle the accounts of the said Trustee and report thereon to the Court according to law

Upon the petition of Geo Lostetter & others for a road. on the Motion of the petitioners by their attorney it is ordered that the said petition be referred to George Sanfley Daniel Miller & Jacob B Nicholas who shall act and report thereon to the Court according to law

Upon the petition of Frederick Lupp & others for a road the Viewers heretofore appointed this day filed their report and on the Motion of the petitioners by their attorney it is ordered that the landholders through whose lands the said road is proposed to be constructed be summoned to appear here at the next Court to shew cause why said road should not be opened and established agreeably to the report

Henry Mace's Committee Pltff
vs
Henry Mace Deft } In Chancery

This cause came on again to be heard this the 16th day of January 1860 upon the papers formerly heard and was argued by Counsel. on consideration whereof the Court doth adjudge ordered and decreed that a rule be issued against Wm H Tams who was appointed a Commissioner by a former decree rendered in this cause to shew cause why he should not be proceeded against for contempt in failing to make report of his action as Commissioner

Pitts vs Showalter & — } on DBond notice proved & the same ordered
Davison vs Downs &
Dirkle vs Burgess } The same order

Mark Alexander a free negro who stands charged with felony was led to the bar in custody of the Sheriff. and thereupon on the motion of the attorney for the Commonwealth the examination is continued until the next term

Ordered that Joseph H Conrad Joseph H Kite & Hiram A Kite be appointed commissioners to apportion the hands between John Hensley James Heensley & James Deen Surveyors of public roads within this county

D Pennybacker &c Pltff
vs
Vena Lester &c Defts
} In Chancery

On Motion of the plaintiffs by attorney Wm D Frost is appointed guardian ad litem for the infant defendants in this cause viz Conrad Lester, George Lester & Margaret Lester and leave is given him to file his answer

John J Lafferty procures credentials of his ordination and also of his being in regular communion with the church called the Methodist Episcopal Church South, took the oath of allegiance to the Commonwealth, and entered into bond as required by the law regulating the solemnization of Marriages, and that he is authorized to celebrate the Rites of Matrimony according to the forms and customs of the said Church between any persons to him regularly applying therefor within this State

Michael Sohr procures credentials of his ordination and also of his being in regular communion with the Church called the Christian Church, took the oath of allegiance to the Commonwealth, and entered into bond as required by the law regulating the solemnization of marriages and it is ordered that he be authorized to celebrate the Rites of Matrimony according to the forms and customs of the said Church between any persons to him regularly applying within this state

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On the Motion of Jacob Garber the Commonwealths attorney being present & defending the Motion. it is ordered to be certified to the auditor of Public accounts. that said Jacob Garber has been erroneously assessed with the revenue tax of $5.83 on a tract of 104 1/2 acres of land in Rockingham County. and has paid the same to the sheriff. which ought to be refunded to him

Solomon M Martz Pltff
vs
Charles M Perry Deft } Ufoman attachment

This day came as well the pltff as Curtis Yates by their attorney and summary witnesses being sworn and examined touching the premises the Court are of opinion that all the Corn in controversy except Nine and a half bushels is the property of Curtis Yates. it is therefore ordered that the Officer who levied the said attachment proceed to sell the said 9 1/2 bushels of Corn. and apply the proceeds towards the discharge of the rent due the pltff. and make report thereon to the Court according to law and that neither party recover any costs

Jacob Thomas produced credentials of his ordination and also of his being in regular Communion with the Church called the German Baptist took the oath of allegiance to the Commonwealth of Virginia and entered into bond with security in the penalty and with the conditions required by law. credentials is granted him according to law. to celebrate the Rites of marriage

Ordered that Wm N Jordan surveyor of a public road in this County be authorized to purchase powder & implement for the use of this road

On the Motion of Jno W Lee (the attorney for the Commonwealth being present and defending the said motion) who has been assessed with and has paid $10. revenue tax on his house of private Entertainment in this County for the year ending at the April Court 1858. It is ordered to be certified to the auditor of public accounts. that it was proven to the satisfaction of the Court. that the said assessment is erroneous in this. that the said House was not rented for $50. for tavern purposes. and that five dollars 1/2 of the said assessment ought to be refunded to said Lee

On the Motion of John R Kogler Leave is given to Silbert & Carper to transfer their tavern license to the said Kogler

Daniel Lynch Pltff
vs
Jacob Slaugher Deft } Upon a writ of Unlawful Detainer

This day came the parties by their attornies and thereupon came a jury to wit Uriah Price Benjamin B Ewing Jno K Moore Joseph Keine Gordon R Kennedy Hugh A Brunk Wm Carpenter Samuel Driver John Sander James J Miller Wm Lisbey and Samuel C Heelzel who being sworn to try whether the possession of the tenements mentioned in the ~~complaint~~ writ in this cause is unlawfully withheld by the defendant from the plaintiff having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say we the Jury find for the defendant. it is therefore considered that the defendant recover against the Pltff his costs about his defence in this behalf expended

Jno Keister vs Jacob Shultz. On Motion continued until the next Term at the costs of the deft

Mayers & Pltff
vs } In Chancery
Mayers & Defts

On Motion it is ordered that this cause be dismissed

F W Shipman Pltff
vs } Upon an appeal
J H Burgess & Defts

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 defts

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

O. G. Sterling

At a Court held for Rockingham County at the Court House thereof on Monday the 20th day of February 1860

Present

+ Mason Bare Pt. + Reuben Dove + Isaac Wright } Gent
+ Christian R Moyers + Wm Sawley } 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 1860 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 David Armentrout & wife to Cyrus Rhodes
Same from Jacob Flook & to Samuel S Keller
A Deed of Trust from S P Reamer to E T & H Warren Trustees for Jno C Hoffman &c
A Deed of Bargain & Sale from Mary Daniel & to Wm J Miller & Trustees
A Deed of Bargain & Sale from George Kiser & wife to Noah A Tutwiler
A Deed of Trust from Wm Ralston & wife to H Harrison Jr Trust for Harvey Kyle
A Deed of Bargain & Sale from Gideon Kratzer & wife to George Kratzer
Same from Franklin Lisky to George Lisky
Same from Isaac Stone & wife to Daniel Garber
Same from A M Gamble & to Same
Same from Wm Sawley to Same
A Deed of Trust from Peter Paul to J H Lowman Jr Trust for Mr Whitmore
Same from David Ralston to Jas Steele Jr Trust for Jno H Ralston Jr
A Deed of Bargain & Sale from Augustus C Hoffman & wife to Peter S Roller
Same from Peter S Roller & wife to Henry Fleming
Same from David Rose & wife to Same
Same from Jackson Horn & wife to C P Horn
Same from Same to Anthony Rhodes Sen
Same from Madison Moore & wife to Abraham Wenger

Seal out

A Deed of Bargain & Sale from Jno Showalter wife to Jacob Sanger
Same from Asher Argebright Com'r to James A. Shifflet
Same from Jacob Earman wife & to Harrison D Earman
A Deed of Trust from Geo W. King to A J Wanbelt In Trust for Martin King
A Deed of Bargain & Sale from Revel Rogers wife to Franklin Pence &
Same from Edward H B Huffman wife to Elijah Dudley
Same from Daniel Keller wife to Peter Brenneman
Same from John Silbert to John Koontz & leaf cut
Same from Wm A McDaniel wife to S J & Carmsberger
Same from Henry Swartz wife to Isaac Smith
Same from John R Herman wife to John L & Herman
A Deed of Trust from Jas N Mefferd to T Brenner In Trust for Henry Neff &
Same from Wm Strother to Douglas Gray In Trust for Robert A Gray

Settlement of the accounts of the guardians of Elizabeth Weaver & Osborn Hulva, Columbia Hulva, Benjamin Whitmore & George Sonefrank, Sarah M Showalter late Myers, & Margaret Niswander & 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 estates of Christena Argalright dec'd, Matthew Rankin dec'd, R J Thomas dec'd, Geo Rosenbarger dec'd & John Zigler 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

D Pennybacker & Pl'ff
to
Vena Custer & Def'ts
} In Chancery

This cause came on to be heard on this 20th day of February 1860 on the papers heretofore filed and proceedings heretofore had and upon the argument of Counsel it is adjudged ordered and decreed that Henry Neff after

publication of the day and place of sale for a term at least four weeks preceding at four public places near the place of sale one to be Pennybacker's store in the Gap and another to be Cootes Store. Shall proceed to sell at public auction for cash to the highest bidder or on a credit of sixty days the purchaser executing negotiable note with satisfactory endorsers. the interest of Richard Lester. Solomon Lester. Isaac Lester. Conrad Lester. George Lester and Margaret Lester in the land in the bill mentioned. Vena Lester the widow having a dower interest in the land and St Clair Lester never having the subpoena served on him to answer the bill. The land would thus be sold subject to dower interest of Vena Lester. and the outstanding claim which St Clair Lester may have by reason of not being subpoened. and out of the proceeds of this sale the said Commissioner is ordered to pay pro rata. if there is not sufficient to pay the whole of the following claims of D Pennybacker. S Cootes and S Cootes & J G Cootes to Samuel Cootes the sum of $18.70 with interest from the 10th day of March 1855 till paid and 30 cents costs. To Samuel Cootes $20. with interest from 1st Nov 1858 till paid 30 cents costs. To Samuel Cootes & J G Cootes partners $12.38 with interest from 9th Feby 1856 till paid and 30 cts costs. to Samuel Cootes & J G Cootes partners $13.42 with interest from 8th day of Feby 1855 till paid & 30 cents costs as also $6.70 with interest from 2d July 1854 till paid 30 cts costs To D Pennybacker $20.54½ with interest from 9th day of Oct 1858 till paid & 30 cts costs. also To D Pennybacker $67.08¼ with interest on $47.88 part thereof from the 28th day of August 1851. till paid and $21.20¼ the residue thereof, from the 17th day of August 1854 till paid & $6.81 cents costs. the costs of this suit and the costs of sale and commission first to be deducted from the proceeds of sale before distribution as aforesaid. If there should chance to be more than sufficient to pay the foregoing debts costs & then the Commissioner is ordered to distribute the balance among the parties whose interests in the land are sold. all action touching the foregoing decree the said Commissioner is ordered to report to this Court at the next term after the sale of the land aforementioned

Upon the petition of Gilbert Kemper & for a road. on motion it is ordered that Joseph Beery be appointed a viewer to act upon the said petition in the place of George Sanfley who declines to act

On Motion of Ambrose Knupp Isaac Heuffman & Maria his wife William Buell & Hannah his wife & Edward Minick & Sally his wife heirs of John Knupp. Daniel Driver. Samuel Roller & Michael Roller are appointed commissioners to assign dower to Rebecca widow of said John Knupp. and also to make partition among the heirs of said John Knupp in the real estate of which he died seized

On the Motion of Catharine Brock it is ordered that William G Thompson. John J Bowman. Christian Brunk & Jonathan Brenner ~~are hereby~~ be appointed commissioners to assign dower to the said Catharine Brock in the lands of which her husband Jacob Brock died seized. and report thereon to the Court according to law

The commissioners heretofore appointed to assign & arrange the bounds on precincts No 37. & of public roads in this County this day made their report. which is ordered to entered on the road book

Ordered that the patrol heretofore appointed in the sixth magesterial district for this County. be continued as such patrol for three months from this day.

On the Motion of the heirs of Michael Flory dec'd it is ordered that ~~He~~ the administrator of the said Michael Flory dec'd render an account of his administration before William M'K Hartmann who is hereby appointed a special commissioner to examine state and settle the accounts of said administrator. and report thereon to the Court according to law

An Instrument of writing purporting to be the last will and testament of Catharine Crotzer dec'd was presented in Court and proved by the oaths of John Kline & John B Kline the subscribing witnesses thereto. and the Codicil thereto annexed was proved by

oaths of John Kline & Isaac Rinehart the subscribing witnesses thereto and the said will and codicil are ordered to be recorded as the true last will and testament of the said Catharina Bratzer dec'd. and on the motion of Jesse Burkholder the executor named in the said codicil who made oath thereto according to law and together with Anthony Burkholder his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Nine thousand two hundred dollars conditioned as the law requires a certificate is granted the said Jesse Burkholder for obtaining a probate of the said will in due form.

Ordered that Henry Beery, Henry Wenger & Christian Brunk after being first duly sworn for that purpose do appraise the estate of Catharine Bratzer dec'd and report thereon to the Court according to law

On the Motion of Andrew B Brick who made oath thereto according to law and together with Henry D Hamsberger and John H Hopkins his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of thirty thousand dollars conditioned as the law requires. a certificate is granted the said Andrew B Brick for obtaining letters of administration in due form from the estate of Richard Thurmond dec'd the widow of the said decedent having in writing relinquished her right to administer

Ordered that Isaac G Hoffman Wm A Conrad and Samuel M Bowman after being sworn for that purpose do appraise the estate of Richard Thurmond dec'd and report thereon to the Court according to law

On the Motion of Robert Black who made oath thereto according to law and together with John Shaver, Henry Phillips & Joshua Cupp his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires. a certificate is granted the said Robert Black for obtaining letters of administration in due form upon the estate of Jacob Andrews dec'd and it is ordered

that Wm L. Smith, Davis McEuston, Samuel Wheelbarger and Thomas K. Hamilton or any three of them being first sworn for that purpose do appraise the estate of the said Jacob Andrews dec'd and report thereon to the court according to law

Philip Sharis Jr. Sheriff of Pendleton County, presented in court an account against the Commonwealth amounting to Twenty five dollars and thirty cents which being sworn to was examined and allowed by the court and ordered to be certified to the auditor of public accounts

Josiah L. Roller who has been heretofore appointed a Notary Public for this County, appeared in Court and together with Peter Roller his security, entered into and acknowledged a new bond in the penalty of $500. conditioned as the law requires, which bond is ordered to be recorded

J. P. Meyerhoeffer Pltff
vs
Wm Mohler Deft } upon a Suggestion

This day came the parties by their attorneys and the deft files his answers in writing and thereupon this cause is ordered to be placed upon the docket & continued

Shuler for pl Earthman & Son Def'd Notice proved & Execution awarded

Upon the petition of Joseph Mauzy & others for two new roads in this County, the Viewers heretofore appointed to act upon the said petition made their report on consideration whereof the court are of opinion that the road as petitioned for is needed as a public road, it is therefore ordered that the said roads be opened and established agreeably to the report of viewers and that the said roads be opened 25 feet in width, with the privilege to Henry Kisling to keep up two gates across his line requiring him to keep the gates in repair for the use of the public

Ordered that Cornelius Armentrout be appointed surveyor of No 1 of the road this day established upon the petition of Jno Mauzy & an Jared T Hopkins surveyor of No 2 of the same road. and that Charles R Rush be appointed a commissioner to assign hands to the said roads

Upon the petition of James H Dever & others for a road &c. On Motion it is ordered that Daniel Miller, George Evers & Rudolph Mayers be appointed Special Viewers to act and report upon the said petition according to law

On the Motion of Abraham Hedrick, Jacob Custer, Benjamin Custer, Conrad Custer, Isaac Dean & wife, Absalom Ritchie & wife & Abraham Funk committee of George Ricards heirs of Richard Custer dec'd it is ordered that George Fuck, Emanuel Roadcap & Adam Fuck be appointed commissioners to assign the dower of Elizabeth Custer the widow, and make partition among the heirs of the real estate of said Richard Custer dec'd

Mary H Eeatinole & Margaret H Eeatinole orphans of David G Eeatinole dec'd who are over the age of 14 years, by an instrument of writing made choice of Henry A Eeatinole as their guardian and the court doth appoint the said Henry A Eeatinole guardian for Magdalen Eeatinole who is under 14 years of age, and thereupon the said Henry A Eeatinole appeared in court and together with Peter Swope his security (who justifies as to his 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

J P Effinger v. G W King upon an attachment. On Motion this cause is placed upon the docket Hoot

On the Motion of Jno H Eldelbrand it is ordered that a change in the public road leading from New Erection Church to Turley Town be established as part of the precinct of which Adam Gowl is surveyor

The last will and testament of Mary DePoy dec'd was presented in Court and proved by the oaths of Abraham Wenger & Henry M Wenger two the subscribing witnesses thereto and ordered to be recorded

The last will and testament of Christian DePoy dec'd was presented in Court and proved by the oaths of Jacob Bowman and Abraham Wenger two of the subscribing witnesses thereto and ordered to be recorded

Shelton H Carnes Forman, William Rehrer Jas H Elick Thomas Kirkpatrick, Isaac Wenger, M B Eskridge, Lewis Wise Jr Samuel H Myers, William McIntire Jr, George Long, Michael Shaver Nathaniel Howard, Henry Michael, Addison Royer, Joseph Leach James H Causey, Levi Wise, John Harper and Abraham Miller were sworn a grand Jury for this County having received their charge retired from the bar to consider of their presentments and not having time to dispatch all the business before them were adjourned until to morrow morning at 9 O'Clock

Wm E Harper, Wm B Moore, James Murray, John W Keller and Sally Bailey who have been duly summoned to appear here as witnesses on behalf of the Commonwealth against Mark Alexander being solemnly called are not appearing, it is ordered that they be summoned to appear here on Wednesday next to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

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

Nason Bare

Tuesday February 21st 1860

Present + Nason Bare P.J. + Reuben Dove + Isaac Wright } Gent.
+ Christian R Meyers + Wm Sawfley } Justices

Ordered that O.C. Sterling agent for this Court be authorized to make such change in the Justices benches as he may deem proper for the convenience and comfort of the Court & Jurors & also to remove the seats erected for witnesses & the Sheriff

On the Motion of Mary K. Lofflan she has leave to remove to the County of Henrico a negro boy named John Thompson bound to her by the overseers of the poor for this County

S. Shacklett Pltff
vs
Jno. C. Brown & Defts } Alpona Notice

On Motion it is ordered that this cause be placed upon the docket & continued

Commonwealth
vs
Hale Morris } upon an Indictment

The Capias last 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 Page County and made returnable here on the 1st day of the May term next

John Dovel & James A. Dovel who have been duly summoned to appear here as witnesses on behalf of the Commonwealth against Hale Morris being solemnly called and not appearing it is ordered that they be summoned to appear here on the 2d day of the August term next to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Joseph A. Mitchell who has been heretofore appointed & qualified as a Notary Public for this County this day appeared in Court and together with Jesse A. Mitchell his security entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires which bond is ordered to be recorded

Hedrick vs Kyger & on DO Bond Notice for next execution and ordered

Bateman vs Weaver & on DO Bond The same order

Harnsberger vs Sarnet on DO Bond The same order

Dovel vs Miller & on DO Bond The same order

Gibbons vs Conrad & on DO Bond The same order

Harris vs Weaver & on DO Bond The same order

Fletcher vs Kyger & on DO Bond The same order

Miller vs Weaver & on DO Bond The same order

Ordered that Thomas Kirkpatrick be committed to the jail of this county there to remain imprisoned until three O'Clock this evening. for a contempt by him offered to the court

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The Grand Jury sworn on Yesterday for this County. appeared in Court in pursuance to their adjournment except Thomas Kirkpatrick who was absent on account of sickness. and thereupon James H. Burgess was sworn a Grand Juror in the place of the said Thomas Kirkpatrick and thereupon the said Grand Jury retired to consider of their presentments. and after some time returned into Court and presented the following indictments to wit. An Indictment against Edmond Minnick. for retailing ardent Spirits without license "a true bill" An indictment against Edmond Minnick for retailing ardent Spirits without a license "a true bill". an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill" an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill". an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill". an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill" an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill" an Indictment against Edmond Minnick for retailing ardent Spirits without a License "a true bill". an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill" an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill". an Indictment against Edmond Minnick for retailing ardent Spirits without License "a true bill" an Indictment against

Edmond Minnick for retailing ardent Spirits without a license "a true bill" an Indictment against Edmond Minnick for retailing ardent Spirits without license "a true bill", an Indictment against Fountain Taylor for retailing ardent Spirits without a license "a true bill". an Indictment against Fountain Taylor for retailing ardent Spirits without license "a true bill". an Indictment against Fountain Taylor for retailing ardent Spirits without license "a true bill" an Indictment against Fountain Taylor for retailing ardent Spirits without license "a true bill" an Indictment against Fountain Taylor for retailing ardent Spirits without license "a true bill". an Indictment against Fountain Taylor for retailing ardent Spirits without license "a true bill" an Indictment against Fountain Taylor for retailing ardent Spirits without a license "a true bill". an Indictment of Solomon Dean for a P.A.B. "a true bill". an Indictment against Elijah Minnich for a trespass a[illegible] battery "a true bill" an Indictment of Harry Curry for P.A.B "a true bill". an Indictment against James O'Clary for a[illegible] battery and resisting an officer in the discharge of his duty "a true bill". an Indictment against James Clary for an attempt to Strike & Wound with intent to maim disfigure disable & Kill "a true bill" an Indictment against David Ray for a wilful Trespass "a true bill" an Indictment against Abraham Riswanger for Lascivious Cohabitation "a true bill". an Indictment against Catharine Bickle for Lascivious Cohabitation "a true bill". an Indictment against Isaac Simmers. Mathew May. George Corbin & Levi Minnich for a wilful trespass and cruelly beating and torturing a horse "a true bill". an Indictment against James Clary for a Trespass a[illegible] & battery "a true bill". an Indictment against Virginia Bonas for Petit Larceny "a true bill" an Indictment against Charles Morphey for acting as a Hawker & Peddler without license "a true bill" an Indictment against Benjamin Miller for Lascivious Cohabitation "a true bill" an Indictment against David Webster for Lascivious Cohabitation "a true bill" and an Indictment against Jeremiah Dovel for an attempt to impede intimidate an officer in the discharge of his duty "a true bill". and the said Grand Jury not having any further business before them were discharged

Ordered that Summons be awarded against all persons this day indicted except those who have appeared and pleaded returnable here on the first day of the May term next & to be directed to the Sheriff of this County

John H & James P Ralston Pltffs
vs
Daniel Ralston Deft } In Debt

This day the defendant appeared in Court and confessed judgment for one hundred and sixty dollars and eighty five cents the debt in the writ mentioned with interest & costs it is therefore considered that the plaintiffs recover against the deft $160.58 the debt aforesaid with interest thereon to be computed after the rate of six per centum per annum from this day. and the costs by the pltffs about their suit in this behalf expended

Commonwealth Pltff
vs
Isaac Summers & Defts } Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth as the defts by their attorney, who pleaded Not Guilty to which the attorney for the Commonwealth replied. and thereupon the trial of the issue is deferred until the next term

The Court doth appoint Benjamin Bowman guardian for Samuel Kontz orphan of Samuel Kontz dec'd who is under the age of 14 years. and thereupon the said Benjamin Bowman appeared in court and together with Daniel Bowman his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of one thousand five hundred dollars conditioned as the law requires, which bond is ordered to be recorded

John N Gordon surgt Pltff
vs
John W Gleich Deft } In Case

This day came the parties by their attorneys and the deft by his attorney pleaded non assumpsit. to which the plaintiff by his attorney replied generally. and thereupon the judgment & writ of enquiry awarded in the office is set aside and the trial of the issue deferred until the next term

Gideon Kratzer Pltff
vs
Benoney Chrisman v. Defts } In Case

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

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Commonwealth
vs
Madison Glories } upon an Indictment

On Motion and for reasons appearing to the court it is ordered that this cause be continued untie the next term

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Same
vs
Wm Mother } upon an appeal

The Same order

Same
vs
Burton Crawford } upon an Indictment

The Same order

Same
vs
Christian Kyger } upon an Indictment

The Same order

William Carpenter Pltff
vs
George E Deneale Deft } In Debt
upon an attachment

This day came as well the pltff by attorney as B F Michie Trustee by his attorney who claims the property levied upon contests the pltff. right to sue out and prosecute the said attachment. and thereupon on the motion of the pltff by his attorney it is ordered that this cause be tried by a jury. and thereupon came a jury to wit James H Burgess Charles S Weaver John Hildebrand. Peter Coverdale

Jacob Miller. Solomon P Reamer. Clement Ervin. Jno. Armentrout Joshua Pence. Adam Gowe. Asa S Baugher and Peter Wise 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 10. O'clock

Jacob Barley Pltff
vs
George E Deneale Deft } In Delt. upon an Attachment

This day came as well the pltff by his attorney as B.F. Michie trustee by his attorney who claims the property levied upon and contests the pltffs right to sue out and prosecute the said attachment and thereupon on the motion of the pltffs attorney it is ordered that the issue be tried by a jury. and thereupon came a jury to wit. James H Burgess. Charles S Weaver. John Hildebrand Peter Eversole. Jacob Miller. Solomon P Reamer. Clement Ervine John Armentrout. Joshua Pence. Adam Gowe. Asa S Baugher and Peter Wise 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 10. O'clock

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

Nason Bare

Wednesday February 22nd 1860

Present

+ Nason Bare Pj. + Christian P Moyers. + Reuben Dove } Gent Justices
+ Wm Sawley & + Isaac Wright

D D M Driggs Pltff
vs
J R O'Neale & Co Defts } upon a Notice

On the Motion of the plaintiff it is ordered that this cause be placed upon the docket

Jeremiah Lee who has been duly summoned to appear here as a witness on behalf of the Commonwealth against Charles O Riddle & being solemnly called and not appearing it is ordered that he be summoned to appear here on the 2d day of the August term next to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

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Commonwealth
vs
Martin Maddux } Upon an Indictment

This day came as well the attorney prosecuting for the Commonwealth and on Motion and for reasons appearing to the Court it is ordered that this cause be dismissed upon the defts paying the costs of this indictment

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Same
vs
T C Maddux } Upon an Indictment

The Same order

Same
vs
Franklin Sisley } Upon an Indictment

This day came as well the attorney for the Commwlth as the deft by his attorney and by consent it is considered that the Commonwealth recover against the deft one cents fine and the costs expended in prosecuting the said indictment

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Mary K Soflana Deff
vs } In Case
B F Thomas Deft

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed and that the plaintiff recover against the defendant her costs by her about her suit in this behalf expended

William Carpenter Pltff
vs
George E Deneale Deft } In Debt
Upon an Attachment

This day came again the parties by their attornies and the jury sworn and impannelled on yesterday for the trial of this cause 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 not being able to agree upon a verdict were adjourned until to morrow morning at 10 O'Clock

Jacob Barley Pltff
vs
George E Deneale Deft } In Debt
Upon an Attachment

This day came again the parties by their attornies and the jury sworn and impannelled on yesterday for the trial of this cause 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 not being able to agree 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

Thursday February 23rd 1860

Present

Naason Bare PJ, Reuben Dove, Isaac Wright } Gent
William Saufley & Christian R Moyers } Justices

Shannon v Cole. on D Bond. On Motion it is ordered that this cause be revived in the name of A B Brick admr of the Pltff and thereupon the Notice being proved & execution awarded

Effinger & Bro vs Cole. on a delivery bond. Notice proved & execution awarded

Benjamin G Patterson who wishes to obtain a license to practise as an attorney at law in the Court of this Commonwealth. On his motion it is ordered to be certified that he hath resided in this county for the last preceding twelve months, that he is a person of honest demeanor, and upwards of twenty one years of age.

Commonwealth
vs
Charles Morphey
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney in discharge of his recognizance, who pleaded Not Guilty & filed a general demurrer to the indictment of this cause, and the trial of the issue is deferred until to Morrow

Commonwealth
vs
James Clary
No 1
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney in discharge of his recognizance, who pleaded Not Guilty to which the attorney for the Commonwealth replies generally

Commonwealth
vs
Isaac Simmons &
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the defts by their attorney in discharge of their recognizance, and who pleaded Not Guilty to which the attorney for the Commonwealth replies generally and thereupon the trial of the issue is deferred until the next term

Wm Carpenter
vs
George E Deneale
Pltff
Deft
} In Debt
Upon an attachmen

This day came again the parties by their attornies and the jury sworn sworn and empannelled on Tuesday last for the trial of this cause appeared in Court in pursuance to their adjournment and retired from the bar to consider of their Verdict and after some time returned in Court and not

being able to agree. by consent of parties S D Reamer one of the said jurors was withdrawn, and the balance from rendering a verdict were discharged, and the cause is continued, until the next term for a new trial to be had therein

Jacob Barley Pltff
vs
George E Deneale Deft } In Debt
upon an Attachment

This day came again the parties by their attornies and the jury sworn and empannelled on Tuesday last for the trial of this cause appeared in Court in pursuance to their adjournment and retired from the bar to consider of their verdict and after some time returned into Court, and not being able to agree: by consent S D Reamer one of the said jurors was withdrawn, and the balance from rendering a verdict were discharged, and thereupon the cause is continued, until the next term for a new trial to be had therein

David Rodes's admr Pltff
vs
Isaac Whipen Deft } In Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment to which the Pltff by attorney replied generally, and thereupon the judgment obtained in the Office is set aside, and the trial of the issue deferred until the next term

A H Brewer for Pltff
vs
E S Peake Deft } In Debt

This day came the parties by their attornies, and the defendants by their attornies say that E S Peake has well and truly performed the condition of the obligation upon which this suit is brought, to which the Pltff by attorney replies generally and thereupon the writ of enquiry of judgment obtained in the office is returned and the trial of the issue is deferred until the next term

Houck & Nelson Pltff
vs
Davis & Innes Deft } In Case

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

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Andrew Houck Pltff
vs
Same Deft } In Case

The Same order

John Allen Pltff
vs
Jacob Silvius Deft } In Case

The Same order

Wm Carpenter Pltff
vs
George E Deneale Deft } In Debt upon an Attachment

On Motion of B F Michie trustee and it appearing to the court that this cause has been pending in this court for more than twelve months without a decision being had therein it is ordered that the same be removed to the Circuit Court of this County for trial

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Jacob Barley Pltff
vs
Same Deft } In Debt upon an Attachment

The Same order

Mayor &c of Harrisonburg Pltff
vs
D D M Diggs & Deft } In Debt

This day came the parties by their attorneys & on motion of the deft this cause is continued until the next term at their costs and by consent of parties it is ordered that this cause be removed to the Circuit Court of this County for trial

John N Hill Pltff
vs
Jas H Brightman's ex'tx Deft } In Case

This day came the parties by their attornies and the deft by her attorney pleaded non assumpsit to which the pltff by attorney replied generally and thereupon the judgment, writ of enquiry & trial of enquiry & attainer with the office is set aside and the trial of the issue is deferred until the next term

John N Hill Pltff
vs
Philip Liggett Deft } In Debt

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term

David Clark Pltff
vs
Byerley & Henton Deft } In Case
The same order

Wm Harper's admrs Pltffs
vs
Robert & Cooke's ex'tors Defts } In Case
The same order

Peter Haynes assignee Pltff
vs
John Haynes Deft } In Case
The same order

Abraham Leedy's Pltff
vs
James O'Rear's Deft } In Trespass
The same order

Heirne Nicodemus & Co Pltff
vs
Robert C Mann's Deft } In Case
The same order

John Strayer Pltff
vs
Isaac Reid Deft } In Ejectment

This day came the parties by their attornies & on motion and for reasons appearing to the Court it is ordered that this cause be continued until the next Term

Berry & Blakemore Pltffs
vs
Dougherty & Burnett Defts } In Case The same order

B F Thomas Pltff
vs
Reuben Raines Deft } In Case The same order

Entsler & Hoch Pltffs
vs
Joseph Ramsel Deft } In Case The same order

Joseph Ramsel Pltff
vs
Geo W Entsler Deft } In Case The same order

John Rollers ex Pltff
vs
E P Alstott Defts } In Case The same order

George E Deneale Pltff
vs
Charles Chandler & Defts } In Ejectment The same order

J & J J Effinger for Pltff
vs
J R O'Neal & Co Defts } In Case The same order

Commonwealth by &c Pltff
vs
Wm K Gailey & Defts } In Debt The same order

Sumsfield Lee Pltff
vs
E D Williams Deft } In Case

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term

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Peter S Roller Pltff
vs
Robert A Gray Deft } In Case
The same order

Commonwealth
vs
Jo Coogler } Upon a Capias
The same order

Same
vs
Geo E Deneale } Upon an Indictment
The same order

D D M Diggs Pltff
vs
J R O'Neale & Co Defts } Upon a Notice
The same order

Commonwealth
vs
Geo G Mitchell } Upon an Indictment

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

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Same
vs
A A Miller } Upon an Indictment
The same order

Charles A Yancey who has been appointed and Commissioned a Notary Public in and for this County appeared in Court and together with Benjamin G Patterson his security entered into and acknowledged a bond in the penalty of $250. conditioned

as the law requires. and thereupon the said Charles A Yancey took the several oaths required by law

Ordered that O C Sterling agent for this court purchase two chairs with long legs for the use of witnesses and Sheriff

Present O C Sterling Absent Messrs Bane

Wm C Blakemore & adm'r &c Pltff
vs
Francis Deber Deft
} In Debt

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next Term

Daniel Hook for Pltff
vs
Andrew Henton Deft
} In Case

This day came the parties by their attornies and thereupon came a jury to wit. Adam Lowe. Joshua Pence. Charles S Weaver. John Armentrout. Henry Michael. Clements Irvine. Alexander L O'Brien Adam R Gladden. John Hildebrand. Solomon P Reamer. James H Burgess and Peter Wise who being elected tried and sworn the truth to speak upon the issue joined and having fully heard the evidence and argument of counsel. retired from the bar to consider of their verdict and after sometime returned into court and upon their oath do say we the jury find for the plaintiff the debt in the declaration mentioned" It is therefore considered that the Pltff recover against the deft $100 the debt aforesaid with interest thereon to be computed after the rate of six per centum per annum from the 1st day of November 1844 till &c and the costs by the Pltff about his suit in this behalf expended &c

The rule made during the present term against Wm B Moore Jas Murry Jno W Keller & Sally Bailey for failing to attend as witnesses on behalf of the Commonwealth against Mark Alexander the summons issued against them being returned executed. and they being solemnly called. and not

appearing is made absolute, and it is ordered that an attachment be issued against the said Wm B Moore. Jas Murry. Jno Mc Kellen & Sally Bailey for their said contempt returnable here on the first day of the March term next

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

Naason Bare

Friday February 24th 1860

Present

+ Naason Bare J.P. + Christian R Myers. Isaac + Wright + Reuben Dove. + Wm Sawfley } Gent Justices

George Rogers' adm^x	Pltff	}	In Chancery
vs			
Margaret Rogers & others	Defts		

On Motion of the plaintiff and it appearing to the Court that there is no reason for retaining this cause any longer on the docket. the same is ordered to be dismissed

Scott Baker & Co	Pltff	}	In Debt
vs			
Hooch & Melhorn &c	Defts		

This day came the pltffs by their attorney & on their motion it is ordered that the proceedings had in this cause at rules in the Clerk's office be set aside and that the Common order be entered and confirmed and the cause be placed upon the Office judgment docket

James McLoflamer	Pltff	}	In Case
vs			
Smith Loflamer	Deft		

This day came the pltff by his attorney and neither party requiring a jury the Court proceeded to execute the writ of enquiry It is therefore considered that the pltff recover against the deft

$184.79 damages with legal interest thereon from the 22d day of August 1859 till paid and the costs by the Pltff about his suit in this behalf expended

Adam Wise guardian of Amanda J Sheets Pltff
against
Jacob Hoosler & others Defts
} In Chancery

On Motion It is ordered that Wm D Frost be appointed guardian ad litem for the infant defts and thereupon this cause came on by consent to be heard this 24th day of February 1860 upon the bill and exhibits whereupon the argument of counsel being heard the Court doth adjudge order and decree that Abraham Byrd Esq Philip Miller & David Fleck who are appointed Commissioners for that purpose do proceed to make partition of the lands mentioned in the bill of which John Wise died seized exclusive of the widows dower and assign to the defendant Amanda J Sheets by metes bounds one equal sixth thereof having regard to quantity & quality and also to affix a fair valuation upon the said share of one sixth upon payments of one third in hand & the remainder in two equal yearly payments and make report to this Court at its next term

Jacob Byrd Pltff
vs
Susanna Snell &c Defts
} In Chancery

This cause came on to be ~~heard~~ further heard this 24th day of February 1860 upon the papers heretofore read the proceedings heretofore had and the report of Commissioner Fletcher to which there is no exception and the same is hereby adopted and confirmed whereupon the Court doth adjudge order and decree that the claims held by the complainant against the estate of the deceased Benjamin Snell for deferred payments which were reduced to their cash value by Commissioner be discharged and the overplus arising from the sale of the lands in the bill & proceedings mentioned due from the complainant as purchaser thereof shall be collected by the administrator Samuel Frank and applied to the pro rata payment of the deceased debts in pursuance of the suggestion of Commissioner Fletcher

A H Brewer Pltff
vs
Jacob Lincoln Deft } In Delt

This day came the parties by their attornies, and the plaintiffs demurrer to the defendants two special Pleas, being argued the court doth overrule the said demurrer, and admitted the said pleas to which the pltff by his attorney replied generally, and thereupon came a jury to wit Adam R Gladden, Asa S Baugher, Joshua Pence, Solomon R Reamer, Alexander L O'Brien, John Hildebrand, John Armentrout Clements Devine, Jacob Miller, Charles S Weaver, Henry Michael and James H Burgess who being elected, tried, and sworn the truth to speak upon the issue joined, and having heard the 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. It is therefore considered that the defendant recover against the plaintiff his costs about his defence in this behalf expended

Daniel D Dovel Pltff
vs
John F Lewis Deft } In Case
On Motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term

Commonwealth
vs
Lucy Hawn } Upon a Capias pro fine

On the Motion of the Defendant by her attorney it is ordered to be entered of record, that it is of the opinion of the Court, that under the existing circumstances the ~~said~~ execution of the said Capias ought to be suspended

A Micksafee Pltff
vs
John Arey Deft } In Delt, on the motion of the pltff leave is given to him to withdraw the original bond upon which this suit was brought upon leaving an attested copy thereof with the Clerk of this Court

John R Kaigler Sheriff Pltff
vs
George E Deneale & Deft } In Debt

This day came the parties by their attornies and the deft Levi Shaver tendered his special pleas. and also prays oyer of the writing upon which this action is founded & the cause is continued at the cost of deft

D S Jones Jr. Pltff
vs
Jacob Yost & Deft } In Chancery

The Rebekah awarded in this cause against Wm Sommers not being executed, it is ordered that a new Rebekah be awarded against him, to be directed to the sheriff of Harrison County and made returnable here on the 1st day of the March term next

S McKelg Heuffman Pltff
vs
Hugh Gilkeson Deft } In Case

On Motion and for reasons appearing the Court it is ordered that this cause be continued until the next term

On the Motion of Jesse Ralston, it is ordered that John McBeery, Jesse Burkholder, George McHogan and John H Hopkins be appointed commissioners to go upon the lands belonging to Jesse Ralston & the estate of B H Ralston and divide the same between them according to their respective rights & report thereon to the Court according to law

B F Martz & Brother Pltff
vs
Charles H Baker Deft } Upon a warrant removed from before a justice

This day came the pltffs by their attorney, and on their motion it is considered that the pltffs recover against the deft $38.16 with legal interest thereon from the 3rd day of November 1859 till paid, and the costs by the pltffs about their suit in this behalf expended

Jacob C Bowman Pltff
vs
Charles H Baker Deft } Upon a warrant removed from before a Justice of the peace

This day came the plaintiff by his attorney, and on his motion. it is considered that the pltff recover against the deft $37.10 with legal interest thereon from the 1st day of November 1859 till paid and the costs by the pltff about his suit in this behalf expended

Isaac Paul Pltff
vs
Wm P McCall Deft } In Case

On Motion and for reasons appearing to the court it is ordered that this cause be continued untils the next term

Commonwealth
vs
Virginia Bonds } Upon an Indictment for Petit Larceny

This day came as well the attorney prosecuting for the Commonwealth as the defendant by her attorney who pleaded Not Guilty. to which the attorney for the Commonwealth replied generally, and thereupon came a jury to wit Adam Gowl, Jacob Rowalush, Peter Eversole, John B Scott, Levi Shaver, John Harrison, David Linaweaver, Wm A Evans Benjamin G Patterson, Charles A Yancey, Gilt Salyards and Wm C Morrison who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find the defendant Not Guilty" it is therefore ordered that she be acquitted & discharged of the offence aforesaid

R W Thurmond Pltff
vs
James A Campbell Deft } In Debt

On the Motion of Andrew B Dickinson by his attorney and it appearing to the court that since the institution of this suit the Pltff

has departed this life, it is therefore ordered that this cause be revived and proceeded in, in the name of Andrew B Brick administrator of R W Thurmond dec'd

R W Thurmond Pltff
vs
John O'Conner Deft
} In Debt

On Motion and it appearing that since this suit was instituted the Pltff has departed this life, it is therefore ordered that the same be revived and proceeded in in the name of Andrew B Brick adm'r of Richard W Thurmond dec'd

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

Naason Bare

Saturday February 25th 1860

Present

Naason Bare P J Christian R Myers Reuben Dove
Isaac Wright & Wm Saufley
} Gent Justices

Ordered that the following named persons be allowed the sum of fifty cents each for jury service during the present term to be paid by the Commonwealth, viz Adam Gowl, Jacob Ronadebush, Peter Eversole, John B Scott, Levi Shaver, John Harrison, David Linneweaver, Wm A Evans, B J Patterson, C A Yancey, Geo Salyards and Wm C Morrison, and it is ordered that the Sheriff of this County pay the same

(c/c Hand to each)

Thomas & Charles Ellis Pltffs
vs
David M Huffman Deft
} In Debt

On Motion and for reasons appearing to the Court it ordered that this cause be continued until the next term

Pennybacker vs Steele Replevin order

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 this County of Rockingham viz

Jacob Rondabush	✓	$	3	50	John Harrison	✓		3	50	John B Scott	✓		3	50
Jno Armentrout	✓		4	00	Jno Hildebrand	✓		4	00	Jas Richards	✓		4	00
Jas H Bridges	✓		4	00	Joshua Pence	✓		4	00	Adam R Glaadden	✓		4	00
Alex L O'Brien	✓		4	00	Adam Gowl	✓		3	50	Asa S Baugher	✓		4	00
Peter Wise	✓		4	00	Clement Evans	✓		4	00	Solomon O'Reamer	✓		4	00
Henry Michael	✓		4	00	Charles S Weaver	✓		4	00	Peter Eversole	✓		3	50
Levi Shaver	✓			50	David Linaweaver	✓			50	Wm A Evans	✓			50
B G Patterson	✓			50	C A Yancey	✓			50	G W Sabyan	✓			50
Wm C Morrison	✓			50										

and it is ordered that the sheriff of this County pay the said sums to the persons entitled thereto.

Daniel Mork for — Plff
vs
Andrew Heaston — Deft
} In Debt

This day came again the parties by their attornies and thereupon the deft by his attorney moved the Court to set aside the verdict and judgment rendered in this cause, and grant him a new trial. On consideration whereof the Court doth overrule the his said motion

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Tobias R McGahey's ex'rs — Plff
vs
Wm B Yancey's adm'rs — Deft
} In Case

This day came the parties by their attornies, and the parties by their attornies, mutually submit all matters in difference between them in this suit, to the final determination of Samuel Shacklett Isaac G Coffman & B F Mantz, and agree that their award or the award of any two of them thereupon shall be made the judgment of the Court, and the same is ordered accordingly

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Scanlon v Liggett. On motion and for reasons appearing it is ordered that this cause be continued until the next term

Giles Dover
vs
J K Mauzy & Peter Zettle securities for Hiram Golladay constable } Upon a Notice

This day came the parties by their attornies and sundry witnesses being sworn and examined touching the premises. It is considered that the plaintiff recover against the defendants $119.80 money collected by Hiram Golladay as constable, with interest on $15 part thereof from the 30th day of October 1852 and on $4. the residue thereof from the 5th day of May 1852 till paid and the costs by the Pltff about his motion in this behalf expended

James A Lowman Pltff
vs
John Robinson Deft } In Case

This day came the plaintiff by his attorney and neither party requiring a jury the court proceeded to execute the writ of enquiry and to ascertain the damages to which the pltff is entitled and from what time interest on the principal money shall run. The court doth ascertain the damages to be $115.81 and the time from which interest shall run to be 12th day of Feby 1859. It is therefore considered that the plaintiff recover against the defendant $115.81 the damages aforesaid with legal interest thereon from the said 12th day of February 1859 till paid and the costs by the pltff about his suit in this behalf expended

Gilbert A Bowman Pltff
vs
Charles H Sample Deft } Upon a warrant removed from before a Justice

This day came the plaintiff by his attorney and on his motion it is considered that the plaintiff recover against the defendant $25.00 Debt with interest thereon from the 1st day of November 1856 till paid and the costs by the pltff about their suit in this behalf expended

Geo E Deneale who has been duly summoned to appear here as a witness on behalf of A Kemtz and Wm Fannyhough

being solemnly called and not appearing it is ordered that he be summoned to appear hereon the 4th day of the Augt term next to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

Rockingham to Wit

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 deft

Ordered that all causes on the docket not tried or otherwise disposed of during the present term, be continued until the next term

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

Nason Bare

In the Clerks Office of the County Court of Rockingham. Feby 28th 1860

Samuel Miller use of W McKee Pltff

vs

Philip Swartz Deft } In Debt

This day the defendant appeared in the office aforesaid and confessed judgment for $1950.00 the debt in the writ mentioned with interest and costs.

It is therefore considered that the pltff recover against the Deft $1950.00 the debt aforesaid with legal interest thereon from the first day of November 1857 till paid, and the costs by the pltff about his suit in this behalf expended. this judgment is subject to the following credits viz. 1858 Janry 21st by $583.00. 1858 Nov 13th by $220.00. 1859 Janry 31st by $180.00. 1859 Nov 21st by $200.00

Teste

Wm D Frost DC

In the Clerks Office of the County Court of Rockingham March 1st 1860

James Steele Pltff
v
Gasner Mefsick Deft } In Debt

This day the defendant appeared in the office aforesaid and confessed judgment for $125.00 the debt in the writ mentioned with interest and costs

It is therefore considered that the plaintiff recover against the deft $125.00 the debt aforesaid with interest thereon to be computed after the rate of six per centum per annum from the 13th day of March 1858 till paid and the costs by the Pltff about his suit in this behalf expended

Teste

Wm D Frost Dc

In the Clerks Office of the County Court of Rockingham. March 6 1860

The Bank of Rockingham Pltff
v
Isaac Aiken & John C Wiseman Deft } In Debt

This day the defendants appeared in the Office aforesaid and confessed judgment for one hundred dollars the debt in the writ mentioned with interest and costs

It is therefore considered that the plaintiff recover against the deft $100.00 the debt aforesaid with legal interest thereon from the 22d day of October 1859 till paid and the costs by the Pltff about the suit in this behalf expended

Teste

Wm D Frost Dc

Virginia &c

At a Court held for Rockingham County at the Court House thereof on Monday the 19th day of March 1860

Present

A M Newman & Benjamin Hoover Wm & N Dovel Gent
Harris & Michael H Harris } Justices

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

A Deed of Trust from Daniel Ralston to E T H Warren in Trust for D D Hopkins
A Deed of Bargain & Sale from Jacob Dinkel & wife to Wm B Gibbs
Same from William Wood & wife to John B Smith
Same from Joshua R Miller & wife to John Flick
Same from Adam Pifer Jr to Samuel Plecker
Same from Ann Miller to James Miller
A Deed of Trust from Israel May to Henry Neff in Trust for Joseph Hoofnagle
A Deed of Bargain & Sale from Christian Evanscizer to Timothy Funk
Same from John Kline to Peter Shrine
Same from George & Sisley & wife to Peter Ritchie & James J Miller
A Deed of Trust from Jno F Berry to Geo Gowe in Trust for Adam Gowe &c
A Deed of Bargain & Sale from James Merritt to Thomas Vintzant
Same from Thomas Logan Exor to Wm R Warren
Same from Wm R Warren & wife to Wm Peters
Same from Henry Thompson com to Franklin Sisley
Same from Peachy H Rhodes to Preston Rhodes
Same from George Shuler to Noah W Shuler
Same from John W Palmer & wife to Catharine Sipe
Same from Miletus G Jones & wife to Silas & Geo W Skelton
Same from Wm J Miller & wife to Elizabeth Funk
Same from Jacob W Fulk & wife to Phebe Ritchie
Same from M J Zirkle & wife to Christian Brunk
Same from Madison Moore to E T H Warren trustee &c Harrison

A Deed of Bargain & Sale from William Peterswife to Henry Orr

Same from George W Yancey trustee to Andrew Hunter

Same from Susan Leonard to Wm H Ruffner

Same from David Eversole & wife to John & Peter Eversole

A Deed of Trust from Henry G Miller to E H Hunter In Trust for Isaac Showalter &

Same from Asahel Pierce to Andrew Kinnaird In Trust for D N Kaggy &c

A Settlement of the account of Harvey Kyle Committee for Jeremiah having been filed in the Clerks office for the time prescribed by law Kyle a lunatic, was presented in court and no exceptions being offered the same is confirmed and ordered to be recorded

A Settlement of the estate of David Kyle Sr. decd

The Same order

A Settlement of the accounts of Jackson Horn Guardian for Elias Nave

The Same order

A Settlement of the accounts of Same Guardian for Joseph Nave

The Same order

A Settlement of the accounts of Same guardian for Mary Nave

The Same order

A Settlement of the accounts of Same guardian for Leana Nave

The Same order

A Settlement of the accounts of Same guardian for Sampson Nave

The Same order

A Settlement of the account of Lewis Driver guardian for Barbary Beery &

The Same order

A Settlement of the accounts of Joseph Trinkhouse guardian for Daniel Lewis a free negro

The Same order

A Settlement of the estate of Joseph Miller dec'd having been filed in the Clerk's Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the accounts of H. A Kite Commissioner to sell the real estate of Hannias Powell dec'd

The same order

John A Switzer appellant
vs
James M Burgess appellee
} upon an appeal from the Judgment of a Justice

On Motion it is ordered that this cause be placed upon the docket

The Court doth appoint Eve Leedy Committee for Polly Leedy a person of unsound mind, and thereupon the said Eve Leedy appeared in Court and together with Samuel D Cummlent her security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires, which bond is ordered to be recorded

On the Motion of Joseph M Stevens who made oath thereto according to law and together with Andrew B Irick, George A Conrad, Robert Bowman and Edward S Kemper (his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Sixteen thousand dollars conditioned as the law requires a certificate is granted the said Joseph M Stevens for obtaining letters of administration in due form upon the estate of William G Stevens dec'd

Ordered that Robert Bowman, Andrew B Irick & Wm A Conrad after being first sworn for that purpose do appraise the estate of Wm G Stevens and report thereon to the Court according to law

Ordered that Charles A Sprinkel be appointed school commissioner in District No — in the place of Wm G Stevens, deceased

Ordered that Wm B Yancey be appointed School Commissioner for district No – in the place of Thos A Yancey removed

Effinger vs Rodes & on D Bonds Notice for Judgment & execution awarded

E H Weaver ~~Executor~~ for Dorcas Ellen Caroline A and Sally M Bear appeared in Court and resigned his trust as such

The Court doth appoint Charles S Thompson guardian for Dorcas Ellen Caroline A and Sally M Bear orphans of John K Bear dec'd who are under the age of 14 years, ~~appeared~~ and thereupon the said Charles S Thompson appeared in Court and together with John Thompson and William Thompson who acts by his attorney in fact the said John Thompson his securities (the said John Thompson having justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Ten thousand dollars conditioned as the law requires which bond is ordered to be recorded

The last will and testament of Henry Snell dec'd was presented in Court and proved by the oaths of John Garber & ~~Joseph Effinger~~ Isaac Wright two of the subscribing witnesses thereto and ordered to be recorded and on the Motion of David Garber the executor therein named who made oath thereto according to law and together with Jacob Thomas & Daniel Power his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Eight thousand dollars conditioned as the law requires, a certificate is granted the said David Garber for obtaining a probate of the said will in due form

Ordered that Samuel Miller, Abraham Miller, David Kagy and Hiram Coffman after being first sworn for that purpose do appraise the estate of Henry Snell dec'd and report thereon to the Court according to law

On the Motion of James L Hottzell who made oath thereto according to law and together with John R Kogler, Ephraim Wenger and John Good

his securities (who justifies as to their sufficiency) entered into and acknowledged a bond in the penalty of Twenty thousand dollars conditioned as the law requires. A certificate is granted the said James C Haltzel for obtaining letters of administration in due form when the estate of Peter Good dec'd

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Ordered that Daniel Hartman Abraham Heatwole John Miller and Emanuel Suter after being first duly sworn for that purpose do appraise the estate of Peter Good dec'd and report thereon to the Court according to law

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A Deed of Emancipation from George Sherman to James Madison Hood his slave, was presented in Court and acknowledged by the said George Sherman, and ordered to be recorded

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A Deed of Emancipation from George Sherman to Winney Hood his slave, was presented in Court and acknowledged by the said George Sherman and ordered to be recorded

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Ordered that the Clerk of this Court register according to law, the following named persons this Emancipated by George Sherman viz James Madison Hood a dark Mulatto aged 43 years, five feet 9½ inches high, and Winney Hood a light Mulatto, aged 36 years but no permission is granted the said James Madison Hood & Winney Hood to remain in the Commonwealth of Virginia

---

The Court doth appoint William Byrd guardian for Henry S Matheny and Sarah E Matheney orphans of Henry Matheny dec'd who are under the age of 14 years of age, and thereupon the said William Byrd appeared in Court and together with Adam Showalter and Samuel A Long his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fifteen hundred dollars conditioned according to law which bond is ordered to be recorded

Jacob P Effinger Pltff
vs
Geo W King Deft } upon an Attachment

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 defr

Ordered that Leave be given to the Democrats to hold their convention in the Court-house on the 9th of April next

Wm P Dunlap Pltff
vs
John Robinson Jr Defts } upon a Motion &

On Motion and for reasons appearing to the court it is ordered that this cause be dismissed, and it is considered that the Pltff recover of the deft his costs in this behalf expended

On the Motion of Charles Tridley who made oath thereto according to law, and together with William C Simmons his security (who justified as to his sufficiency) entered into and acknowledged a bond in the sum of three hundred dollars conditioned as the law requires, a certificate is granted the said Charles Tridley for obtaining letters of administration with the will annexed of Christena Defrey decd in due form

Ordered that Abraham Wenger, George W Yancey, John E Dowell and Jacob Bowman or any three of them being first sworn for that purpose do appraise the estate of Christena Defrey decd and report thereon to the Court according to law

J M Waterman vs E W Pollard &c. On Motion it is ordered that this cause be placed upon the docket

H B Jones vs W K Gailey & upon an Attachment
The same order

Order for Dedimus and Bond Notice proved and execution awarded

Nancey Shiflett Pltff
vs
Sarah Ann Shiflett & Defts } In Chancery

This cause came on to be heard this 19th day of March 1860 when the bill and exhibits and answers of the infant defendants by their guardian ad litem. Whereupon the argument of Counsel being heard and it appearing to the Court that the interest of the infant defendants will be promoted by the sale of the tract of land mentioned in the bill of which Frederick Shiflett died possessed, and the rights of others will not be violated thereby in consideration thereof the Court doth order adjudge and decree that Wm. S. Covington be and is hereby appointed a commissioner who after advertising the same at at least three public places in the neighborhood of said land, for such time as may seem to him sufficient shall offer at public sale on the premises the said tract of land in the bill mentioned on the following terms viz One third of the purchase money to be paid in cash, one third in six months, and one third in twelve months from the day of sale for the two last payments bonds & personal security to be taken, said bonds to bear interest from the day of sale and on the last payment the said commissioner to make a deed of said land to the purchaser. The Court doth further order and decree that the said Commissioner shall pay over the purchase money as soon as collected to Nancey Shiflett who is hereby appointed receiver of this Court, of said funds for the use & benefit of her said Children, the said Nancey Shiflett being required to give bond & security before the Clerk of this Court, for double the amount of sale of said land before she receives the same or any part thereof from said Commissioner.

George Moore trustee for Mrs Elizabeth Moore appeared in Court and resigned his trust, and thereupon the Court doth appoint Daniel Bowman trustee in place of the said George Moore

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W D Covington Constable presented in Court three accounts against the Commonwealth one for $1.40. one do for $4.65½ the other for $21.84 which being sworn to was examined and allowed by the Court and ordered

to be certified to the auditor of Public accounts

Fernando Crawford Pltff
vs
Solomon Deane Deft } Mclane upon an Attachment

This day came the parties by their attornies and thereupon the defendant together with Charles B Yancey & Joseph H. Conrad his securities entered into bond conditioned according to the provisions of the 15th Section of Chapter 151 of the code of Virginia and thereupon the said attachment is discharged as to the attached effects, and the trial of the cause is continued until the next term

Upon the petition of Samuel B Lloyd for leave to build a mill and dam &c This day came the said Samuel B Lloyd by his attorney, and Henry B Harnsberger the proprietor of the land condemned &c having been duly summoned and not appearing, whereupon consideration of the inquisition returned by the Sheriff at the October term last, and upon fully hearing the petitioner and all circumstances being weighed, it is ordered, that the said Samuel B Lloyd have leave to build the said Mill and dam, and that he become seized in fee simple of the half acre of land located in the said inquisition mentioned, upon his paying the valuation thereof, and the damages found by the jury, to the said Harnsberger ~~several parties entitled thereto~~

Absent. Wm H Harris Present J L Speck & Jackson Horn Gent Justices

Elizabeth Bible appellant
vs
Commonwealth appellee } Upon an appeal from the judgment of a Justice of the peace binding the appellant to keep the peace

This day came as well the ~~parties~~ by their attornies and sundry witnesses being sworn and examined touching the premises the court upon mature deliberation are of opinion that there is no error in the judgment of the justice aforesaid. It is therefore considered that the judgment aforesaid be affirmed, and that the Commonwealth recover against the said Elizabeth Bible and Daniel Swank her security

upon the said appeal the costs expended in this behalf. and also the costs expended before the Justice

Absent Jackson Horn. Present Michael H. Harris Gent Justice

Ordered that Wm M. K. Hartmann be appointed a special commissioner to examine, state and settle the accounts of E. H. Warren late guardian for Dorcas Bear & others, and to report thereon to the Court according to law

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

A. M. Newman

Tuesday March 20th 1860

Present

A. M. Newman, Jonathan S. Speck, Benjamin Hoover, Wm. M. D. Harris } Gent Justices

Mark Alexander who stands charged with a felony by him committed in this that he did on the 18th & 21st days of December 1859 feloniously break and enter the house of Wm. E. Hauch & Moser and did steal take and carry away some Clothing & sewing apperatus &c of the value of five or six dollars, was this day led to the bar in custody of the sheriff, and he thereupon plead Guilty of the charge aforesaid on Consideration whereof the Court doth order that he receive upon his bare back five lashes. and it is ordered that the Sheriff do ~~put this judgment~~ execute this judgment aforesaid forthwith

Upon the petition of Frederick Lesh & others for the establishment of a road in this County, the summons awarded against the land holders through whose land the said road is proposed to be conducted, being returned executed and they not appearing to resist the establishment of the said road, on consideration whereof it is ordered that the said road be established agreeably

to the report of the Viewers filed and that the petitioners open & make the same road at their own expense

D D McDiggs Pltff
vs
J R O'Neal & Co Defts
} Upon a Notice

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 plaintiff

A Deed of Trust from Peter Hartman to Mathias Deihl Trust for Jno H Showalter was this day presented in Court and acknowledged by the said Hartman and ordered to be recorded as to him

Charles A Sprinkel who was on the 19th day of March 1860 by the board of School Commissioners appointed Superintendants of Schools in and for this County appeared in Court and together with Nelson Sprinkel his security entered into bond in the penalty of $5000. conditioned as the law requires, which bond was approved and received by the Court and ordered to be filed

John W Smutz Pltff
vs
Reuben May Deft
} Upon an Attachment

This day came the parties by their attornies and on the Motion of Deft and for reasons appearing to the Court it is ordered that this cause be dismissed and that he recover against the Pltff his costs about his defence in this behalf expended

D S Jones Pltff
vs
J Yost & Defts
} In Chancery

This cause came on this day to be further heard and it appearing to the Court that the rule awarded at the last

term against S M Sommers the receiver in this cause being returned executed and he being solemnly called and not appearing, it is ordered that an attachment be awarded agst him to be directed to the Sheriff of Harrison County and made returnable here on the first day of the next term

Absent Jonathan S Speck Gent Justice

Francis W Shipman appellant
vs
J H & B B Burgess appellee
} Upon an appeal from the Judgment of a Justice

This day came the parties by their attornies and sundry witnesses being sworn and examined touching the premises the Court are of opinion that there is no error in the judgment aforesaid it is therefore ordered that the appellee recover against the appellant and Joseph Byrd his security in the said appeal $1819 with legal interest from the 15 day of July 1858 till the 21st day of January 1859 & $1.70 cts. and damages upon the whole amount then due at the rate of 10 per centum per annum till paid and the costs by the appellee in this behalf expended

Ordered that the Sheriff summons the acting Justices of this County to appear here at the April term next to act upon applications for Ordinary License & for other purposes

Adam Wise guardian for Amanda J Sheets Pltff
against
Jacob Hoozler & others Defts
} In Chancery

This cause came on to be further heard this 22d day of March 1860 upon the proceedings heretofore had the papers heretofore filed, the answers of the defendants, and of the infant defendant by her guardian Ad Litem and the report of Commissioners Abraham Byrd David Hook & Philip Miller, to which there is no exceptions and the same is hereby confirmed, upon consideration whereof it is adjudged ordered and decreed that the sale of the lot fifteen & a half acres by the

and bounds to the defendant Jacob Hoosler agreeably to the survey & plot accompanying the report of the Commissioners at Twenty dollars per acre he paying one third in hand & the remainder in equal payments due in one and two years from this date is likewise confirmed. and it appearing to the court that the lot of Nine acres & 53½ poles assigned to the minor Amanda J Sheets does not interfere or interlock with the tract sold by the trustee D McGarvice in September 1859 and brought by the defendant Jacob Hoosler the same is confirmed likewise and upon a conveyance being made by the trustee to said Hoosler agreeably to the metes and bounds of the sale he shall hold the same free of all claim or right of the defendant Amanda J Sheets

Upon the petition of Geo W Kemper & others for the establishment of a road in this county, the viewers heretofore appointed to act upon the said petition this day filed their report, and on motion of the petitioners it is ordered that Philip Baker & Abraham Deihl, be summoned to appear here at the next term to shew cause if any they can why the said road shall not be opened and established through their lands agreeably to the report aforesaid

Wm H Barley Pltff
vs
Jacob Byerly Deft } In Case
Upon an Attachment

On the Motion of the Pltff, it is ordered that Michael Sellers admr of Andrew Sellers dec'd be summoned to appear here at the next term to shew cause if any he can why an attachment shall not be issued against him for failing to appear and answer as garnishee in this suit

Present J S Speck absent Benj Hoover Gent Justices

Isaac Hardesty Jun appellant
vs
John Scanlon appellee } Upon an Appeal from the Judgment of Justices

This day came the parties by their attornies and

sundry witnesses being sworn and examined touching the premises the Court upon mature deliberation are of opinion that there is no error in the judgment of the justice aforesaid, it is therefore considered that the said judgment be affirmed and that the appellee recover against the appellants and Cole Strayer their security in the said appeal. the costs by him in this behalf expended

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

A. M. Newman

In the Clerk's Office of the County Court of Rockingham March 21st 1860

John Silbert use of Judd & Silbert Pltff
vs
William N Wood Deft } In Debt

This day the defendant appeared in the Office aforesaid and confessed judgment for $49.60 the debt in the writ mentioned with interest and costs

It is therefore considered that the plaintiff recover against the defendant $49.60 the debt aforesaid with legal interest thereon from the 6th day of January 1859 till paid and the costs by the Pltff about his suit in this behalf expended

Teste

Wm D Frost DC

B

In the Clerks Office of the County Court of Rockingham March 29th 1860

Central Bank of Virginia Pltff
vs
Allan C Bryan Deft } In Debt

This day the deft appeared in the Office aforesaid and confessed judgment for $3000.00 the debt in the writ mentioned with interest Charges & Costs

It is therefore considered that the Pltff recover against the Deft $3000. the debt aforesaid with legal interest thereon from the 29th day of August 1858 till paid and one dollar & seventy eight cents charges of protest and the costs by the Pltff about his suit in this behalf expended

Teste

Wm D Frost DC

56

In the Clerk's Office of the County Court of Rockingham March 30th 1860

John H Wartmann Pltff
v
John Messerly & Levi Coverner Defts } In Debt

This day the defendant appeared in the office aforesaid and confessed judgment for $77.59 the debt in the writ mentioned with interest and costs

It is therefore considered that the pltff recover against the defendant $77.59 the debt aforesaid with legal interest on ~~thereon from the~~ $24.40 part thereof from the 5th day of May 1859 on $26.53 an other part thereof from the 2d day of June 1859 and on $26.66 the residue thereof from the 5th day of July 1859 till payment and the costs by the pltff about his suit in this behalf expended

Teste

Wm D Trout DC

Virginia fc

At a Court held for Rockingham County at the Court-house thereof on Monday the 16th day of April 1860

Present

Reason Bare P.J. Benjamin Coover & Wm Taylor Gent
Wm Newman & Wm B. D. Harris } Justices

The Clerk of this Court returned into Court a list of deeds and other writings admitted to record in his office during the month of March 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 Elizabeth Miller & others to Robert G Coakley
Same from Samuel G Henkel & wife to Solon Pledge Henkel
Same from James N Mefick & wife to Deborah Heise
A Deed of Trust from Jos C Smith & wife to B B Newman for Ed Newman
A Deed of Bargain & Sale from David H Gamble to A S Bayse & trustees
Same from Samuel E Long & wife to James F Lawman
Same from John B Baldwin & wife to Augustus Waterman's devisees
Same from Wash Burkholder & wife to W D Hopkins
Same from Henry Ferslinger & wife to John Ferslinger
A Deed of Trust from Gilson Beard to Jos D Roark for Daniel Bazzell
An Agreement between Robert Gray & Philip Liggett
A Deed of Bargain & Sale from W D Dove & wife to John E Dovel
Same from John W Vaught & wife to Daniel Zeller
A Deed of Trust from James L Beard to E J H Warren for Christ Miller
Same from Ebenezer Kinsely to Jos D Ralston for Jno C Ralston Jr
A Deed of Bargain & Sale from Abraham Beam & wife to Lewis Fravel
A Deed of Trust from Henry Davis to Jacob S Rhodes for W W Littrell & Co
A Deed of Bargain & Sale from Christian Brink & wife to Martin Brenneman
Same from Henry Parker & wife to Samuel Carpenter
Same from Reuben Kisling & wife to Jonathan & Joseph Miller
Same from Wm D Frost Trustee to John Shacklett Sen
Same from Henry Spitzer & wife to David Heatwinger
Same from James Vawter & wife to Samuel Vawter

A Deed of Trust from Richard Robinson to Baxton Davis

Same from John B Linderwife to Christian Gralies

Same from Virginia Ann See to Samuel Carpenter

Same from Christian Funkwife &c to Martin Brennemen

Same from John R Kougler Shff to Wm E Webster

A Deed of Trust from Lydia C Morris to Robert Morris for Jno Morris

A Deed of Bargain & Sale from Wm G Thompson to William Cook

Same from Adam Faughwife to Lucy Johnson

Same from Wm Hidenwife to Reuben Kisling

A Settlement of the estate of John H Jackson dec'd was presented having been filed in the Clerks Office of this Court for the time prescribed by law. was presented in Court and no exceptions being offered thereto the same was confirmed and ordered to be recorded

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A Settlement of the estate of Ananias Davison dec'd

The Same order

A Settlement of the estate of Jacob Tutwiler dec'd

The Same order

A Settlement of the estate of John Hook dec'd

The Same order

A Settlement of the accounts of Richard A Stephens Guard for Phoebe F Stephens &

The Same order.

Same of Samuel Hedrick Guard for Susannah Hendricks

The Same order

Same of John Sanger Guard for Michael Miller

The Same order

Same of Johnly Yircle Guard for Alfred A Pickard

The Same order

Thomas Burke appellant
vs
Jacob Shuler appellee
} upon an appeal from the Judgmt of a Justice

On the motion of the appellant it is ordered that this cause be placed upon the docket

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Harrison Riddle appellant
vs
Wm. H. Havalow appellee
} upon an appeal from the Judgmt of a Justice

The same order

Benjamin Gardner Patterson who has been duly licensed to practice as an attorney in the court of the commonwealth on his motion he is admitted to practice in this court and thereupon he took the several oaths required by law

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On Motion it is ordered that Abraham Funk give a new bond as guardian for Joseph D Bowman orphan of Joseph Bowman dec'd and thereupon the said Abraham Funk appeared in court and together with John Silbert, Henry Neff, Christian Brunk Samuel Shank & David Shank his securities (who justified as to their sufficiency) entered into and acknowledged a new bond in the penalty of six thousand dollars conditioned according to law which bond is ordered to be recorded

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Ordered that Wm Beard be appointed a short commissioner for this county in the place of James H. Dever dec'd

---

Peter Rich Jailor of this count presented in court an account against the commonwealth amounting to $60.85 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 Swaweaver who made oath thereto according to law and together with Jacob Swaweaver his security

60

(who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of three thousand dollars conditioned as the law requires. a certificate is granted the said John Dinsmore for obtaining letters of administration in due form upon the estate of Abraham Depuity. dec'd

Ordered that Abraham Spitzer. George Gowl. Peter Swope & Emanuel Suters. or any three of them being first duely sworn for that purpose do appraise the estate of Abraham Depuity dec'd and report thereon to the Court according to law

Amanda Jane Sheets grand daughter of John Wise dec'd being over 14 years of age appeared in Court and with the approbation of the Court made choice of Samuel Sheets as her guardian. and thereupon the said Samuel Sheets appeared in Court and together with Strother Sheets his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of six hundred dollars conditioned as the law requires which bond is ordered to be recorded

Ordered that any one of the Overseers of the poor bind according to law James Monroe Estep from March 1st 1853 to Philip Haller to learn the business of a farmer said Haller to pay $100 to said boy when he arrives to the age of 21 years

On the Motion of Samuel Hedrick who made oath thereto according to and together with Joseph Earley & Daniel Huffman his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of two thousand dollars conditioned as the law requires a certificate is granted the said Samuel Hedrick for obtaining letters of administration in due form upon the estate of Daniel Hedrick dec'd

Ordered that Daniel Huffman. Henry Earley. Joseph Earley Sr Daniel Wenger or any three of them being first duely sworn for that purpose do appraise the estate of Daniel Hedrick dec'd and report thereon to the Court according to law

The last will and testament of John Branner dec'd was presented in court and proved by the oaths of Benjamin Hoover & Martin Garber two of the subscribing witnesses thereto and ordered to be recorded. and there being no executor therein named. on the motion of Elizabeth Branner who made oath thereto according to law and together with Henry Neff Wm G Thompson. Benjamin Hoover & John Heinegardner (who qualified as to their sufficiency) entered into and acknowledged a bond in the penalty of fifteen thousand dollars. conditioned as the law requires. a certificate is granted the said Elizabeth Branner for obtaining letters of administration in due form with the will annexed. of the said John Branner. dec'd

Ordered that Martin Garber. Moses Bowman & Mathias Miller after being first duly sworn for that purpose. do appraise the estate of John Branner dec'd and report thereon to the court according to law

Ordered that Mathias Miller be appointed surveyor of precinct No. of public road in the place of John Branner dec'd

Ordered that the Clerk of this court register according to law. the James William Hackley. aged 23 years & on the 17th of April 1860. very black. six feet high. has a scar on the middle finger of his left hand a cut on the inside of the left foot

Daniel Good Pl'ff
vs
Jacob Plaugher Deft
} Upon a suit of Unlawful detainer

This day came the pl'ff by his attorney and thereupon came a jury to wit. G W Salyards. Jacob Dinkel. Geo F Funkhouser. John Harper. Henry S Heaturle Daniel Miller, Wm Linaweaver. Eb Jones Henry Heinegardner. A L Byrd & Daniel Garber, who being elected tried and sworn. the truth to speak, upon their oaths do say that the defendant Jacob Powger unlawfully holds possession

(2)

of a house and lot on the dry river road between dry river and Skiamore's fork and that said Daniel Good is entitled to the possession of the same. Therefore it is considered by the court that the plaintiff recover against the defendants the possession of the tenements aforesaid and his costs by him in this behalf expended. Whereupon the plaintiff prays a writ to the Sheriff of this county to cause him to have his possession of the tenements aforesaid and to him it is granted returnable here &c

On the Motion of William Patterson who made oath thereto according to law and together with George L Patterson his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires a certificate is granted the said William Patterson for obtaining letters of administration in due form upon the estate of James H Dever dec'd the widow of the said deceased not having in writing relinquished her right to administer)

The court doth appoint William Patterson guardian for Samuel H Dever & Mary A Dever orphans of James H Dever dec'd who are under the age of 14 years and thereupon the said William Patterson appeared in court and together with George Patterson his security (who justified as to his 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

Shavalter v Shavalter on D Bond Notice proved Execution awarded

John Hollbrook Pltff
vs
H M Harris & Defts } Alias a notice for money & Sheriff as constable

This day came the Pltff by his attorney and it appearing that the Defts Harris & Shaver have had legal notice of this motion and they being solemnly called and not appearing it is considered by the court that the Pltff recover against the Defts $46.97 with interest thereon from

on $20.77 part thereof from the 12th day of Sept 1856 and on $26.20 the residue thereof from the 18th day of December 1859. and sixty cents costs and the costs by the Pltff about his motion in this behalf expended

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Addison Rayer Pltff
vs
H M Harris &c Defts } Upon a Notice for money collected as a Constable

On Motion of the Pltff. it is ordered that this cause be placed upon the docket

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Jo H Davis

Upon the petition of Daniel Miller & others for a road the viewers heretofore appointed this day filed their report which is ordered to be filed. and on Motion of the petitioners by their attorney it is ordered that the owners through whose lands the said road is proposed to be constructed be summoned to appear here at the next term of this Court to shew cause if any they can why the said road shall not be opened through their lands agreeably to the report aforesaid

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M Harvey Effinger Pltff
vs
Margaret A Beard & others Defts } In Chancery

This cause came on to be further heard this 16th day of April 1860 upon the papers formerly read and the reports made by Comr. J W G Smith viz. one report of date May 17th 1859 shewing that said Comr. has complied with the decree of the 16th May 1859 disbursing the eleven hundred dollars down payment therein mentioned as follows $7.50/100 costs of publication, $31 Comrs and $1061 50/100 paid to M Harvey Effinger as a credit upon his claim in the said decree awarded. another report of date 27th March 1860 shewing that sd Comr has collected of Wm A Conrad the purchaser the sum of seven hundred and thirty three 93/100 dollars, it being the amt of sd Conrad's bond due the 26th day of March 1860. and that the sd Comr. after retaining a Comrs of two per cent has paid over to M Harvey Effinger the balance of said payt namely seven hundred

and eighteen 67/100 dollars as evidenced by receipts of J. Effinger filed in the papers of the cause. being argued by counsel. and it appearing to the court that the vouchers as filed for the said payments are correct. and there being no exception to said reports, the same are hereby confirmed It is further ordered adjudged and decreed, that said Comr. Smith shall proceed to collect the remaining unpaid bonds of the said Wm. A Conrad as they may respectively fall due. and after paying to the said M. Harvey Effinger the balance still due upon claim awarded under our decree of the 16th May 1859 together with all costs incurred by said Effinger in this suit, shall retain the balance subject to the order of this Court, and report his proceedings hereunder from time to time

Daniel Harnsberger who stands charged with a felony by him committed in this that ~~he~~ on the night of the 5th day of April 1860 in the County of Rockingham ~~did feloniously & in his malice~~ was feloniously accessary to shooting and killing of a certain James H. Dever. having entered into a recognizance in the sum of $500. for his appearance here on this day to answer the charge aforesaid, in which recognizance he gave Jacob Harnsberger as his security the said Daniel Harnsberger being solemnly called and not appearing. On Motion of the attorney for the Commonwealth it is ordered that his said default be entered upon the records of this Court

Robert Reeves. Samuel Cook and Samuel Towns who stand charged with a felony by them committed in this. that they did on the night of the 5th day of April 1860 in the County of Rockingham feloniously & in their malice shoot & kill James Dever. appeared in Court in pursuance to their recognizances entered into before a Justice of the peace for this County. and sundry witnesses being sworn and examined touching the premises ~~and~~ (& Towns) not having time to hear all the evidence the further examination is adjourned until to morrow morning at 9. O'Clock and thereupon the prisoners were remanded to Jail

Ordered that the Court be

adjourned until to morrow morning at 9 O'Clock

Naason Bare

Tuesday April 17th 1860

Present

† Naason Bare P.J. † Benjamin † Carver † Wm E. Wh. Gent
Harris † W.M. Layton Jr † A.M. Newman Justices

Magdalene Bolton & Pltff
vs
William Lilley & Defts } In Chancery
Z. D. Gilmes Pltff
vs
Geo. Lilley & Admrs & Defts

This Cause came on together to be heard this the 17th day of April 1860 upon the papers heretofore read, and the petition of George Hanner Jr. asking the Court to convey the land purchased by him to Jacob Life, and was argued by Counsel whereupon it appearing that the amount of purchase money due from the said George Hanner on the purchase of the land in the proceedings mentioned has been paid into the Court, doth adjudge order and decree, that Robert M. Mooney be appointed a commissioner to make to the said Jacob Life a deed with special warranty for the land in the Bill & proceedings mentioned, sold by the said Mooney as commissioner appointed by a former decree in this Cause to George Hanner Jr. and the said Court is directed to report his proceedings at the next term of this Court

Ordered that Daniel Thomas, William Beard & Milton Errine, Henry Heatwole and Andrew J. Blakemore or any three of them being first duly sworn for that purpose do appraise the estate of James H. Deaver dec'd and report thereon according to law

Robt L. Doyle who has been licensed to practise as an attorney in the Courts of this Commonwealth on this motion he is permitted to practise in this Court & thereupon he took the several oaths required by law

66 66.

Ordered that the Clerk of this Court register in his office according to law Ann Ramey a free Mulatto woman five feet 6¾ inches high, 23 years old on the 18th day of January 1860. has a scar on the left arm and on the left elbow, and on the back of the right hand and was born free in the County of Page. as appears from a copy of the register made by the County Court of Page

Samuel Wheelbarger is appointed surveyor of precinct No of public road in this County. in the place of Jacob Amarew. decd

Solomon Patterson is appointed surveyor of precinct No of public road in this County in the place of James McDever decd

Present Naaza Bare Pg. † Wm Newman † Benj Hoover † P McClayton † Wm McDaniel † C R Meyers † Wm Sandfey. † Isaac Wright † D P Kontz † Samuel Rielrust † Reuben Huffman † C R Rust † Bushrod Rust † W B Yancey † Jno A Dice † Robert Black. † H Fleck † C Sterling † Wm Miller † Wm Carpenter † Doilas Mantz † Isaac Hansely † And Houck † Jonathan Speck. † M K Harris † Jno G Coates † S H Coffman and † H Sprinkel. } Gent Justices

Upon the petition of John G Coates John R Kogler. Isreal Mauzy John Scanlon. Wm D Covington Wm Shewalter. And Houck. John H Berry Jno B Hill who have paid the tax imposed by law to enable them to keep houses of Public Ordinary's in this County for the year ending the 30th of April 1861. the Court doth certify that are persons of good character. not addicted to gaming or drinking and will probably keep houses orderly and useful ones such as the law requires, and thereupon a license is granted them

Upon the petition of Lewis Yates. Madison West John Fuls having paid the tax imposed by law to enable them to keep houses of private entertainment in this County for the year ending the 30th of April 1861 the Court doth certify that they are persons of good character. not addicted to drinking or gaming & that they will probably keep houses orderly useful & such as the law requires

Byrd & Byrd vs D Brown in Motion. On Motion this cause is dismissed

Upon the applications of John Scanlon. Charles A Spinkle & Co. Wm S Shavaller. Michael J Meyerhoeffer. Ed S & Wm Kempfer. D Pennybacker

who have paid the tax imposed by law to enable them to sell by retail ardent spirits. It is ordered to be certified that they are persons of good character and that their houses are proper places to retail ardent spirits

Upon the application of J S Runcle for a certificate to retail ardent spirits. the Court doth refuse to grant him the certificate

Ordered that an election to be held on the fourth thursday in May next for the following officers. viz. Justices of the peace Commissioners of the Revenue. Sheriff. Attorney for the Commonwealth Constables. and Overseers of the poor for Rockingham County. that the following named persons be appointed to conduct the said election at the several places of voting in this county. to wit. District No 1. At Conrads Store Jno H Conrad. Joseph Moyers. Jacob Bear Jacob C Harnsberger. & Wm H Miller commissioners & Geo W Sanford Officer At Mt Gahenpiles. Benj F Thomas. Z D Gilmer. G P Hopkins. Ed S Yancey & John Sellers commissioners & Jacob Runcle Officer
Dist No 2. At Taliaferro's Store. Wm Saufley. Wm Rodiffer. John Keough Harvey Wise & Jonathan Miller commissioners & C A Vandear officer At Port Republic. F M Layton. Stephen Harnsberger. Jno C M Harnsberger Charles Lewis & Reuben A Haffer commissioners & James N Lewis Officer
Dist No 3 At Wm Crawfords Jacob P Shuffer George Kiser. Abraham Funkhouser. Peter S Roller & Wm D Harris comrs & Adam Riser Jr Officer
At Dayton. Daniel Byerly. David Coffman. Isaac Wright. Gordon R Heralds & John N Herring commissioners & Elv Pollard Officer
No 4. Bridgewater Allan Le Brown. J Gilmer Minor. Geo R Gilkeson Fred Speck & John Williamson comrs & S Clair Kyle Officer
Mt Clinton Andrew J Blakemore. J M Erwine. Jacob Byrd. D M Heuston and Robert Black commissioners & Jacob Shank Officer
No 5. At Gordons Store. Michael Whitmore. Simon J Harrison. David Bear Benj D Bowman & Arch Hopkins comrs & Jno Burkholder Officer

Baumans Mill. Jesse Coffman John Burkholder Jacob Miller
Michael Bauman & Silas Kenton Comrs & Jacob H Shank Officer
No 6 Court house Franklin Ponce. O Sterling Jr. Robt. Wm. Hoover
and Wm M K Wartmann Comrs & Henry F Wartmann Officer
Keezletown Elijah Dudley. Geo P Burtner. Robert Cox. Jonathan Reese
and John Eastham Comrs & Daniel Eiler Officer
No 7 Spartapolis. Jacob A Coover. Eli H Koontz. John Harrison Jr.
Moore & Wm W Carpenter Comrs & Benjamin F Lincoln Officer
Hanton Miller. Cyrus Rhodes. Jacob Bailey. Andrew Kenton Michael
Sellers & Wm Sellers Commissioners & Reuben Harrison Officer
No 8 Timberville. Geo Branner. Daniel Hoover. Wm G Thompson. Martin
Garber and George Weik Commissioners & J F Branner Officer
Mennonite School house. David M Mauzy. Geo Rader Jackson & Coon.
Jno J Bauman & Abraham Funk Comrs & John Rader Jr Officer
Coates Store. O Perry Hoon. J B Zirkle. Jacob Neff. Wm Funk and
John Ponce Commissioners and Robert F Keys Officer
No 9 Skinkles Store. Emanuel Roadcap. George Funk. Wm Hoover
Geo W Funk & D H Jacob Fawley Commissioners & Harvey R Skinkle Officer
Wittigs Store. Isaac Funk James Dove. George May. Reuben Dove
& Joseph Sanders Commissioners & George Wittig Officer and it is further
ordered that the aforesaid persons do attend the said election at the
times and places aforesaid they being first duly sworn for that purpose
and make return according to law

On the Motion of Jno Sites Esqr. it is ordered that they be released
from the payment of the tax & assessment made upon them for
an order Bowling Saloon and as Merchants.

The Commissioners heretofore appointed to appraise the personal
property of Catharine Black dec'd according to her will, was presented
in Court and no exceptions being offered thereto the same is confirmed
and ordered to be recorded

Upon the petition of G W Kemper & others for the establishment
of a road in this County. the land holders against whom process was

was awarded at a former term of this Court returned executed and not appearing. On Motion of the petitioners by their attorney it is Ordered that the said road be established agreeably to the report of the viewers filed. and that the said petitioners open and make the said road at their own expense and Fountain M. Clayton be appointed Commissioner to report to the Court when it is made whether it is in a condition to be received by the Court & if in his opinion said road ought to be so received that he shall allot hands to work the same and recommend a Surveyor

On the Motion of the Board of the Overseers of the Poor for the County of Rockingham. the said Board is authorized to sell and convey the real estate now owned by the said Board of Overseers. on such terms and in such manner as to the said Board may seem best for the interest of the County

Tyler Ammon. Christopher Miller Robert G Coakley. Jr. T Logan Henry Neff. Saml R Allebaugh & D F Silbert Deputies for Jno R Kagler Sheriff of this County presented in Court lists of delinquents in the Capitation and property tax in the County of Rockingham for the year 1859. which being sworn to were examined and allowed by the Court. & ordered to be certified to the auditor of public accounts

Ordered that a Scire facias be awarded agt Danl Harnberger & his bail for [illegible] entered of record yesterday

Tyler Ammon & Christopher Miller Deputies for John R Kagler Sheriff of this County presented in Court a list of delinquents in the real estate Tax for Rockingham County for the year 1859. which being sworn to was examined and allowed by the Court. and ordered to be certified to the auditor of public accounts

Absent all the Justices except Mason Bare A M Newman and Benjamin Hoover. F M Clayton & Wm & M D Harris } Gent Justices

Robert Reeves. Samuel Cook & Samuel Tooma who stand charged with a felony by them committed in this that they did on the night of the 5th day of April 1860 in the County of Rockingham. feloniously and in their malice shoot and kill

James Dever were led to the bar in custody of the Sheriff of this County and the Court having fully heard the cause and of opinion that a felony has been committed and that there is probable cause to charge the prisoners therewith. It is therefore Ordered that they be held for trial before the Circuit Court of this County, on the first day of the next term thereof. On Motion of the prisoners by their Counsel moved the Court to admit them to give bail for their appearance at the Circuit Court which Motion the Court doth overrule as to the said James Cook & Samuel Toone and refuse to allow them to give bail. and sustain the Motion as to the said Robert Reeves and allow him to give bail for his appearance before the said Circuit Court in the sum of five hundred dollars ~~for himself and the like sum of $500 for his security~~ and thereupon the ~~said~~ Robert Reeves together with Thomas J Butler and Thomas H Reeves appeared in Court and acknowledged each themselves to owe and be indebted to the Commonwealth of Virginia in the sum of five hundred dollars to be levied of their respective goods and Chattels and lands and tenements and for the use of the Commonwealth. yet upon this condition that the said Robert Reeves shall make his personal appearance before the Circuit Court of this 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 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 day John H Dever. Geo L Patterson. Wm Patterson. David B Dever and William Beard personally appeared in open Court and acknowledged each 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 & tenements and for the use of the Commonwealth. yet upon this condition that the said John H Dever. Geo L Patterson. Wm Patterson. David B Dever Wm Beard 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 Robert Reeves. Samuel Cook and Samuel Thoma. 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

On the Motion of John R Kogler Sheriff of this County. it is ordered to be certified to the auditor public accounts. that the Commissioner of the Revenue of this County. assessed Thomas G Logan with thirty three dollars & thirty four cents the tax on a Billiard Table on the 3d day of Sept 1859 that the said table has been removed. and that the said Logan has no property out of which the said assessment could be made

Joseph Freeze & wife Plffs
vs
Edward Garlow Deft } Detinue

This day came the parties by their attorneys and the deft by his attorney pleaded not guilty and thereupon came a jury to wit Daniel M Heffman Thomas J Butler. Abraham S Bryan Jacob S Silbert. Lewis Argabright. Andrew J VanDeel. Abner W Jones John M Moore. Robert Liskey Jr. Philip K Argabright. Thomas K Hearnsberger and Abner J Nicholas who being elected tried and sworn the truth to speak upon the issue joined. and having heard the evidence retired from the bar to consider of their verdict & after some time returned into Court & upon their oaths do say. We the jury find that the defendant shall hold possession of the within land until the 12th of March 1861. in pursuance of the terms of the contract except that the plaintiffs are to have the privilege of seeding this fall. the plaintiffs to pay the costs. It is therefore considered that the defendant recover against the defendants the costs by them in this behalf expended

The Shff of this County having returned the following named free negroes delinquent for taxes. viz Alfred Bradford. Jno Ed Cona beal Heall Jas. Peters Augt Hopkins. Hy Madden. Sam Madden. Wm Strother. Segr and Sampson Arch Strother. Chas Goens. Geo Bundy. Jo Cogle & St Clair Gibson. It is ordered that the Sheriff hire out said negroes according to law

Jacob B Effinger Pltff
vs
George W King Deft } In Case
Upon an Attachment

This day came the parties by their attornies and on motion this cause is continued until the next Term

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

Nason Bare

At a Court held for Rockingham County at the Court house of the said County, on Monday the 21st day of May 1860

Present

Nason Bare & J. Adam H. Fauch, Samuel R Sprinkel, J. H. Speck & Jno G Coiner } Gent Justices

The Clerk of this Court returned into Court a list of deeds and other writings admitted to record in his office during the Month of May which being seen and inspected by the Court and ordered to be ~~certified~~ entered upon the minutes as follows to wit

A Deed of Bargain & Sale from John Coiner & others to George Kiser
Same from John Armentrout & wife to James Layman
Same from F. M. Erwine & wife to John H. & Andrew M. Erwine
Same from Revel Rogers & wife & to Benjamin Wenger
A Deed of Trust from H. M. Harris to E. H. Wearren in Trust for Levi Shaver
Same from Levi Shaver to same in Trust for Archibald Broch
A Deed of Bargain & Sale from Levi Coiner & wife & to M. B. Effinger
A Deed of Release from E. H. Wearren Trustee to Revel Rogers
A Deed of Bargain & Sale from Jacob Shank & wife to John Wenger
A Deed of Trust from John Butler to Alfred Butler in Trust for Jno Dinkle
A Deed of Bargain & Sale from Jonathan Shaver & wife to Gideon Kratzer
Same from A. McGarvick & to Jacob Hosler

A Deed of Bargain & Sale from Daniel Huffman to Reuben Huffman.
Same from Reuben Huffman & wife to Daniel Huffman
A Deed of Trust from Daniel Zetter to S R Allebaugh for Daniel Flook &c
A Deed of Bargain & Sale from Gideon Kratzer & wife to Michael J Zirkle
A Deed of Trust from Geo Ireland to Mathew Ireland for Mary A Showalter
A Deed of Bargain & Sale from Daniel G Heller & wife to Jacob A Mitchell
Same from Henry Miller & wife to William Hemley
Same from Allen & Bryan & wife to Peter Showalter
Same from Jos Mauzy & wife to William Burner Sen
Same from John Lincoln & wife to Joseph Weaver
Same from A N Taliaferro & wife to Wm Hammer
Same from Wm D McCall & wife to Wm H Van Pelt
Same from Robert E Edwards & wife to Wm Rudisill
Same from Peter Brenneman & wife to Ephraim S Mitchell
Same from John Wenger & wife to Jacob Fiser
Same from Allen & Bryan & wife to Henry Hale
Same from John Miller & wife to Harvey A Smith
Same from J C Bauman & wife to Christian Sites
Same from Nevel Rogers & wife to William Byrd
Same from John Billheimer to Wm C Price
An Agreement between Robert B Gaines & Peter Thomas
all right
A Deed of Bargain & Sale from Wells Keener to Samuel R Shrinkel
Same from Jacob Armentrout & to Bazaleel Shifflett
Same from Elizabeth Miller & others to Peter Ritchie
Same from Same & others to Same
Same from Same & others to James J Miller
Same from Same & others to George H Miller
Same from Same & others to Ann Eliza Miller
Same from Peter Ritchie & others to Elizabeth Miller
Same from Allen & Bryan Trustee to George Lutz
Same from Allen & Bryan & wife to Abraham C Long
Same from John H McCown & wife to John Nisewanger
Same from Christian Burkholder & wife to James H Lilley
Same from Peter Shine & wife to Thomas Brew
Same from W D Hopkins & wife to Joseph Burkholder
Same from Same to Noah Burkholder

Settlements of the estate of Jonathan Hare dec'd. Wm Hammer dec'd David D Bowman dec'd. Henry Spitzer dec'd. Christena Argabright dec'd Mary M Michael dec'd. Benjamin Denton dec'd. John S Heatwole dec'd Benjamin Sneed dec'd. Abraham Stoner dec'd. Adam Harnsberger dec'd Geo Rinehart dec'd. Richard S Maupin dec'd. David Burkholder dec'd and Leonard Pultzler dec'd having been filed in the Clerk's office of this Court were presented in Court and no exceptions being offered the same are confirmed and ordered to be recorded

Settlements of the accounts of Geo Rhodes, Guard for Elmira Stevens David Stinespring Guard for Jno H Coffman. Mary E Coffman, Sarah T Coffman, & John R Coffman. Daniel Heffman Guard for Elizabeth E Carpenter. and Jacob Zimmer Guard for the heirs of Jacob Erzenbright's heirs. 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

The last will and testament of Margaret Kenton dec'd was presented in Court and proved by the oaths of Jacob Dinsmore & Joseph Burkholder two of the subscribing witnesses thereto and ordered to be recorded

Peter Rick jail presented in Court an account against the Commonwealth amounting to four dollars and eighty cents which being sworn to into Court, was examined and allowed by the Court and ordered to be certified to the auditor of public accounts

On the Motion of John Robins jr. before this Court being a probate Court of record and having a seal, it is certified that it was this day proven in open Court by the oaths of William Lilley and George Avey credible witnesses that the said John Robinson jr. is the only Child and heir at law of Thomas Robinson deceased, who was a private in Capt Strickler's Company of Virginia Malitia in the war of 1812 that said Thomas Robinson dec'd died intestate and of full age in Rockingham County

Virginia. on the 8th day of April AD 1856 leaving no widow and no heir at law, except the said John R Robinson Jr. who is over the age of 21 years

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D Pennybacker &others pltffs
to
Vena Lewis &others Defts
} In Chancery

This cause came on to be heard on this the 21st day of May 1866 on the report of Henry Neff commissioner appointed to sell the interest of lands in the cause mentioned and argument of counsel being heard. and it appearing to the court that the sale made by said Neff was a compliance with the requisitions of the decree appointing him. the sale of the land at $120 is hereby confirmed and the said Neff is authorized to collect the same and convey a title of the interests in the land sold in accordance with the provisions of the former decree. It is further ordered that after the payment of all costs, fees and commissions arising out of this suit and sale of land, the commissioner shall pay over the balance to the plaintiff in this cause

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J Spencer Waterman pltff
vs.
E W Pollard &c Defts
} Upon a Notice

This day came again the pltff by his attorney, and it is considered by the court that the pltff recover against the defendants $20.02 with legal interest thereon from the 29th day of October 1857 till paid and the costs by the pltff about his suit in this behalf expended

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Kinzee for use Millard vs D Bird Notice proved & Verdict awarded
Effinger use Millard Same order
Kyle use Millard Same order
Rhodes &c use Bryant Same order
Wagoche use Burkholder &c Same order
Effinger & Bro use Armentrout &c Same order

The report of Daniel Driver, Michael Roller & Samuel Roller commissioners appointed by the Court to appraise, survey and make partition among the heirs, in the real estate of John Knupp, was presented in Court and ordered to be recorded

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Gilbert Yancey & David Flook pltffs
vs
Daniel Zetter Deft } upon a Notice

On the Motion of the pltffs, it is ordered that the said Daniel Zetter 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 required to give a new bond and other security as guardian for Erasmus Taylor & Mary E. Taylor, or that his power and authority as such Guardian shall not be revoked and annulled

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Mary K. Sofland pltff
vs } upon a suggestion that the deft is
Daniel Zetter Deft indebted to Geo Fawsett

This day the defendant appeared in Court and was examined on oath and it appearing from such examination that he is indebted to the pltff Fawsett in the sum of $155. due on the 15th day of May 1865 It is therefore considered that the pltff recover against the deft the said sum of $155. ~~the same~~ with interest thereon from the 15th day of May 1860 till paid

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On the Motion of Benjamin Metzger Executor of Jacob Summy Sen'r and with the consent of the devisees, it is ordered that Wm M. K. Hartmann be appointed a special commissioner to state and settle the executorial account

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Samuel Hearich Guardian of Mary Hendle appeared in Court and resigned his trust

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The Court doth appoint John Hearich guardian for Mary Hendle orphan of who is under the age of 14 years of age

and thereupon the said John Hearick appeared in court and together with John Dillon & Samuel Sanger his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $400. conditioned according to law. which bond is ordered to be recorded

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On the Motion of Andrew Dorman it is ordered that John Rosenbarger a constable of Shenandoah County, do appear at the June term next of this court and shew cause if any he can why he shall not be fined for failing to return an indemnifying bond taken by said constable in the case of a fifa in the name of Eli Keeran vs Richard Slatterbuck taken to indemnify said constable. and any other persons interested by reason of a levy and sale of property under said fifa

V. Post

An Instrument of writing purting to be the last will and testament of John Dawson dec'd was presented in court and proved by the oath of Augustine Bryant one of the subscribing witnesses thereto and continued for further proof

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On the Motion of Daniel Heatwole who made oath thereto according to law and together with John Brunk & Joseph Weaver his securities (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $500. conditioned according to law. a certificate is granted the said Daniel Heatwole for obtaining letters of administration in due form upon the estate of David Grove dec'd.

Ordered that Joseph Hoffman. William Byrd, Joel Flory & Abraham Sager do appraise the estate of David Grove dec'd and report thereon to the court according to law

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On the Motion of Richard A Stephens who made oath thereto according to law. and together with Reuben & Humbert & Samuel R Allebaugh his securities (who justified as to his sufficiency) entered into and

and acknowledged a bond in the penalty of $1800. conditioned as the law requires a certificate is granted the said Richard A Stephens for obtaining letters of administration in due form upon the estate of Phoebe Frances Stephens decd.

Ordered that Nathaniel Howard John L Dovel & Reuben N Harrison after being first duly sworn do appraise the estate of Phebe Frances Stephens decd and report thereon to the Court according to law

Ann Rama a free woman of color who was by an order of this Court made at the April term last ordered to be registered it is ordered that she be summoned to appear here at the next term to shew cause if any she can why said register should not be reversed and annulled

On the Motion of George Frey who made oath thereto according to law and together with James L Heltzel his security (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of three hundred dollars, conditioned as the law requires a certificate is granted them for obtaining letters of administration in due form upon the estate of Elizabeth Frey decd

Ordered that Abraham Andes, Morgan Chapman & Reuben Zirkle do appraise the estate of Elizabeth Frey decd and report thereon to the Court according to law

On the motion of John Weaver & Henry Heaton executors of Sherm Heaton decd and with the consent of the parties interested it is ordered that Wm McK Wartmann be appointed a special Commissioner to settle their said executorial account

On the Motion of B F Sinclair guardian for Mary E & David H Sinclair it is ordered that Wm McK Wartmann be appointed a special commissioner to examine state and settle the accounts of the said guardian and report thereon to the Court according to law

On the Motion of Jacob Lincoln guardian of Josephine and Fanny Lincoln. It is ordered that Henry K Hartman be appointed a Special commissioner to examine state and settle said guardian account and report thereon to the Court according to law

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J H Huffman & pltff
vs
Hugh Gilkeson Deft } In Case

On Motion of the plaintiff by attorney they have leave to file a special replication to the defts plea of the Statutes of limitation

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Elizabeth A Leake orphan of William Leake dec'd being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of Sarah J Leake as her guardian. and the Court doth appoint the said Sarah J Leake guardian for Henry Leake orphan of same. who is under the age of 14 years, and thereupon the said Sarah J Leake appeared in Court and together with B F Martz. Geo S Christie. John Hearick & John Diller her securities (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of eight thousand dollars. conditioned as the law requires

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Jonathan Miller pltff
vs
H M Harris & Defts } Upon a Notice

This day came the plaintiff by his attorney and it appearing that the defts. hath had legal notice of this motion and they being solemnly called and not appearing. it is considered that the pltff recover against the defendants $5809. with interest on $14.75 part thereof from the 17 day of February 1853 on $37.00 an other part thereof from the 17 day of November 1857 and on $4.25 the residue thereof from the 17 day of Dec. 1858 till hence & the costs by the pltff about his notice in this behalf expended

Commonwealth
vs
Edmond Minnick } upon an Indictment for retailing ardent Spirits without License

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 $30. the fine imposed by Law and the Costs in this behalf expended

Same
vs
Same } 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 the costs in this behalf expended

Same
vs
Same } upon an Indictment
The Same order

Same
vs
Same } upon an Indictment
The Same order

Same
vs
Same } upon an Indictment
The Same order

Same
vs
Same } upon an Indictment
The Same order

Same
vs
Same } upon an Indictment
The Same order

Same vs Same — No 8 — Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney. by consent it is considered that the Commonwealth recover against deft the costs in this behalf expended

Same vs Same — No 9 — Upon an Indictment The Same order

Same vs Same — No 10 — Upon an Indictment The Same order

Same vs Same — No 11 — Upon an Indictment The Same order

Same vs Same — No 12 — Upon an Indictment The Same order

Same vs Same — No 13 — Upon an Indictment The same order

Upon the petition of Jacob Cook who has paid the tax imposed by law & License is granted in to keep private entertainment in this County. it is ordered ~~that~~ to be certified that he is a man of good character not addicted to drinking or gaming. and will provide keep a house orderly and useful and such as the law requires

Ordered that the Sheriff summons the Justices to appear at the June term next to lay the County levy and for other purposes

Jacob R Braithwaite presented in Court an account against the Commonwealth amounting to five dollars and fifty cents which was sworn to in open Court was examined allowed and ordered to be certified to the auditor of public accounts

John R Kingler pltff
vs
James H Courtney Defts
} upon a Notice

On the Motion of the plaintiff it is ordered that this cause be placed upon the docket, and on the motion of the defts the trial of this cause is deferred until the next term at their costs

Harvey Allen a free negro who stands committed to the jail of this County for not being registered as required by law was led to the bar in custody of the Jailor and upon consideration the Court is of opinion that the said Harvey Allen has not been registered in this County and that he has remained in this County more than two months without being so registered. it is ordered unless the said Harvey Allen shall forthwith pay the fees amounting to $11.75 of the Jailer for the time he has remained in jail then the said Sheriff shall hire the said Harvey Allen out according to law until such fees shall be satisfied

Commonwealth vs Benjamin Miller. The summons awarded at the last term not being returned executed it is ordered that a new summons be awarded against him returnable here to the next term

Same vs David Webster. The same order

Same vs James Clary Not Guilty & demurrer now and general replication and continued until the next Term

Same vs Same The Same order

Same vs David Ray The Same order

Jacob P Effinger Pltff
vs
Geo W King Deft } In Case

This day came the parties by their attornies and the deft by his attorney pleaded non assumpsit & filed a general demurrer to the declaration to which the pltff by attorney replied generally and thereupon the judgment obtained in the Office is set aside and the trial of the issue is deferred until the next term

Jacob Bowyers Pltff
vs
Noah A Royer Deft } In Case

This day came the parties by their attornies and the deft by his attorney pleaded Not Guilty to which the pltff replied generally and thereupon the writ of enquiry & judgment obtained in the Office is set aside and the trial of the issue is deferred until the next term

Commonwealth vs Fountain Taylor the summons being awarded against him at the last term being returned executed and he being solemnly called and not appearing it is that a capias be awarded against him and made returnable here at the next term of this Court

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

Ordered that the Clerk of this Court register Harvey Allen a free negro in his office. said negro is very black. five feet ten and a half inches high about twenty six years of age. has a small scar on the back of the right hand and no other apparent marks or scars and was born free in the County of Page. as appears by the register of the Clerk of the County Court of Page

Commonwealth vs Solomon Dean. The Summons awarded at the last term against him being returned executed and he being solemnly called and not appearing it is ordered that a capias be awarded against him and made returnable here at the next term

Same vs Henry Curry — The same order

Same vs Jeremiah Davel — The same order

John Huffman pltff
vs
Richard Jarrell. Deft } Upon a writ of unlawful detainer

This day came the parties by their attornies and the deft by his attorney pleaded not Guilty to which the pltff replied generally and thereupon came a jury to wit John T Kincaid, Sam'l Riser, Wm Anders B P Thomas, Solomon Burtner, Silas Burke, Frederick K Speck, Charles Bradley, Christian Granade, B M Rice, Lemuel Carter, Noah Argabright and David M Huffman, who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and not being able to agree. B M Rice one of the panel jurors was withdrawn and the balance from rendering a verdict were discharged. and the trial of the cause is continued until the next term

Nicholas vs Hill. Continued until the next term

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

Naason Base

In the Clerk's Office of the County Court of Rockingham May 22d 1860

Daniel Millerstle Pltff
vs
Mason Bare Deft } In Debt

This day the defendant personally appeared in the office aforesaid and confessed judgment for $682.33 the debt in the writ mentioned with interest and costs

It is therefore considered that the plaintiff recover against the Deft $682.33 the debt aforesaid with interest on $432.44 part thereof from the 24th day of October 1858 and on $249.89 the residue thereof from the 25th day of April 1859 till paid and the costs by the Pltff about their suit in this behalf expended

Teste

S H Gambrill C R C

In the Clerks office of the County Court of Rockingham June 15th 1860

Robert G Coakley Pltff
vs
Lucy Coakley Deft } In Debt

This day the defendant personally appeared in the office aforesaid and confessed Judgment for $80 the Debt in the Declaration mentioned with interest Costs

It is therefore considered that the plaintiff recover against the Deft $80 the Debt aforesaid with legal interest thereon from the 13th day of February 1858 till paid and the Costs of the Plaintiff about his suit in that behalf expended

Teste

S H Gambrill C R C

State of Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 18th day of June 1860

Present Nasson Barr P.J. O. C. Sterling Samuel R. Sprinkle Adam H. Fulk

The Clerk of this Court presented a list of Deeds and other writings admitted to Record in his office during the Months of May last which being seen and inspected by the Court and ordered to be entered upon the minutes as follows to wit

A Deed of Bargain & Sale from Jacob Armentrout To Benjamin Bowman & Trustee
A Deed of the Same To John Miller Trustee for Julia A Washington
A Deed of Bargain & Sale from James May & Wife To George Lutz
Same from David Ross & Wife To Joseph Holsomb
A Deed of Trust From Daniel Fitter To S W Gamble In Trust for George Heads
A Deed of Trust From Archibald Tally & Wife To Daniel Bear In Trust for John H Pleasants
A Deed of Bargain & Sale From Frances E Dever To Margaret Dever
A Deed of Trust From same To James Kenney In Trust for Paulrel Pullen's
A Deed of Trust from Benja F Byerly & Wife To Hiram Coffman In Trust for Hiram Paul &
A Deed of Trust from Franklin Pence To A B Irick for Harvey Kyle &
A Deed of Bargain & Sale From Wm H Hudson & Wife To Wm Jenkins Exr
A Deed of Trust from Geo W Mefferd & Wife To To A C Bryan In Trust for H Kyle
Deed of Bargain & Sale from Wm E Webster & Wife To Charles Sprinkle
same From J A Yancey & Wife To Charles B Yancey
same From George Harnsberger & Wife To Jacob Life
same From R M Mooney Commissioner To the Same
same From Isaac Baker & Wife To George W Thaley
same From Daniel Crist To John Crist
same From Joseph Hawse To Henry Koff Trustee for Rebecca J Reedy
same From James M Loffland & Wife & To David Armentrout
same From Jacob Bailey & Wife To Daniel B Reed
same From Elias Michael & Wife To George Harris
same From Daniel Bowman Commissioner To John H McCloud

A Deed of Bargain & Sale from A S Byrd Trustee To Abraham Layman
A Power of Attorney from Abraham Fusing To John G Coles
A Deed of Trust from Wm H Hammer to James A Lewis for M I Mayhoffer
same from Joseph Holcomb to Dana Ross for Wm H McDonnald
A Deed of Bargain & Sale from Christian Funk & Wife To Peter Brenaman
same from Jonas Spitzer & Wife To Mary Carr
same from Samuel Crabill & Wife To Henry Heckel
same from John Carr & Wife & Alexander & Daniel Holsinger
same from James M Foley To Peter Byerly
same from George Keagle & Wife To Calvin M Keagle
same from George Miller & Wife To George M Bowman
same from George Kratzer & Wife To Isaac Reinhart
same from Dana A Stover & Wife To Joseph Stover Jr
same from Peter Paulsel & Wife To John Paulsel
same from Peter Kaff & Wife To Isaac Reinhart
same from Henry Heckedon & Wife To George Holly
same from Elizabeth Harshbarger To Dana & Shem Harshbarger
same from Thomas K Harshbarger Com To Alexander Wigant
same from J. C Bowman & Wife To Dana B Stiles

Settlements of the Guardian Accounts of E T & H Warren Guardian for Dorcas E Caroline & Sally W Bear and of Joseph Funkhauser Guardian of Ann Lewis a Colored free child having been filed in the Clerks office of this Court for the time prescribed by Law it was prescribed in Court and no exceptions being offered thereto the same was confirmed and ordered to be recorded

On the Motion of Samuel Shank administrator who made oath thereto according to Law and together with Martin Burkholder and Henry S Stallsmith (as 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 directs a Certificate is granted him for obtaining Letters of administration in due form upon the estate of the said Jacob C Shank Deceased and it is ordered that John Bender Peter Burkholder Rhodes

Jacob Shank & John Winger or any three of them being first sworn do appraise the Estate of the said Jacob C Shank and make report to the Court

On the Motion of Samuel G Dundore who made oath thereto according to law and (Together with Jacob Dundore and Isaac Moffett as his securities who Justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Four Thousand Dollars Condition as the law requires a Certificate is granted him for obtaining Letters of administration on the Estate of Elijah Dundore Deceased and it is ordered that George Bowman Jacob Bierly John Albright John Landis & Henry Hengarduer or any three of them being first sworn do appraise the Estate of the said Elijah Dundore and make report to this Court Nancy Dundore the widow of the said Elijah Dundore Deceased ~~Say~~ a writing from under her hand renouncing to qualify

John Hengarduer Guardian of Jacob Leedy orphan of John Leedy Deceased Came into Court and resigned his Guardianship whereupon it is ordered to be entered of Record

Jacob Leedy orphan of Mahala Leedy & John Leedy over 14 years of age came into Court and made choice of Jacob Wise as his Guardian and thereupon the said Jacob Wise appeared in Court and together with John Klein and John J Bowman his securities who Justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $5000 Condition as the law requires

On the Motion of Abraham Mohler Administrator of Ann Parkey dec'd he is directed to pay into the hands of the General Agent of this Court fifty seven Dollars the amount coming to the Children of John Parkey Jr. Deceased from the Estate of Ann Parkey their Grand Mother and said Agent will place the same at interest subject to the future order of this Court

A paper purporting to be the last Will and Testament of John Cook deceased was this day presented to Court and it is ordered that Jacob Miller S. B Jennings and I. H Hite subscribing witnesses to said Will & Henry Bruce be summoned to appear before this Court on the First day of the Next Term to prove said Will

Mary K Loffland & Norman Smith Plff
vs
John Armentrout Deft } Upon a Suggestion that the Defendant is indebted to Geo Fawell

This day the Defendant appeared in Court and was examined on oath and it appearing from such Examination that he is indebted to the said Fawell in the sum of $100 on or before the 27th day of August 1860 with interest from the 27th of August 1860 and $2.90 Cents with interest from this date and that said amount be paid pro rata to the Pltfs of Mary K Loffland & Norman Smith It is therefore considered that the Plaintiffs recover against the said Deft the sum of $100 with interest from the said 27th of August 1860 and $2.90 Cents with interest from this date till paid

Raynes & Mohler Plff
vs
Thomas Burke Deft } Upon a Suggestion that the Defendant is indebted to John Lee

This day the Defendant appeared in Court and was examined on oath and it appearing from such examination that he is indebted to the said John Lee in the sum of $43.31 Cents ~~with interest from the date~~ due on this day It is therefore considered that the Plaintiffs recover against the said Defendant the said sum of $43.31 Cents with interest from this date until paid

John M Huffman who has been duly appointed a Notary Public for the County of Rockingham by a Commission from under the hand of the Governor under the Great Seal of this Commonwealth appeared in Court and (together with E H. B Huffman his security who justifies as to his sufficiency) entered into and acknowledged

a bond in the penalty of $500 Condemned as the law requires and thereupon the said Hoffman took the usual oath to the requisite bylaw

Ordered that B. F. Lindsey be appointed a Commissioner to apportion the hands to work on the Cross Valley road so as to apportion additional hands to said road and also report to the Court from what roads the said Hands are taken and make report to the Court

Thomas Burke appellant
vs
Jacob Sheets Appellee
} Issue and Appeal

On the Motion of the Appellee it is ordered that the case be dismissed at his Costs and that he have leave to withdraw the bond filed in the case the Clerk retaining a copy thereof among the papers

Ordered that John E Brown be and he is hereby removed from his office of Constable in this County and it is ordered that said John E Brown deliver to Jackson Knupp Constable all the papers now in his hands as Constable

John I. Bowman who has heretofore appointed a notary public for the County of Rockingham appeared in Court and together with S W Gamble his security who severally as to his respective entered into an acknowledged a bond in the penalty of $500 Condemned as the law requires

A Report of the Commissioners appointed to apportion Dower to Catherine Beard her Dower in the lands of her deceased Husband Jacob Burk was returned into Court and ordered to be recorded

On the Motion of Wm G Sigler Guardian of Robert Sickafoot it is ordered that Isaac Hardesty the Treasurer of this County pay the amount in his hands to the said Wm G Sigler for the support of the said Robert Sickafoot

John C. Sprinkle a Constable of this County presented in Court an account against the Commonwealth amounting to $5.00 which was examined, and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Counts vs Jacob Continued for Defendant

Stephen H Merry presented in Court an account against the Commonwealth amounting to $6.00 which was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Ordered that William G Thompson be appointed a Commissioner to reapportion the hands on the roads of which Daniel Thomas Lewis Davis & Daniel Driver are surveyors and make report to the Court

Counts vs Ramy upon a rule discharged

Abraham Funk Jacob Beaty Eli H Koontz George W Fulk who have been duly elected Overseers of the Poor for the County of Rockingham for the term of four years from the 1st day of July next appeared in Court and took the usual oaths prescribed by law which is ordered to be entered of Record

Richard P Fletcher Plff
vs
R Evans Defdt
In Debt

Amos Scott summoned as a Garnishee this day paid into Court to the Plffs Counsel $23. An account on J G Raynes for $2.25 Cents dated March 12th 1857 & the receipt of H. M Harnes Constable for a Claim on James W Thomas and W J Downs for $25.45 dated Jan. 9th 1858 & an Execution against William R Jones and W D Madison for $10.49 Cents dated Jan 9th 1858 which Claims are directed to be placed in the hands of the Sheriff to collect

On the Petition of Jacob Barley & others it is ordered that the road known as the Mountain Valley Road legalized & allowed to remain of the present width and where the width as found and used at present is less than 30 feet it is permitted to remain without change & where the road as found & opened for use is 30 feet it shall not be contracted or reduced in width

Upon the petition of James H Haw & others for a road the viewers having returned their report into Court it is ordered that Rebecca Baker through whose land the said road will run be summoned to shew at the next Court why the said road should not be established agreeable to said report

Adam M Bruce John C Sprinkle & William D. C Covington who have been duly elected Constables in & for the County of Rockingham for their respective districts for the term of two years from the 1st day of July next appeared in Court and took the usual oaths prescribed by law and severally entered into bonds with security in the penalty of $3.500 each conditioned as the law directs (the securities in said Bonds having justified to their sufficiency) which bonds were severally acknowledged by the parties thereto and ordered to be recorded

Jackson Knopp John M Ralston James F Lowman who have been duly elected Constables in & for the County of Rockingham for their respective districts for the term of two years from the 1st of July next appeared in Court and took the usual oaths prescribed by law and severally entered into bond with security in the penalty of $2000 each conditioned as the law directs (the securities in said Bonds having justified to their sufficiency) which bonds were severally acknowledged by the parties thereto and ordered to be recorded

James W Burgess who was duly elected a Constable in the County of Rockingham in third Magisterial district for the term of Two years from the 1st day of July next appeared in Court and together with Jacob Lago Daniel May William B Shuper & Pollas Burgess

his securities entered into and acknowledge a bond in the penalty of $7500 Condemned as the law directs and took the usual oaths of office as the law directs (the securities in said Bond having Justified as to their sufficiency) which bond was usually acknowledge by the parties thereto and ordered to be recorded

William H Rodeffer who was duly elected a Constable in the County of Rockingham in the 6th Magisterial district for the term of Two years from the 1st day of July next appeared in Court and together with B. F. Marby Robert Bowman and I H Long his securities entered into and acknowledged a bond in the penalty of Three Thousand Dollars Condemned as the law directs and took the usual oaths of office as the law directs (the securities in said Bond having Justified as to their sufficiency) which bond was usually acknowledged by the parties thereto and ordered to be recorded.

Oscar F A Parkey who was duly elected a Constable in the County of Rockingham in the 2nd Magisterial district for the term of Two years from the 1st day of July next appeared in Court and together with D. I. Meyerhoffer Craig Sawfley and Peter Hite his securities entered into and acknowledged a bond in the penalty of $7000 Condemned as the law directs and took the several oaths of office the securities in said Bond having Justified as to their sufficiency which bond was acknowledged by the parties thereto and ordered to be recorded

William H Hamrick who was duly elected a 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 1861 appeared in Court and together with John R Kooglr his security who Justified as to his sufficiency entered into and acknowledged a bond in the penalty of $5000 Condemned as the law requires and took the usual oaths of office required by law which bond is ordered to be recorded and

a Copy thereof transmitted to the auditor of Public accounts

Robert Mooney who was duly elected a Commissioner of the Revenue for the first Revenue collection district of Rockingham County to serve as such for the term of two years commencing on the first day of January 1861 appeared in Court and together with Joseph H Conrad his security who justified as to his sufficiency entered into and acknowledged a bond in the penalty of $5000 Conditioned as the law directs and thereupon the said Robert Mooney took the several oaths of office required by law which bond is ordered to be recorded and a Copy thereof transmitted to the first Auditor of Public Accounts

Mc Cue vs Snell &c Upon an Attorney Bond Note sued and Judgment and Executions awarded

Shirley vs Snell &c same

Ordered that Henry Shank be appointed Surveyor of Precinct No 2 on the Woodstock Road in the room of Joseph Sharp resigned

Ordered that Nathaniel Flook be appointed Surveyor of Precinct No 1 on the Armentrout Mill road in the room of Wm Armentrout

Ordered that Daniel P Ragan be appointed Surveyor of Precinct No 1 on the Mehrow and Kratzer Road in the room of John E Lovel

Ordered that Phelps Reshe be appointed Surveyor of Precinct No 3 on the Pendleton & Brocks Gap Road in the room of Absolem Reshe

Ordered that Suters be appointed Surveyor of Precinct No 1 on the Harrisonburg & Hopkins Mill road in the room of John I Miller

Ordered that Emanuel Wise be appointed Surveyor of Precinct No 0 on the Ashby Butler road in the room of Joseph Miller

H. S. Jones &c Plff

&c vs } In Chancery

J. B Yost &c Defts

It is hereby ordered that a rule be

Attachm
Pet 18

Rule & Prat

spued returnable to the July Term of this Court against the Sheriff of Harrison County to shew cause why he shall not be fined & attached for contempt in failing to make a proper & Suffient return of an Attachment spued at the March Term of this Court & directed to the said Sheriff commanding him to attach I M Sommers befor the Justices of this Court to answer as well for a certain contempt by him to us offered as to said as well as to other things which to him shall be then & there objected & that a new precp of attachment be spued and directed to the said Sheriff returnable to the July Term of this Court against the said Samuel M Sommers to answer for his said Default

James F Sommers Constable of Rockingham presented to Court an account against the Commonwealth in attempting to arrest Thomas Smallwood charged with Murder amounting to $93.92 Cents which was examined and allowed by the Court and ordered to be certified to the Auditor of Public Accounts

James F Sommers a Constable of Rockingham County presented an account against the Commonwealth for arresting Samuel Jones & others charged with felony amounting to $7.00 which was examined & allowed by the Court and ordered to be certified to the Auditor of Public Accounts

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

Nadson Bare

Tuesday the 19th of June 1860

Present

Hasson Barr P.J. C.C. Sterling Adam H. Fulk Samuel R. Sprinkle
Jackson Horn Wm N. Miller Samuel Reubush W. Donough Harris
Archibald Hopkins Jr. Douglas Marty Reuben Huffman Charles R. Rusk
Wm B. Gainey Isaac Wright Bushrod Rust Peter P. Koontz Jonathan S. } 4 Justices
Speck William Sanfley Robert Black Michael H. Harris Isaac
Hardesty John A. Lee Wm W. Carpenter Samuel W. Coffman A.M.
Newman John H. Hopkins Christian R. Mayers Andrew Shank

On the Motion of John R. Koontz Sheriff of this County Benjamin Rice is admitted his Deputy who thereupon took the usual oaths of office as the law requires which is ordered to be entered of Record

Isaac Hardesty Reuben of this Court Came into Court and Resigned his office as such which is ordered to be entered of Record

Ordered that Andrew B. Irvin be appointed County Pilot in the room of William G. Stevens deceased

Ordered that Samuel Shacklett be allowed $25 for his services as agent to be retained out of any funds in his hands as agent to disburse the last Levied for the purpose of paying the subscription by the County to the Manassa Gap Rail Road

Samuel Shacklett agent for this County in disbursing the rail road last this day made his report which was received and ordered to be filed

Ordered that John Paul be appointed Surveyor Pursuant &c on the Mountain road in the room of Rand Hollar

Ordered that George Bruffey be appointed a Grand Juror of this Court in the room of Isaac Hardesty resigned and thereupon the said George Bruffey appeared in Court and entered into Bond with security in the penalty of $2000 Condition as the law directs which is ordered to be recorded

Resolved that the $50.000 of Rockingham County Bonds not yet issued to the Credit of the Manassas Gap Rail Road company on account of the Subscription by the County of Rockingham be subscribed and delivered to said Company upon the condition that said $50.000 of Bonds are not to bear interest until from and after the 1st of January 1861

Resolved that Dr Anderson M Newman as agent to subscribe and deliver said County Bonds to said Company

Ordered that Erasmus Coffman Samuel Sharkett and E. C Marshall be appointed agents of this County to execute guaranty bonds of the County, which bonds shall carry six per cent interest payable semi annually in January & July with coupons attached for interest payable in the City of New York or elsewhere for such portion of said bonds as said agent may deem advisable the principal of said Bonds redeemable in Twenty years with power to said agents to dispose of said Bonds in such sums and on such terms as they deem Judicious and proper to raise the sum equired to meet the instalments or requisitions on the stock which shall be subscribed for on behalf of this Court and County of the capital stock of the Manassas Gap rail road Company as the same may be required by the Company in conformity with the order this day entered by this Court

Ordered that the Clerk of this Court procure a Book in which he shall transcribe all orders heretofore made or which may hereafter be made in relation to the Manassas Gap rail Road together with the several reports of the agent

Alexander H Chrisman who was duly elected a Commissioner of the Revenue for the third revenue collection district of Rockingham County to serve as such for the term of two years Commencing on the first day of January 1861 appeared in Court and together with S. R Allebaugh & A. S Byrd his securities who Justified as to their Sufficiency entered into and acknowledged a bond in the penalty of $5000 Conditioned as the law requires and thereupon the said Henry A Chrisman took the several oaths of office required by law which bond is ordered to be recorded and a copy thereof transmitted to the first Auditor of Public Accounts

O. C Sterling County agent this day made his annual report which was received and ordered to be filed

On the Application of John R Koogle and he having paid the last imposed by law to enable him to sell by retail ardent Spirits it is ordered to be Certified that he is a person of good character and his House is a proper and fit place to retail ardent spirits

H. C Ammon I. T Logan Christian Miller R. G Coakley S. R Allebaugh Henry Neff Hama Sibert Deputies for J. R Koogle Sheriff of this County returned list of Delinquents in this County Levy and rail road Tax for the year 1859 which being shown to was examined and allowed by this Court and ordered to be filed

Ordered that John Frecase be exempt from the payment of County Taxes and Parish Levies

Ordered that the agent of this County be authorized to sell Two small Mares and some steps belonging to the County

A report of the agent of the Overseers of the Poor was returned into Court and examined and ordered to be filed

A Joint report of the Agents of the Overseers Poor & the county agent was returned into Court and being examined is ordered to be filed

Ordered that a Levy of 10 Cents on each hundred dollars on the
aspesed 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 making the interest on the Bonds issued by
the County under the order of the Court adopted at June Court 1855
which shall be collected by the Sheriff who shall receive a compen
sation of Three per Cent for the collection thereof and pay the same
into the Bank of Rockingham County subject to the order of
Samuel Shacklett the agent of this Court and the Commissioners
of the revenue for this County are required to open a seperate
Column on their Sheriffs Book for the proper amount of the Levy
imposed by the foregoing order and said Commissioners for their
said Service shall receive each the sum of $20

Thomas L Gaurey Esqr who was Elected attorney for the Commonwealth of this County appeared in Court and tooke the usual oaths of office as the Law directs which is ordered to be entered of Record

On the Motion of George A Blakemore Esqr and he having taken the usual oaths of office prescribed by Law is admitted to practice as an attorney in this Court

~~Thos Lockart presented a Levy~~
Ordered that Anderson M Newman Michael H Harris and John H Hopkins be appointed a Committee to examine the Books and accounts of the agent of this County and make report to the Next June Court

Ordered that the hands on the plantation of John Enos be placed on the road of which John Koontz is the overseer

The Court proceeded to lay the County and parish levies 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 and appropriations made $2304.33

Claims allowed & appropriations made by the County Court this day allowance to County Officers pay of Justices & 4684.22

Supposed number of delinquents say 700 @ $2.25 1575.00

" Sheriffs Commissions for collecting Levy 675.00

Amt to be applied to the purchase of a farm for the support of the Poor 2319.95

Balance supposed to be sufficient to meet expences of Poor at Poor House and to meet contingent expences of County & Parish 1730.92

$13289.42

To meet the above allowances and charges take amount due from the Sheriff and County & Parish agents

Amount 1464.42

Suppose 5700 Lots at $2.25 12825.00 $13289.42

Ordered that the Sheriff of this County collect from each tithable in the County not exempted by Law $2.25 Cents One Dollar and Twenty Five Cents of which shall be appropriated to the Parish and One Dollar and five Cents to the County and out of the money arising from the collections 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 and Commissions pay to the agent of the County & Parish

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

Nason Bare

11

In the Clerk's Office of the County Court of Rockingham June 26' 1860

John Meperly use of B H Richard Plff
to
William C. M Alister & George S Christie Defts } In Debt

This day the Deft Wm C M Alister appeares in the office aforesaid and confesed judgment for $125. the debt in the writ mentioned with interest and costs. and in the office aforesaid June 29' 1860 the deft George S Christie appeared and confesed judgment for $125. the debt aforesaid with interest and costs It is therefore considered that the plaintiff recover against the defendants $125.00 the debt aforesaid with legal interest thereon from the 22d day of March 1860 till paid and the costs by the Pltff about his suit in this behalf expended

Test

Wm D Frantz Cc

5 70
80
12.1 0,00

6 00

At a Court held for Rockingham County, at the Court-House thereof on Monday the 16th day of July 1860

Present

+ Mason Bare P.J. + Ole Sterling + Jno G Coates + Jonathan S Speck } Gent Justices

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

A Deed of Bargain & Sale from Wm Eberman wife to Sam'l Olinger & trustees
Same from Christopher Miller &c to George Kyger
A Deed of Trust from Philip Long & wife to C C Branner In Trust for B F & Coover
Same from Jos Shoemaker & wife to Jno C Shrinker In Trust for D Pennybacker
A Deed of Bargain & Sale from David Rodes' Com'rs to Jacob Earley
Same from Enos Whitsel & wife to John Kennedy
Same from A Gray & to Richard Jarrels trustee for Jane Jarrels
Same from David Hoover & wife & to David Same
Same from Same to Noah Same
Same from Lewis Coplinger & wife to Hugh Coplinger
Same from David Rose Com'r to Jacob Sheets
Same from Josephus Rinker to Mary Johnson
Same from John Glick & wife to Lewis Yirkle
A Deed of Trust from Wm C McAlister &c to D P Heldenstine In Trust for R A Gray &c

A Settlement of the estate of Alfred S Wolf dec'd having been filed in the Clerk's Office of this Court was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

The Same of the estate of Barbara Neff dec'd
The Same Order

Same of the estate of Wm L Bowers dec'd
The Same Order.

A Settlement of the estate of J W Yingle dec'd having been filed in the Clerk's Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded.

Same of the estate of David Burkholder dec'd
The Same order

Same of the estate of John B Long dec'd
The Same order

Same of the estate of Thomas Nichol dec'd
The Same order

Same of the estate of David Showalter dec'd
The Same order

Same of the estate of Malinda Dever dec'd
The Same order

A Settlement of the a/c of Abraham Funk Guad for Jos D Bauman
The Same order

Same of J M McCue Guad for Isabella Wolgamuth
The Same order

Same of Daniel Bauman Guad for Barbara E Lowenbach
The Same order

Same from John Earhart Guad for Rebecca L Wise
The Same order

Same of Same Guad for Christian L Wise
The Same Order

James Kenney who has been duly appointed and commissioned a Notary Public for this County, appeared in Court and together with Joseph D Logan his security entered into and acknowledged a bond in the penalty of two hundred and fifty dollars conditioned according to law which bond is ordered to be recorded

The last will and testament of Frederick Hummel dec'd was presented in Court and proved by the oaths of John Bowman & William E Coffman the witnesses thereto and ordered to be recorded and thereupon William E Coffman the executor therein named appeared in Court and refused to take upon himself the burthen of the execution thereof

On the Motion of Adam L Bear Guardian for Thurston, Salina & Sidney Wolf, it is ordered that he render an account of his Guardianship before Wm M'K Wartmann, who is directed examine state & settle said account and report thereon to the Court according to law

On the Motion of Adam L Bear guardian for Thurston, Selina and Sidney Wolf, It is ordered that Wm M'K Wartmann be appointed a special commissioner to report at the next term of this Court or as soon thereafter as may be, the propriety of using a portion of the principal for the education of his said Wards

Rinehart vs Shanks on delivery bond notice proved and execution awarded

Ordered that the Sheriff of this County publish by publication in one of the Newspapers published in Harrisonburg a list of delinquents lands to be sold by said Sheriff during the present year for the non payment of the taxes due thereon

On the Motion of John Sites & Son, the Commonwealth attorney being present and defending the motion it is ordered that they be released from the payment of a tax of $16.67 for the tax assessed on an old bowling alley and $15 for the tax assessed on them as merchants which assessments were for the year 1859 and as appears by evidence were erroneously made

On Motion and for reasons appearing to the court, it is ordered that Wm McK Martin a special Commissioner to examine state and settle the executorial account of Strother Sheets executor of Samuel Sheets decd- and report thereon to the court according to law

On the Motion of John R Kogler Sheriff of this county. and with the consent of the court John F Long is permitted to qualify as his deputy and thereupon the said John F Long took the several oaths required by law

Samuel A Wise orphan of Adam Wise jr who is upwards of 14 years of age. by an instrument of writing. made choice of Harvey Wise as his guardian. and thereupon Harvey Wise appeared in Court and together with Peter Wise his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $850. conditioned as the law requires

On the motion of H H Stevens who wished to obtain a license to practise as an attorney in the courts of this commonwealth, it is ordered to be certified that he is a man of honest demeanor and upwards of 21 years of age, and has resided in this county for the last 12 Months.

On the Motion of S W Garnett trustee of Jeremiah Parrett it is ordered that he render an account of his acting and doing as such trustee before Wm McK Martin comm. who is directed to examine state and settle said account and report thereon to the Court according to law

Ordered that any one of the Overseers of the Poor for this county bind according to law to David Scott, a boy named Samuel Easton aged 15 years. said Scott to pay to said boy when he arrives to the age of 21 years the sum of $20

Ordered that any one of the Overseers of the Poor for this county bind according to law to David Scott, a Negro girl Josephine Atkinson

aged 12 years old 16th of July untill she is eighteen years old. at which time said Scott is to pay her $20

Ordered that Ahab Dove be appointed surveyor of precinct No in place of Philip Sowders resigned

Ordered that Adam Ritchie be appointed surveyor of precinct No in place of Thomas Turner resigned

George Begoone Pltff
vs
H M Harris & Defts
} Upon a Notice

This day came the pltff by attorney and it appearing that the defts herein had legal notice of this motion and they not appearing it is considered that the pltff recover against them $45 with legal interest thereon from the 18th day of January 1858 to the 29th day of May 1859. and damages at the rate of 15 per centum per annum on the amount then due from the said 29th day of May 1859 till herein and the costs by the pltff about his motion in this behalf expended

Same Pltff
vs
Same Defts
} Upon a Notice

This day came the pltff by his attorney and it appearing that the defts hath had legal notice of this motion and they not appearing. it is considered that the pltff recover against them $13. with legal interest on $8. part thereof from the 25th day of Dec. 1858 and on $5. the residue thereof from the 29th day of Dec 1859 to the 16 of July 1859. and damages on the amount then due at the rate of 15 per centum per annum from the said 16th day of July 1859 till herein and the costs by the pltff about his suit in this behalf expended

Philip Swigartz Pltff
vs
Same Defts
} Upon a Notice

This day came the pltff by his attorney and it appearing

that the defts hath had legal notice of this motion and they not appearing it is considered that the pltff recover against them $41.60¾ with damages thereon at the rate of 15 per centum per annum from the 19th day of December 1858 till paid and the costs by the pltff about his motion in this behalf expended

John Robinson &c Pltff
vs
James Jones. Deft } Upon a Notice

This day came the parties by their attornies and on motion of the pltff by their attorney it ordered that the defendant as admr of Isreal Jones decd ~~despise a new bond as such~~ despise a new bond as such admr. and thereupon the said James Jones appeared in Court and together with Fielding Jones his security who acks by the Clerk of this Court under a power of attorney bearing date on the 21 day of June 1860 and duly authenticated, entered into and acknowledged a new bond in the penalty of thirteen hundred dollars conditioned as the law requires. It is considered that the pltff recover of the Deft their costs in this behalf expended

D S Jones &c Pltff
vs
J B Yost &c Defts } In Chancery

This cause came on this day again to be heard upon the papers formerly read and the rule rendered at the last term of the Court requiring the Sheriff of Harrison County to shew cause why he should not be fined and attached for failing to make a sufficient & lawful return of the attachment issued & directed him against S M Sommers for contempt of this Court being duly returned "executed" & the said Sheriff being solemnly called and not appearing. It is adjudged ordered and decreed that the Commonwealth of Virginia recover of the said Sheriff fifty dollars fine for his said contempt, & that unless the said Sheriff shall pay the same to the receiver of this Court within thirty days execution shall issue for the same directed to the Coroner of Harrison County who shall thereupon proceed to levy upon & sell sufficient of the goods & chattels of the said Sheriff as shall

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be sufficient to satisfy the said fine & all costs attending this proceedings & make return of his proceedings therein to the next October term of this court and it is further ordered that an other attachment be issued directed to the said Sheriff of Harrison against the said Samuel McSimmons for his said contempt

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G W Yancey &c Pltffs
vs
Daniel Yetter Deft } Injunction Notice

This day came the pltffs by their attorney and it appearing that the deft hath had legal notice of this motion and he being solemnly called and not appearing it is considered that the power and authority as Guardian for Mary C & Erasmus Taylor be revoked and annulled and that the pltffs recover against the deft their costs in this behalf expended

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Ordered that George Archart be appointed a surveyor of precinct No 1 of road No 20 in the place of Madias Minich resigned

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Theodorus H Sellers. Asher Argalight. Hiram R Kite. Wm S Miller Samuel H Lewis Sen. William Sawley Fountain McLayton M Donough Harris. Josiah S Roller. Isaac Wright. Peter F Eamman. Wm M Miller Robert Black. Jonathan S Speck. Peter Paul. John H C Hopkins Christian R Meyers. Archibald Hopkins. Samuel A Coffman. Stephen M Harnberger. O B Sterling. Andrew Hoover. Anderson M Newman Algernon S Gray. Wm B Carpenter. Donlas Martz. Shelton H Conner Madison Moore. Benjamin Hoover. George Brannon O Perry Hoover Lewis Hill. Jacob Caplinger and George Fawley produced in court commissions from the Governor of Virginia under the Seal of this Commonwealth dated the 21st day of June 1860. wherein they are commissioned Justices of the Peace for the County of Rockingham to reside in their respective districts and to hold their said offices for the term of four years commencing on the 1st day of August 1860 whereupon the severally took the oaths prescribed by law. which is ordered to be entered of record

The court doth appoint Caroline Kite guardian for Conrad H Kite orphan of Conrad H Kite decd who is under the age of 14 years of age and thereupon the said Caroline Kite appeared in Court and together with Joseph H Kite & Gelverton & Ammon her securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires which bond is ordered to be recorded

Present Isaac Wright Wm W Carpenter & Trent J S Speck Gent Justices

Wm H Barley pltff
vs
John Byerly Deft
} In Debt upon an Attachment

It appearing that the defendant John Byerly has no personal estate with which to satisfy the demand of the plaintiff it is ordered that the sheriff of this County proceed to make sale of the real estate levied upon under the attachment issued in this cause upon a credit of three months the purchaser to give a negotiable note with a good endorser

On the motion of McDonough Harris who made oath thereto according to law and together with Thomas L Yancey 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 a certificate is granted him for obtaining letters of administration in due form upon the estate of Samuel Bare decd and it is ordered that George Kiser Abraham Funkhouser Cyprus G Barley and John T Moyers or any three of them being first duly sworn for that purpose do appraise the estate of Samuel Bare decd and report thereon to the Court according to law

Upon the petition of John P Brock for a change in a road on motion of the petitioner by his attorney he has leave to make the proposed change and the same to be received as a public road when the overseer thereof is of opinion that it is in the order required by law

John Dinkel Pltff
vs
Wm Schmucker Deft
} Upon an Attachment

This day came the pltff by his attorney and the deft being solemnly called and not appearing, on the motion of the pltff it is ordered that this cause be placed upon the docket, and it is further ordered that the Sheriff of Augusta County make sale of the effects levied upon by him under the said attachment according to law and hold the proceeds subject to the order of this court, and that he ~~report~~ return an account of such sale to the next term of this court

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Same Pltff
vs
Same Deft
} upon an attachment

This day came the pltff by his attorney and the deft being solemnly called and not appearing it is ordered that this cause be placed upon the docket and continued until the next term

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David Link Pltff
vs
Same Deft
} Upon an Attachment
The Same order

Same Pltff
vs
Same Deft
} Upon an Attachment
The Same order

Same Pltff
vs
Same Deft
} upon an attachment
The same order

Same Pltff
vs
Same Deft
} Upon an Attachment
The Same order

Bruns & Byrd &c — Pltff
vs
Wm Schmucker — Deft
} Upon an Attachment

This day came the pltff by attorney and the deft being solemnly called and not appearing, it is ordered that this cause be placed upon the docket and continued until the next term

Mark Jenkins — Pltff
vs
Same — Deft
} Upon an attachment The Same order

Wm H Ruffner &c — Pltff
vs
Same — Deft
} Upon an attachment The Same order

Ruffner & Upp — Pltffs
vs
Same — Deft
} Upon an attachment The Same order

Sibert & Son — Pltffs
vs
Same — Deft
} Upon an attachment The Same order

Speck & Altaffer — Pltffs
vs
Same — Defts
} Upon an attachment The Same order

On the Motion of the plaintiffs in the several attachments this day returned against Wm Schmucker it is ordered that the Sheriff of this County, make sale of the attached effects the personal property to be sold for cash and the real estate on the following terms viz one third in six months, one third in twelve months and one third in eighteen months, taking from the purchasers or purchasers bonds with good security, and hold the proceeds of the sale of the personal property subject to the order of this Court, and return an account of such sale to the next Court

Madison Moore — Pltff
vs
Michael Sellers admr of Andrew Sellers decd — Deft
} Upon a Motion

This day came the pltff by his attorney and it appearing that the deft hath had legal notice of this motion and he being solemnly called and not appearing on the motion of the pltff by his attorney it is ordered that the deft 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 required to give a new bond with new security as administrator of Andrew Sellers decd

A C Heenelberger — Pltff
vs
Robert M Mooney — Deft
} Upon a Motion

This day came the pltff 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 this cause be placed upon the docket and continued until the next term

Same — Pltff
vs
Same — Deft
} Upon a Motion

The same order

The last will and testament of John Cook decd was presented in court and proved by the oaths of S B Jennings & Joseph H Kite the subscribing witnesses thereto and ordered to be recorded and thereupon came and there being no executor appointed by said will Robert B Cook by his attorney as Margaret Miller George W Miller & Joseph H Conrad by their attorney and sundry witnesses being sworn & examined the court upon mature deliberation are of opinion that Robert B Cook is entitled to administration upon the said estate and thereupon the said Robert B Cook appeared in court and made oath thereto according to law and together with George W Hamsberger Robert H Spindle Adam C Bear & Jacob Bear his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of One hundred and thirty five thousand dollars conditioned

as the law directs. certificate is granted the said Robert Black for obtaining letters of administration on the said decedants estate with his will annexed in due form

Ordered that Jacob Ammon Joseph Moyers Henry Buell & Wm K Miller or any three of them being first sworn for that purpose do appraise the estate of John Lark dec'd and return thereof to the court according to law

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

Nason Bare

"

At a Meeting of the Justices of the Peace for the County of Rockingham (elected by the Voters thereof on the 27th day of May 1860. held at the Court-house of said County on Monday the 16th day of July 1860 in pursuance of law

Present

Theodorus N Sellers Asher Argabright Hiram Aslite Wm S Miller Samuel H Lewis Sen. Wm Sawfley A N Dayton. McDonagh Harris Josiah S Keller. Isaac Wright. Peter S Carman. Wm N Miller. Robert Black. J S Speck. Peter Paul. John H Hopkins. Christian R Moyers Archibald Hopkins. Samuel A Coffman. Stephen N Harnsberger O O Sterling. Andrew Houck. Anderson N Newman. Algernon S Gray Wm M Carpenter. Dorilas Marty. Shelton H Harris. Madison Moore Benjamin Hoover. George Brunner. O Perry Hoon. Lewis Buell Jacob Caplinger and George Fawley. being a majority of the Justices elected for said County

On Motion the Meeting proceeded to the election of one of their own body to be the presiding Justice of the Court

and the names of the justices present being polled and Anderson N Newman having received the votes of a Majority of the Justices present. he the said Anderson N Newman was thereupon declared elected presiding justice of the County Court of Rockingham

Ordered that Hiram Aslite. S H Lewis. McDonagh Harris. J S Speck Archd Hopkins Alg Gray. Dorilas Marty. Benj Hoover & Jacob Caplinger. be appointed a committee whose duty it shall be to classify the justices of the Court. & report thereon to the next term

Test

A N Newman

Wm D Grattan Clk

Tuesday July 17th 1860

Present

x Reason Bare P.J. x John G Cooter x Ob Sterling } Gent
and Jonathan S Speck } Justices

Ordered that David Kinzie be appointed surveyor of precinct No in the place of Wm Rockheffer resigned.

John C Walker who has been heretofore appointed and qualified as a Notary Public in and for the County of Rockingham, this day appeared in Court, and together with Littleton W Gamliel his security, entered into and acknowledged a new bond in the penalty of $500, conditioned as the law require

This day came again Robert B Cook, Joseph H Conrad and George W Miller by their attornies, and by consent it is ordered that the order entered on yesterday granting administration with the will annexed of John Cook dec'd to the said Robert B Cook be revoked and annulled.

On the Motion of Robert B Cook Joseph H Conrad & George W Miller who made oath according to law, and with Denich Pennybacker, Samuel P H Miller, Charles B Yancey, Edward S Yancey, John C Walker, John J C Wartmann, and Peter B Borst their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of One hundred and thirty five thousand dollars, conditioned as the law directs, certificate is granted them for obtaining letters of administration on the estate of John Cook deceased, with his will proved and recorded on yesterday in this Court, annexed in due form

Ordered that Joseph McKite, Henry Miller, Henry Buell and Jacob Ammon or any three of them being first duly sworn for that purpose do appraise the estate of John Cook dec'd and report thereon to the Court according to law

Richard Jarrels v Commonwealth Appeal. On Motion this cause is continued until the next term at the costs of the appellant

Manahas Gap Rail Road Company Pltff
vs
Robert Alyssay Deft
} Upon a Notice

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 Pltff

Same Pltff
vs
Same Deft
} Upon a Notice
The Same order

Absent Naason Bare Gent Justice

Upon the Volentary retirement of Naason Bare Esquire from the honorable and responsible position of Presiding Justice of the County Court of Rockingham, the members of the Bar, the officers of the Court, and his associates on the Bench, desire to express their regret at the official separation which is thus produced. They bear willing testimony to the dignity, impartiality and fairness with which he ever discharged the varied and responsible duties devolving on him. His uniform kindness and courtesy towards all persons having business with the Court, are worthy and do receive our highest commendation, and as a further testimonial of our high regard for him as a man and as the presiding officer of the Court, we ask that this expression of our feelings, may be spread upon the minutes of the Court

Present. Naason Bare, Gent Justice

John R Koogler Pltff
vs
James H Conrey & Defts
} Upon a Notice

This day came the parties by their attornies, and upon deliberation it is considered by the Court that the Pltff recover against the defendants ~~the sum of $77.29~~ James H Conrey, James I Harris

S. B. Whitescarver, John Smith & Samuel Funkhouser the sum of $77.29 with interest thereon at the rate of six per centum per annum from the 18th day of January 1857 till the 15th day of June 1857 and $2.48 cts it being the amount of a writ of fifa. placed in the hands of the said James H. Coursey as deputy sheriff for collection, and damages upon the whole amount then due from the said ~~day of~~ at the rate of fifteen per centum per annum from the said 15th day of June 1857 till paid, and the costs by the pltff about his motion in this behalf expended

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

Nason Bare

In the Clerk's Office of the County Court of Rockingham July 19th 1860

Abel Gibbons Pltff
vs
Michael Hoover Deft } In Debt

This day the defendant appeared in the Office aforesaid and confessed judgment for Ninety seven dollars and forty seven cents the debt in the writ mentioned with interest and costs

It is therefore considered that the plaintiff recover against the defendant $97.47 the debt aforesaid with interest thereon to be computed after the rate of six per centum per annum from this day, and the costs by the pltff about his suit in this behalf expended

Teste

Wm D Frout DC

At a court summoned and held for Rockingham County at the Court House on the 21st day of July 1860. for the examination of Jacob H Whitsel who stands charged with a felony by him committed in this. that he did on the 10th day of July 1860 feloniously forge a certain bond for the payment of one hundred and seventy dollars purporting to have been signed by one John Wolfly. jointly and severally with the said Jacob H Whitsel. and purporting to be dated on the 10th day of July 1860 with intent to defraud and that the sd Jacob H Whitsel the 12th day of July 1860. did then and there feloniously utter and employ the said bond a true and genuine bond he the said Jacob H Whitsel knowing the same to be forged with intent to defraud

Present

Naas Bare P.J. Anderson M. Neuman H. Speck } Gent
Robert Black Andrew Houck } Justices

The said Jacob H Whitsel appeared in court in pursuance to his recognizance entered into before a justice of the peace and the court being of opinion that there is not probable cause to charge the prisoner with the felony aforesaid. it is therefore considered that he be discharged and acquitted of the said felony

And thereupon the court arrose

Naason Bare

At a County Court held for Rockingham County at the Court house thereof on Monday the 20th day of August 1860

Present

+Anderson M Neuman & +Jacob Caplinger } Gent
+Jonathan S Speck +Wm W Carpenter & Hetterling } Justices

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

A Contract between George H Shaver & Michael Shank
A Deed of Bargain & Sale from Jno W G Smith Comr to James Steele
Same from John Carr & wife to Joseph J Showalter
Same from Silas Flick to Richard James Trustee
Same from James Kenney Comr to Abraham Miller
Same from Jacob Seiver & wife to Reuben Hottinger
Same from Abraham Shaver & wife & to Jacob May
Same from Samuel G & H Strickler to Philip Strickler
A Deed of Partition between Samuel Shank & wife & J H Bowman & wife
A Deed of Bargain & Sale from Joseph Longly to Charles Bradley
Same from Thos K Harnsberger Comr to David Gilmer
Same from Enoch Eagle & wife to Elizabeth Simmons
Same from Saml J Keller & wife to J J Jackson & Thos J Thurman
Same from Adam Heavenhelver & Co to Chas Sherman & J Moore
Same from Elizabeth Rawlroad & to D Pennybacker
Same from Charles Funk & wife to James Heltzel
Same from Wm J Miller & wife to John Wine Trustee
Same from David Rose & wife to John H Rogers & Peter S Roller
Same from Allan C Bryan Trustee to David Rose
Same from Peter S Roller & wife to Same
Same from Whitfield Shangler to Milly Shangler
Same from John A Herring Comr to Philo Bradley
Same from Thomas Brew to Daniel Layman
A Deed of Trust from Wm Hansford to James Steele & Trust for Elizabeth Taylor

A Deed of Bargain & Sale from George Baker & to Rebecca Baker
Same from Davd. Gilmer & wife to G. H. Hopkins & G. Kisling
Same from Henry Michael & wife to Same
Same from Joseph Mauzy & wife to Same
Same from Levi Weis & wife to Robert M. Dinkel

A Settlement of the estate of Frederick Hazelrod dec'd. having been filed in the Clerk's Office of this Court for the time prescribed by law. it as presented in Court and no exceptions being offered thereto. the same is confirmed and ordered to be recorded

Same of the estate of Isaac Thomas dec'd.
The Same order

Same of the estate of Anna Wampler dec'd.
The Same order

Same of the estate of George Sawley Senr. dec'd.
The Same order

Same of the estate of Jacob Shoualter dec'd.
The Same order

Same of the estate of Jacob Sunnyfrank dec'd.
The Same order

Same of the estate of George Arey dec'd.
The Same order

Same of the estate of the estate Wm. B. Yancey dec'd.
The Same order

A Settlement of the a/c of Asher Argabright receiver for the est of H. Powell dec'd. having been filed for the time prescribed by law. was presented in Court & no exceptions being offered thereto. the same is confirmed and ordered to be recorded

A Settlement of the accounts of Isaac Wenger guardian for Mary C. Niswander & having been filed in the Clerk's office of this court for the time prescribed by law, was presented in court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of John Niswander guardian for Lucy J Williams
The Same order

Same of Samuel Heatrich guardian for Mary Hannah
The Same order

Same of John G Fulton guardian for James A Deer
The Same order

Same of John G Brown guardian for Samuel Hunter &c
The Same order

~~Same of Geo Dair trustee of P.T. Hinkle~~
~~The Same order~~

Same of Michael Hannan Committee for David Hannan
The Same order

Same of P.T. Burkholder Committee for Sarah M Kratzer
The Same order

Certificates of the qualification of Samuel R Sprinkel and Adam H Ruhl who were on the 21st day of May last duly elected justices of the peace for Rockingham County were presented in court and ordered to be filed

Ordered that Richard P Fletcher one of the Commissioners of this court do settle the accounts of the receivers of this court both general & special and of all persons to whom any money has been loaned under the order of this court and which remains undisbursed said accounts are

to be made under the 11 Section of Chapter 80. of the acts of the General ~~assembly~~ of Virginia passed June 3d 1852

R M Mooney a commissioner of the revenue for this county presented in court an account against the Commonwealth amounting to $5.85. which being sworn to in open court, was examined and allowed and ordered to be certified to the auditor of Public accounts. and it is ordered to be certified that the said commissioner returned a list of 156 Births and 99 Death. that the said returns are accurately & fully made and returned within the time prescribed by the law regulating the same

H A Chrisman a commissioner of the revenue for this county presented in court an account against the Commonwealth amounting to $7.98. which being sworn to. was examined allowed and ordered to be certified to the auditor of public accounts. and it is ordered to be certified that the said commissioner returned a list of 306 Births and 60 Deaths. that the said returns are accurately & fully made and returned within the time prescribed by the law regulating the same

Upon the motion of Thomas Moore & John Moore executors of Reuben Moore deceased. who was the executor of Martin Mantz deceased. it is ordered that they pay into the hands of George Braffy the General receiver of this court. the balance found to be due the heirs of John West deceased by the report of Commissioner Thompson of the date of the 28d of April 1857 and unpaid which balance is $14.59.38 with interest from the said 23d of April 1857 & this date after deducting $23.04 taxes paid on said fund since said report and $5. attorneys fee for motion

The Committee heretofore appointed to classify the justices of this court made their report which is ordered to be entered on the minutes as follows to wit. Class No 1

August Court. Jacob Caplinger. George Brammer. Wm Carpenter

Jonathan S Speck

Sept & Oct court. John H Hopkins Wm N Miller Wm & Wm D Harris Samuel H Lewis & Theodorus N Sellers.

Class. No 2

November court. George Hawley Dorilas Marty Benjamin F Coover Fountain M Layton

December & Jany courts. Christian R Moyers Robert Black Josiah S Roller Wm Sawfley. Asher Argabright

Class No 3

Feby court. Adam Fleck. A Perry Horn. A Sterrip. Arch'd Hopkins

March & April courts. Shelton Harris. Isaac Wright. Sol M Harnsberger Hiram A Kite

Class No 4

May court. Samuel R Spinkle Lewis Wise. Madison Moore Wm S Miller

June & July courts Saml Claffman. Peter Paul. Peter A Earman. Andrew Hauck X Wm S Miller

The Justices assigned to the Monthly terms will alternate with those assigned to the Quarterly Terms every succeeding year, until the expiration of their term of office

Yelverton L Ammon who was on the 21st day of May in the year 1860 duly elected Sheriff of the County of Rockingham to serve as such for the term of two years. commencing on the 1st day of January 1861 and afterwards until his successor is qualified to enter upon the discharge of the duties thereof. this day appeared in court and together with Jebulon D Gilmer. James M Weaver. Edward S Yancey. George W Hedrick Thomas L Yancey. Henry Neff. Wm M Carpenter. Joseph H Conrad Hiram A Kite. Robert L Yancey. Charles R Rush and Charles D Yancey, 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 to transmit a copy of said bond and a copy of this order to the Auditor of Public accounts. and thereupon the said Yelverton L Ammon took the several oaths required by law

Jonas Hollan. Perry H Baugher. John Shavalter. Susan Shavalter

Daniel P Calhoun & Erasmus Long who have been duly summoned to appear here to give evidence before the Grand Jury being solemnly called and not appearing it is ordered that they be summoned to appear here on tomorrow to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

An Instrument of writing purporting to be the last will & testament of Daniel Yount dec'd was presented in court and proved by the oath of John Wine one of the subscribing witnesses thereto and continued for further proof

The last will and testament of Jane B Herring dec'd was presented in court and proved by the oaths of J. A Herring and Elizabeth H Chipley the subscribing witnesses thereto and ordered to be recorded

The last will and testament of Peter Henton dec'd was presented in court and proved by the oaths of Peter P Koontz & Wm W Carpenter the subscribing witnesses thereto and ordered to be recorded and on the Motion of Andrew J Henton the executor therein named who made oath thereto according to law, and together with Wm W Carpenter Daniel B Reid and Jacob Barley his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $12000.00 conditioned as the law requires certificate is granted the said Andrew J Henton for obtaining a probate of the said will in due form

Ordered that Peter P Koontz Wm Sellers Abram H Carrico & Jacob Barley or any three of them being first sworn for that purpose do appraise the estate of Peter J Henton dec'd and report thereon to the court according to law

Chas Lewis a Notary Public for this county appeared in court & executed a new bond with Jno W Palmer as his security in the penalty of $200. conditioned according to law

On the Motion of Lewis W. Kaylor who made oath thereto according to law came together with Addison Kaylor his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires. Certificate is granted the said Lewis W. Kaylor for obtaining letters of administration in due form upon the estate of John W. Keller dec'd.

Ordered that Amos Scott, Harrison Bateman, Wm S. Downs and John W. Palmer or any three of them being duly sworn for that purpose do appraise the estate of John W. Kaylor dec'd and report thereon to the Court according to law

The Court doth appoint John K. Moore guardian for Rebecca Cromer child of Joseph Cromer who is under the age of 14 years. and thereupon the said John K. Moore appeared in court and together with Daniel Bowman & William M. Silbert 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

Mary C. Taylor & Erasmus Taylor being minors of 14 years of age appeared in Court and with the approbation of the Court made choice of Nelson Shrinkel as their guardian. and thereupon the said Nelson Shrinkel appeared in court and together with Alfred Shrinkel & Charles A. Shrinkel his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Twelve hundred dollars conditioned as the law requires

On the Motion of Isaac Turner who made oath thereto according to law. and together with Abraham Brenneman, George W. Fulk and Adam H. Fulk his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of eight hundred dollars conditioned as the law requires. Certificate is granted the said Isaac Turner for obtaining letters of administration in due form upon the estate of James Turner dec'd

Ordered that Isaac Riddle Benjamin Trumbo George Hawley and Isaac Shoemaker or any three of them being first sworn for that purpose do appraise the estate of James Turner deceased and report thereon to the court according to law

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On the motion of James M Lewis who made oath thereto according to law and together with John W Palmer & Harrison Bateman 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 James M Lewis for obtaining letters of administration in due form upon the estate of Martha Lewis dec'd

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Ordered that Robert W Palmer, George W Kemper Jr. Amos Scott & B F Kemper or any three of them being first sworn for that purpose do appraise the estate of Martha Lewis dec'd and report thereon to the court, according to law

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Isaac S Pennybacker & Edmund Pennybacker orphans of Isaac S Pennybacker dec'd being upwards of 14 years of age, ~~[illegible]~~ choice of Sarah A Pennybacker as their guardian in the manner prescribed by law and thereupon the said Sarah A Pennybacker appeared in court and together with Derrick Pennybacker her security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fifteen thousand dollars conditioned as the law requires

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Absent. A M Newman Gent Justice

Anderson M Newman Guardian for Isaac S & Edmund Pennybacker appeared in court and resigned his trust as such Guardian. which is ordered to be entered of record

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Present A M Newman Gent Jus

Hopewell & Cockrum
vs
J W Moxley &

Upon a Notice. On motion it is ordered that this cause be placed upon the docket

On the Motion of George W Tuck who made oath thereto according to law and together with Adam H Tuck & Giles Dever his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of four hundred dollars conditioned according to law a certificate is granted him for obtaining letters of administration in due form upon the estate of Emanuel Roadcap dec'd

Ordered that George Fawley, Adam Ritchie, Philip Baker and Jacob Fawley, or any three of them being first sworn for that purpose do appraise the estate of Emanuel Roadcap dec'd and report thereon to the court according to law

Ordered that Jacob E Harnsberger be appointed surveyor of precinct No 27 in the place of Wm S Miller resigned

A Houck Pltff
vs
Wm S Gailey &c Defts
} Upon a Notice
Notice proved
and On Motion it is ordered that this cause be placed upon the docket

Same Pltff
vs
Same Defts
} Upon a Notice
The same order

Same Shockley Pltff
vs
John E Brown &c Deft
} Upon a Notice
The same order

The Overseers of the Poor Pltff
vs
Wesley Bumgardner Deft
} Upon a recognizance
The defendant being solemnly called and failing to appear

in pursuance to the condition of this recognizance. on the motion of the attorney for the Commonwealth his said failure is ordered to be entered of record

John H Cronner Pltff
vs
Robert Steele Deft } Upon a Notice &

This day came the pltff by his attorney and it appearing that the deft hath had legal notice of this motion. and he being solemnly called and not appearing. it is considered by the court that the pltff. recover against the deft $96.42 with legal interest thereon from the 5th day of June 1860 till paid and $4.82 damages and the costs by the pltff. in this behalf expended

Louisa E Cook. John R Cook & Eliza A Cook. who are over 14 years of age by an instrument of writing made choice of their father Robert B Cook as their guardian. and the court doth appoint the said Robert B Cook guardian for his other children Nancy J Cook. Sarah M Cook. George W Cook. Jacob Henry Cook. who are under the age of 14 years. and thereupon the said Robert B Cook appeared in court and together with William S Miller and William Sigler his securities (who justified as to his 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

On the Motion of Robert B Cook. Joseph H Conrad and George W Miller. administrators of John Cook dec'd. it is ordered that they give a new bond as such administrators. and thereupon the said Robert B Cook. Joseph H Conrad and George W Miller appeared in court. and together with John G Wacker. Charles B Yancey. Samuel P G Miller. Henry Conner. Jeremiah Cook Wm A J Miller. Henry Cook Joseph H Kite. Simeon B Jennings and Jacob Miller. the last six of whom were acting by Thomas L Yancey their attorney in fact. entered into and acknowledged a bond

in the penalty of one hundred and thirty five thousand dollars conditioned as the law requires which bond is ordered to be recorded

John E Dovel Pltff
vs
Addison Harper & Deft } upon a delivery bond

Notice proved and execution awarded

The last will and testament of John Lawson dec'd was again presented in court and fully proved by the oath of W J Davis a subscribing witness thereto and ordered to be recorded

Abraham S Byrd foreman, Jonas Earley, Abraham Shank Wm H Burtner, George Weyerey, Peter Neff, Erasmus Fletcher Henry J Showalter, Michael P Miller, John Geile, Jas A Sinnaucaer Harvey Light, Harrison Bateman, John Werner, Albert P Nicholas Benj F Thomas, Richard B Kercheval & John C Dunnivan were sworn a Grand Jury of inquest for the county of Rockingham and having received their charge and retired to consider of their presentments and not having time to dispatch all the business before them were adjourned until to morrow morning at 9 O'Clock

Reuben Dove who was by the Governor of Virginia on the 23d day of July 1860 appointed a Notary Public for the county of Rockingham appeared in court and together with Abraham S Byrd his security, entered into and acknowledged a bond in the penalty of $500. conditioned as the law directs, and thereupon the said Reuben Dove took the several oaths required by law

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

A M Newman

Tuesday August 21st 1860

Present

Anderson M Newman P[illegible] Jacob Caplinger } Gent
+O Sterling +J Speck +Wm B Carpenter } Justices

H G Wartmann presented in court an account against the Commonwealth amounting to one dollar and sixty seven cents which was sworn to in court was examined allowed and ordered to be certified to the auditor of Public accounts

Way for n Hockman + on D Bard. Notice proved + execution awarded

Sam'l Shacklett Pltff
vs
John E Brown + Defts } Upon a Notice

This day came again the pltff by his attorney, and the defts still failing to appear, it is considered by the court that the pltff. recover against the defts. John E Brown + Anderson O Bare $16.19 with interest on $9.19 from the 30th day of May 1855 and on $7.00 the residue from the 16th day of Dec. 1856 till paid, and the costs by the pltff in this behalf expended

Commonwealth
vs
Jas T Dovel + Jno Dovel } Upon a rule for failing to attend as a witness

On Motion it is ordered that the said rule be discharged

Same
vs
Hale Morris } Upon an Indictment

On Motion of the attorney for the Commonwealth, it is ordered that this cause be dismissed

Ordered that the bond filed with the papers in the prosecution against J H Whitsel for forgery, be delivered to John T Showalter upon leaving an attested copy of the bond with the papers of said cause

Wm Herring's admr Pltff
vs
Michael Eaman Deft
} In Debt

Note Cop. of Pltff's Bill & Def. to Jno Bilhimer. Nov. 11. 1860

On the Motion of the Pltff by his attorney. It is ordered that the bond filed in the papers of this cause be withdrawn & handed over to Jno Bilhimer who has purchased the same of the Pltff. and that an attested copy be left with the papers

The last will and testament of Daniel Yount dec'd was again presented in court and fully proved by the oath of Henry Niswander one of the subscribing witnesses thereto and ordered to be recorded. and on the motion of Abraham Sager the executor therein named who made oath thereto according to law. and together with Jacob Thomas and David Garber his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of Nine thousand dollars conditioned as the law requires. certificate is granted the said Abraham Sager for obtaining a probat of the said will in due form

Ordered that Michael Sellers. Silom Sellers. H. A Chrisman and Peter Neff or any three of them being first sworn do their duties do appraise the estate of Daniel Yount dec'd and report thereon to the court according to law

Under the 8 section of Chapter 31. of an act of the General assembly passed June 3d 1852 and amended February 3d 1853. the court doth fix the compensation which the General receiver of this court shall receive at one and one half per cent. upon the amounts. hereafter over to him as such receiver

Settled from Jennings & on D Bond Notice proved & execution awarded

On the Motion of Henry J Gray executor & Sally W Gray executrix of Robert Gray it is ordered that Wm M K Boatman be appointed a Special commissioner to examine. state and settle their executorial account and report thereon to the court according to law

George R. Elbert & Mary Jane Hurston children of David N Hurston who are over the age of 14 years by an instrument of writing made choice of E A Shands as their guardian. and the court doth appoint the said E A Shands guardian for Elizabeth H Hurston child same who is under 14 years of age. and thereupon the said E A Shands appeared in court and together with Nelson Shrinkel 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

Commonwealth
vs
Erasmus Long
} Upon a rule for failing to attending as a witness

This day the defendant appeared in court and was examined upon oath it is considered that the Commonwealth
1.66 recover against the deft the costs in this behalf expended

The Grand Jury sworn on yesterday appeared in court in pursuance to their adjournment and retired from the bar to consider of their presentments and after some time returned in to court and presented the following indictments viz. An Indictment vs James M Johnson for retailing ardent spirits contrary to law "a true bill" an Indictment against James M Johnson for retailing ardent Spirits contrary to law "a true bill" an Indictment against James M Johnson for retailing ardents spirits contrary to law "a true bill". an Indictment against James M Johnson for retailing ardent Spirits contrary to law "a true bill" an Indictment against James M Johnson for retailing ardent Spirits ~~contrary~~ wilfully and Charging previous conviction of like offence "a true bill" an Indictment against James M Johnson for retailing ardent Spirits contrary to law & Charging conviction of a like offence previously "a true bill" an indictment against James M Johnson for retailing ardent Spirits unlawfully Charging conviction of like offence previous "a true bill" an indictment against James M Johnson for retailing ardent Spirits contrary to law and charging a previous conviction of like offence a true bill. an Indictment against

Charles Keller for Petit Larceny "a true bill" an Indictment against James McBurny for trespass assault and battery "a true bill" an Indictment against James McBurny for a wilful trespass and cruelly torturing a beast "a true bill". an Indictment against John Birket for assault & battery. "a true bill". an Indictment against Jacob R Brathwaite for an attempt to shoot with intent to maim disfigure disable & kill. for shooting in a public street & assault & battery "a true bill" an Indictment vs David Sink for a wilful trespass and cruelly torturing a beast "a true bill". an Indictment against Richard Clatterbuck for retailing ardent Spirits contrary to law. "a true bill". an Indictment against Jack Robinson a free negro for remaining in the Commonwealth without lawful permission "a true bill". and also a presentment against George W Entsler for Grand Larceny.
And the Grand Jury not having any further business before them were discharged

Ordered that the proper process be awarded against the several persons this day indicted to be directed to the Sheriff of this county and made returnable to the November term next of this Court

The presiding Justice of this Court this day issued a warrant from the bench to the Sheriff of Rockingham County directed. commanding him to apprehend George W Entsler and convey him before some justice of this County to be tried for the offence of which he was presented by the Grand Jury on this day. and to retain the said Geo W Entsler in custody until discharged by due course of law

Morgan Buck & Co Pltff
vs
A C Bryan Deft } Upon a Notice

Notice proven and on Motion of the Pltff by attorney it is ordered that this cause be placed upon the docket

Miller vs Dickerson & al Debt. Notice proven & execution awarded
Price & Miller & al vs Debt same order

Abraham Showalter who stands charged with a felony by him committed in this that he did on the 1st day of August 1860 "violently and against her will by force feloniously did ravish and carnally know Julia Ann Keyser." was led to the bar in custody of the Sheriff of this County. and sundry witnesses being sworn and examined touching the premises. the Court upon delileration are of opinion that a felony has been committed and that there is probable cause to charge the said Abraham Showalter 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 admit him to bail for his appearance before said Circuit Court. ~~which motion the Court did~~ overruled and thereupon the prisoner was remanded to jail

Elliott Weller Drury & Co Pltffs
vs
John Miller & Defts } Upon a suggestion

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

Same Pltffs
vs } Upon a Suggestion
Same Defts

The Same order

J T Butler & Co Pltffs
vs } Upon a Suggestion
Samuel Finnman Deft

The Same order

Same Pltffs
vs } Upon a Suggestion
C M Kemper Deft

The Same order

George W. Cutsler who has been recognized to appear here to answer an indictment ~~for a trespass~~. being solemnly called and not appearing it is ordered that his failure aforesaid be entered of record

Commonwealth
vs
Fountain Taylor
No 1 } Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney and the matter of law arising from the defendants demurrer to the indictment being argued the Court doth overrule the same and thereupon the defendant pleaded not Guilty to which the attorney for the Commonwealth replies generally

Same
vs
Same
No 2 } Upon an Indictment
The same order

Same
vs
Same
No 3 } upon an Indictment
The Same order

Same
vs
Same
No 4 } Upon an Indictment
The Same Order

Same
vs
Same
No 5 } upon an Indictment
The Same order

Same
vs
Same
No 6 } upon an Indictment
The Same order

Same
vs
Same
No 7 } Upon an Indictment
The Same order

Wm Harper's heirs
vs
Catharine Grim &
Pleff
Deft } On Motion and for reasons appearing to the Court it is ordered that this Cause be continued until the next Term at Costs of Defe

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

M. Newman

Wednesday August 22nd 1860

Present

+A M Newman P J Jacob Caplinger ~~J~~ O Sterling } Gent
+Alem W Carpenter & Jonathan S Speck } Justices

William Brockwother Pltff
vs
Morgan Whisler wother Defts } In Chancery

On the motion of H A Showalter. Samuel Stern. Morgan Whisler. Jacob Phifer. Lydia Whisler. Sarah Pifer & Rebecca Stern they have leave to file their answer in this cause. which were accordingly filed. and on of the Pltff Alem D Trout is appointed guardian ad litem for the infant defendants

Absent A M Newman Gent Justice

Ordered that a fine of Twenty dollars be imposed upon Jno B Baldwin esqr for a contempt this day offered in presence of the Court

George W Entsler who stands bound by a recognizance to appear ~~here~~ at this Court to answer an indictment and whose failure se to appear was entered of record on yesterday. this day appeared in Court. and the Court is of opinion that his appearance is a sufficient discharge of the said recognizance. it is therefore ordered that the said recognizance be discharged and dismissed

Ordered that the ~~fine~~ recognizance this day imposed by law upon Jno B Baldwin Esqr for a contempt be rescinded

Present A M Newman Gent Just

Commonwealth
vs
Charles Keller } Upon an Indictment for Petit Lacceny

This day came as well the attorney for the Commonwealth as the deft by his attorney. and on the motion of the deft it is ordered that Joseph M

Black the prosecutor endorsed upon the indictment in this cause be required to give security for the costs. and thereupon Isaac Billhimer appeared in court and acknowledged himself bound as the security for the payment of all costs incurred in the prosecution of the said indictment and thereupon the defendant by his attorney pleaded Not Guilty to which the attorney for the Commonwealth replied generally and thereupon came a jury to wit. Samuel Driver. George Eastham. Levi Shaver. Wm Price. John Begoone. James Boadaf. Michael Earman. Wm Eiler Milton J Garner. Francis M Crim. Thomas K Hamsberger. Saml Swank who elected tried and sworn the truth to speak upon the issue joined. and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into court and upon their oaths do say "We the jury find the deft Not Guilty". It is therefore considered that the defendant recover against Joseph M Black the prosecutor and Isaac Billhimer his security the costs by him about his defence in this behalf expended

Commonwealth
vs
David Ray
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft ~~by his attorney~~ and by consent the defendant was permitted to confess judgment for one cent fine and the costs. it is therefore considered that the Commonwealth recover against David Ray one cent the fine aforesaid and the costs by ~~the~~ expended in prosecuting the said indictment

Commonwealth
vs
Elijah Minnich
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney who filed a plea of Not Guilty to which the attorney for the Commonwealth replied generally and thereupon the trial of the issue is deferred until the next term

Elizabeth Miller's ex'tors Pltffs
vs
Henry Miller Deft } In Debt. for $600-

This day came the parties by their attorney - and thereupon the defendant pleadeed payment and filed a list of offsetts which he desired to prove upon the trial of this cause to which the pltffs by attorney replied generally. and thereupon the judgment obtained in the Office is set aside and the trial of the ipsue is deferred until the next Term

Commonwealth
vs
Christian Kyger } Indictment upon an

This day came again as well the attorney for the Commonwealth as the defendant by his attorney. and thereupon came a jury to wit Samuel Driver. George Eastham. Levi Shaver. Henry Price. John Began. Jas Roadcap. Michael Carman. Wm Eiler Milton Glarrier. Francis McGuire. Samuel Swank and John Seedy who being elected tried and sworn the truth to speak upon the ipsue 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 say. We the jury find the defendant guilty and assess his fine at five dollars. it is therefore considered that the Commonwealth recover against the deft five dollars the fine assessed and the costs in this behalf expended

Isaac Reid Pltff
vs
Jonas Reid & Gideon B Reid Defts } In Chancery

On Motion of the Plaintiff Isaac Reid who hath filed his bill with affidavit thereto according to law. and for good cause shewn. a writ of Injunction is awarded him to restrain Jonas Reid and Gideon B Reid their agents and all others from any further use of the lands of Isaac Reid as set forth in the bill. consisting of ten tracts in Rockingham

County. one of about A 110. known as the Heath land. the other known as the Long Meadow land. containing about A 159. adjacent to the first named tract. or of any portion of the personal partnership property. Comas monies or effects belonging to the late firm of Isaac Reid & Bro consisting of 12 head of work horses and colts. 6 or 7 Milch cows. eleven fat cattle & a lot of stock cattle. about 25 head of Sheep. about 100 hogs. 3 Waggons and harness 1 cart. four double Shovel ploughs. 2 or 3 single shovel ploughs. 2 pair of hay ladders. about 30 tons of hay. two wheat fans. 1 set of Blacksmith Tools and a number of farming implements. from 600 to 800 bushels of wheat about 120 bushels of rye. about 1000 bushels of oats. about 60 acres of growing corn. 1200 or 1500 pounds of Bacon and Lard. household and kitchen furniture. about 50 acres of clover seed. and all the bonds and monies of the firm. and it is ordered that the Sheriff of this County do at once deliver to Isaac Reid full possession of his said house and two tracts of land. and that he take immediate possession of all the personal partnership effects. as a Receiver of this Court. proceed to collect the debts due the firm. and make sale of all the personal partnership property on a credit of six months. taking from the purchasers Bond with approved security & report to this Court. But the plaintiff is not to have the benefit of this order, until he or some one for him shall enter into bond with sufficient security. before the clerk of this Court. in his office in the penalty of five thousand dollars. with condition to indemnify the defendants against all such costs and damages as they may incur. or as may be sustained by them. in consequence of their injunction. in case the same shall be dissolved

Ordered that the Court be adjourned until to morrow Morning at 9 O'Clock.

A. M. Newman

Thursday August 23rd 1860

Present

A M Newman & J Jacob Caplinger & D C Sterling } Gent Justices
& J Speck & Clerk & Carpenter

On the Motion of B F Michie Trustee of George & Adie ordered that the report

settlement of said Trustees accounts be recommitted to Commissioner Fletcher with instruction to allow to said trustee commission on all monies received and disbursed by him and which were reported to him by said Trustee within six months after the expiration of one year from date of said bond under the 7th Section of Chapter 132 of the Code of Virginia

Wm Brock &others Pltffs
vs
Morgan Whisler &others Defts } In Chancery

This cause came on to be heard this 24th day of August in the year 1860 upon the bill of complaint and the answer of Samuel Stern, Morgan Whisler, Jacob Pifer, Lydia Whisler, Sarah Phifer Rebecca Stern, Henry A Showalter guardian of Jacob & Elizabeth A Showalter and of Jacob & Elizabeth A Showalter by W D Grant their guardian ad litem and was argued by counsel on consideration whereof the Court being satisfied that the tract of land in the bill and proceedings mentioned is incapable of partition among the co-parceners by metes and bounds and that partition can only be made by making sale of the land and dividing the proceeds the Court doth adjudge order and decree that Abram Funk be and is hereby appointed a commissioner whose duty it shall be to make sale of the said parcels of land at public auction on a credit of 6. 12 & 18 months requiring the purchaser to execute bond with approved personal security and a lien to be retained as ultimate security, said payments to bear interest from the date thereof Before making said sale notice of the time place and terms thereof shall give for four successive weeks by publication in one of the newspapers published in the town of Harrisonburg and by notice posted at 2 or more public places in the vicinity of the lands. The commissioner before receiving any money under this decree shall execute bond in the penalty of $2000 before the clerk of this Court with good security and conditioned for the faithful discharge of his duties and shall report his proceedings to this Court

Wm J D Bell
vs
Isaac Rinehart
} upon a Motion to have a slave confined in jail as a runaway delivered to the owner

This day came the parties by their attornies. and this cause being argued. the Court is of opinion that the deft is entitled to the reward of $25. as claimed by him. do order that the slave should be delivered to the plaintiff. upon the payment of the said reward and other costs. Memorandum. The Pltff by his attorney excepted to the foregoing opinion of the Court. and tendered his bill of exceptions. which were signed sealed and enrolled by the Court and ordered to be made a part of the record

E A Shands Pltff
vs
Wm H Tams Deft
} upon a Notice

This day came the Pltff 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 considered that the power and authority of the deft Wm H Tams committee for Henry Mace a person of Unsound mind be revoked and annulled. and thereupon the Court doth appoint Joseph McHarnsberger committee for the said Henry Mace and the said Joseph McHarnsberger appeared in Court and together with Stephen McHarnsberger his 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 which bond is ordered to be recorded

Hopewell & Hockman Pltff
vs
James McMorsett & others Defts
} upon a Notice for failing to return an execution

This day came the pltff by their attorney. and it appearing to the Court that the defts hath had legal notice of this motion. and they not appearing is considered by the Court that the defendants be fined $45.00 to the use of the said Hopewell & Hockman. by reason of the said James McMorsett as Sheriff of Page County. not returning according to law. an execution issued out of this

court by the pltffs against Wilson Barnes which appears was delivered to the defendant to execute. and also that the plaintiffs recover against the defendants their costs in this behalf expended

The report of the Commissioners heretofore appointed to make partition of certain real estate owned by Jesse Ralston & the heirs of B H Ralston dec'd between the parties according to their respective rights & was this day presented in Court and no exceptions being offered thereto the same is confirmed, and ordered to be recorded

Benjamin Trumbo Grand-mothers Pltff
vs
Jonathan Hulvey & others Defts
} In Chancery

This cause came on to be finally heard upon the papers heretofore read & the proceedings heretofore had & the report of the Commissioners marked "A" to which report there is no exceptions. the same is hereby confirmed and ordered to be recorded. and it is ordered that this cause be dismissed

Commonwealth
vs
James O'A Clary
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the defendant by his attorney. and by consent it is considered that the Commonwealth recover against defendant five dollars fine and the costs by her in this behalf expended

Commonwealth
vs
James Clary
} 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 defendant. five dollars fine. and the costs by the Commonwealth in this behalf expended

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INTENTIONALLY
NOT USED
IN THIS VOLUME.

Commonwealth
vs
James Clary
} 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 defendant a fine of five dollars and the costs by her in this behalf expended

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Commonwealth
vs
Isaac Simmons
} Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney, and thereupon came a jury to wit Levi Shaver, Hugh Snipe, John Begome, John Burkholder, Frances M Erwin, Michael Carman, Samuel Swank, John Leedy, Geo Eastham, Wm Price, George Celine and Wm Eiler, who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into court and upon their oaths do say "we the jury find the defendant Isaac Simmons guilty and assess his fine at fifty ~~dollars~~ cents" it is therefore considered that the Commonwealth recover against the defendant fifty cents the fine aforesaid, and the costs by her in this behalf expended

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Ann Davison Pltff
vs
William K Hughes Deft
} In Chancery

This cause came on to be heard this 23d day of August 1860 upon the bill of complaint, and exhibit, and it appearing that more than one month has elapsed since the filing of the bill, and the return of the subpoena executed and the defendant having failed to appear and file his answer the bill is taken for confessed, whereupon the argument of counsel being heard, and the court being of opinion that the complainant is entitled to the vendors lien for the amount of the bonds for $100. with interest from November 1st 1857 the judgment for $ the costs of the judgment at common law. The

Court doth therefore adjudge order and decree that unless the defendant or some person for him shall within thirty days pay to the complainant her debt of $100 with interest thereon at the rate of six per cent per annum from November 1st 1857 & the costs of the suit at common law & the costs of this suit then the Sheriff of Rockingham shall proceed to advertise the time place & terms of sale by advertisement put up at three public places in Port Republic for three weeks and having given such notice shall sell in Port Republic to the highest bidder the house & lot in the bill mentioned which was sold by the plaintiff to the defendant on the following terms viz one half in three months and the remainder in nine months from the day of sale taking bonds with good personal security from the purchaser the whole bearing interest from the date the title to be retained until the whole amount is paid

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The last will and testament of Ambrose Gregory dec'd was presented in Court and proved by the oath of James W Gilmer one of the subscribing witnesses thereto and continued for further proof

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Gowl vs Bellkinner & al On Bond. Notice proved & execution awarded

Hedrick vs Same & al On Bond The same order

Commonwealth
vs
Levi Minnick } upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney and the deft moved the court to require Michael Heslinger the prosecutor to give security for costs and thereupon Thos. D Yancey acknowledged himself bound as such security and thereupon came a jury to wit Samuel Driver Jacob Thomas K Harnsberger Joseph Dinkle, Daniel H VanPelt Henry Eberonner John H Kerlin Jacob Bowyers, A J Sigler, Henry A Rhodes, Charles S Weaver, Noah A Royer, and Abner W Jones 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, that the jury find the deft Levi Minnich guilty, and assess his damage at $1.00. It is therefore considered that the commonwealth recover against the deft $1.00 the fine aforesaid and the costs in this behalf expended

Commonwealth
vs
Levi May
} 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 a fine of fifty cents, and the costs in this behalf expended

Commonwealth
vs
George Corbin
} 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 a fine of fifty cents and the costs in this behalf expended

Martin Maddux who has been duly summoned to appear here as a witness on behalf of Geo E Deneale as commonwealth ~~it is ordered that he be summoned~~ being solemnly called and not appearing it is ordered that he be summoned to appear here on the 2d day of November term next to shew cause if any he can why he shall not be fined and attached for his failure aforesaid

J W & P Effinger for
vs
Jno R Neal et al
} Pltffs
} Defts
In Case
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 defts

Commonwealth
vs
Madison Glover } Upon a Capias

The Capias last awarded in this cause not being returned executed, it is ordered that a new Capias be awarded against him returnable here on the first day of the November term next and to be directed to the Sheriff of this County

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Same
vs
Harvey Curry } Upon an Indictment

The same order

Same
vs
Benjamin Miller } Upon an Indictment

The same order

Same
vs
David Webster } Upon an Indictment

The same order

Same
vs
Jeremiah Dove } Upon an Indictment

The same order

Same
vs
Hale Morris } Upon an Indictment

On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next term for defft

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Same
vs
Geo E Deneale } Upon an Indictment

The same order

Commonwealth
vs
Abraham Riswanger } upon an Indictment

On Motion this cause is continued until the next term

Same
vs
Catharine Bickle } upon an Indictment

The same order

Jno A Coffman Pltff
vs
J J Butler & Co Defts } In Debt

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

Commonwealth
vs
Charles Morphey } upon an Indictment

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term

John Dundore vs Jonathan Bateman

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term

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

A M Newman

Friday August 24' 1860

Present

+A M Newman. P.J. +Jacob Caplinger +O C Sterling } Gent
+J S Speck +Allen W Carpenter } Justices

John Keister vs Jacob Shultz. On Motion & for reasons appearing to the court it is ordered that this cause be continued until the next term

John L Hofmokel Pltff
vs
Zachariah Taylor Deft } In Case

This day came the pltff by his attorney, and neither party requiring a jury, the court proceeded to execute the writ of enquiry the court doth ascertain the damages to which the pltff is entitled to be $182.79 & $7.41 Cents, and the time from which interest on the principal money shall run to be the 13th day of April 1858 till paid it is therefore considered that the plaintiff recover against the defendant $182.79 the damages aforesaid, with legal interest thereon from the 13th day of April 1858 till paid, and $7.41 the Costs aforesaid and the costs by the pltff about his suit in this behalf expended

Commonwealth by &c Pltff
vs
Wm K Gailey & others Defts } In Debt

This day came the parties by their attorneys, and ~~thereupon~~ the defts filed their pleas of Conditions performed and Statutes of Limitation, to which the pltff by attorney replied generally, and thereupon the writ of enquiry and the judgment obtained in the office is set aside and the trial of the issue is deferred until the next term

Same Pltff
vs
Same Defts } In Debt

The same Order

Wm R Blair's ex'or Pltff
vs
Malinda Dever's adm'rx Deft } In Case

This day came the parties by their attornies, and the deft by his attorney pleaded non assumpsit, to which the pltff replies generally, and thereupon the writ of enquiry & judgt obtained in the office is set aside and the trial of the issue is deferred until the next term

John G Effinger for Pltff
vs } In Case
Jacob Roher Senr Deft

This day came the parties by their attornies and the deft by his attorney pleaded Non assumpsit. to which the pltff. replies generally and thereupon the writ of enquiry & judgment obtained in this office is set aside and the trial of the issue is deferred until the next term

John Huffman Pltff
vs } Unlawful Detainer
Richard Jarrels Deft

This day came the parties by their attornies and thereupon came a jury to wit Milton J Garner. Samuel Driver Jno. John Burkholder John Begoone. James Roadcap. Thomas K Hamsberger. Saml Driver Jacob Wm L Price. Daniel H VanBelt. John Leedy. F M Ervine and Jno Dinkel who being elected tried and sworn the truth to speak upon the premises 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 jury find. find for the Pltff". It is therefore considered that the plaintiff recover against the defendant the possession of the house and lot in the writ mentioned. and the costs by the Pltff about his suit in this behalf expended

Eli Keeran Pltff
vs } Unlawful Detainer
John W Keister & Ellen Keister Defts

This day came the parties by their attornies and the defts by their attorney pleaded Not Guilty. to which the Pltff replies generally. and thereupon came a jury to wit. A W Jones. Hugh Shupe. Samuel Swank. George Cline Geo C Eastham. Michael Carman. Wm Eiler. John Begoone Jo Dinkel F M Ervine. John Burkholder and Thomas K Hamsberger who being elected tried & sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict & after sometime returned into Court and upon their oaths do say. "We the jury find for the Pltff". It is therefore considered that the Pltff recover against

the defendants the house and lot of about ½ acre in the writ mentioned, and the costs by the pltff about his suit in this behalf expended

Alexander Cooper Pltff
vs
George W Cooper Deft
} In Debt

This day came the parties by their attornies and the deft by his attorney pleaded payment & filed an account of offsetts, which he desires to prove upon the trial of this cause, and thereupon the judgment obtained in the office is set aside and the trial of the issue is deferred until the next term.

G & Ammon & Pltff
vs
Zachariah Raines & Defts
} In Debt

This day came the parties by their attornies and by consent it is considered that the pltff recover against the Defts $302.40 part of the debt in the declaration mentioned, with legal interest thereon from the 19 day of August 1858 till paid and the costs by the pltff about their suit in this behalf expended up to this term, and the deft pleaded payment as to $60 the balance in of the debt aforesaid, and also filed an account of offsetts which they desires to prove upon the trial of this cause and thereupon the judgment obtained in the office as to the said $60 00 is set aside, and the trial of the issue is deferred until the next term

David Link Pltff
vs
Wm Schmucker Deft
} In Case

This day came the parties by their attornies and the deft pleaded non assumpsit to which the pltff replies generally, & thereupon the writ of enquiry is set aside

Same Pltff
vs
Same Defs
} In Case
The Same order

W H C Ruffner &c Pltff
vs
Wm Schmucker Deft } In Case

This day came the parties by their attornies and the deft by his attorney pleaded Non assumpsit to which the pltff replies generally and thereupon the writ of enquiry awarded in this cause is set aside

Silbert & Son Pltffs
vs
Same Deft } In Case

The Same order

Mark Jenkins Pltff
vs
Same Deft } In Case

The Same order

David Clark Pltff
vs
Bryarly & Clinton Defts } In Case

This day came the parties by their attornies and by consent it is considered that the pltff recover against the defts $34.25 with legal interest thereon from the 1st day of September 1851 till paid and the costs by the pltff about his suit in this behalf expended

An Instrument of writing purporting to be the last will & testament of Ambrose Grady dec'd was this day again presented in Court and J S Pishback one of the subscribing witnesses thereto was sworn and examined and from such examination it appears to the Court that the said will is not properly attested and doth refuse to admit the same to probat

Charles Batis Pltff
vs
Zachariah Crawford Deft } Unlawful Detainer

On Motion it is ordered that this cause be continued until the next term

Silbertson Pltff
vs
Wm Schmucker Deft } In Case upon an Attachment

This day came again the parties by their attornies and the defts by attorney moved the court to quash the attachment for defect upon the face of the record, which motion the court doth overrule and thereupon came a jury, to wit Samuel Swank, Hugh Sharpe John Leedy, George Cline, Geo Eastham, John Negrone, James Roadcap, D H VanDeit, P M Erwine, Samuel Driver, Thomas K Hannenberger and A J Nicholas 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 9 O'clock

Ordered that the Court be adjourned until tomorrow Morning at 9 O'Clock
A. M. Newman

Saturday August 25th 1860

Present
+A M Newman ~~P~~ Jacob Caplinger ~~O~~ Sterling } Gent
+J S Speck ~~+~~ Wm W Carpenter } Justices

On the Motion of R B Jennings and H M Argabright executors of Elizabeth Miller decd Thomas K Miller is appointed a special commissioner to settle the executorial accounts of the said executors first giving to the parties interested notice of the time and place of such settlement

Houck & Melhorn Pltff
vs
John W G Smith Deft } Upon a Suggestion

This day came the pltff by their attorney, and the said Smith appears in court and was examined on oath, and it appearing that the said Smith was indebted to Jas Roadcap on the 17th day of July 1858 in the sum of $22.12½ It is therefore considered that the pltff recover of the deft $22.12½ with legal interest thereon from the 17th day of July 1858 till paid which sum after deducting the costs is to be place as a credit upon the exth of pltffs against James Roadcap

Andrew Hauck &c Pltff
vs
Sally Taylor Deft } upon a Motion try the right to certain property levied on as belonging to Harvey & Franklin Taylor. This day the said Pltff and Deft appeared and waived the summons required by law in this cause and by consent it is ordered that this cause be placed upon the docket

Silbert & Son Pltff
vs
Wm Schmucker Deft } In Debt. upon an Attachment

This day came again the parties by their attornies. and the jury sworn and empannelled on yesterday appeared in court except A J Nicholas. and thereupon by consent. A W Jones was sworn as a juror in the place of the said Nicholas. and the said jury having heard the evidence and argument of counsel retired from the bar to consider of their verdict. and after sometime returned into court and upon their oaths do say "We the Jury find that the within attachment was not issued on false suggestions and that there was sufficient cause for issuing the same". and thereupon the deft moved the court to set aside the foregoing verdict. which motion the court doth overrule

Ordered that the court be adjourned until Monday morning at 9 Oclock

O. G. Sterling

Monday August 27th 1860

Present

+O G Sterling +Jonathan S Speck +Wendle Carpenter } Gent-
+ Fountain McLayton } Justices

Silbert & Son Pltff
vs
Wm Schmucker Deft } In Case upon an Attachment

This day came again the parties by their attornies. and the deft by his attorney filed a demurrer to the pltffs declaration. which demurrer the

court doth overrule. and thereupon came a jury to wit. Wm S Price. Samuel Driver of Jacob. John Leedy. Samuel Driver of John. John Burkholder. Hugh Swope. Wm Eiler. Milton J Carrier. Michael Carman. George Keline. George S Eastham and John Begoone who being elected tried and sworn the truth to speak upon the issue joined ~~xxxx~~, the defendant filed his demurrer to the evidence of the plaintiffs and the pltffs joined in the demurrer, whereupon the said demurrer being argued. the Court doth overrule the same. and the said jury having heard the evidence, upon their oaths do say "We the jury find for the plaintiffs and assess their damages at the sum of $49.19 cents with legal interest thereon from the 25th day of June 1860 till paid". It is therefore considered that the pltffs recover against the deft $49.19 the damages aforesaid, with legal interest thereon from the said 25th day of June 1860 till paid and the costs by the pltffs about their suit in this behalf expended

Morgan Buckle Pltff
vs
Allan S Bryan Deft } Upon a Notice

This day came the Pltff by their attorney, and by consent it is considered that the pltff recover against the deft $1423.93 with interest thereon at the rate of six per centum per annum from the 1st day of March 1865 till paid and the costs by the pltff about their motion in this behalf expended

Wm Harpers admrs Pltffs
vs
Robert Hooker's exrs Defts } In Debt

Peter Haynes assee Pltff
vs
John Haynes Deft } In Debt

On Motion and for reasons appearing to the Court. It is ordered that the aforesaid two causes be continued until the next Term

Abraham Leedy's — Pltff
vs
James O'Roark & — Defts
} In Trespass

Heirs of Nicholas Nicholas & Co — Pltff
vs
R. C. Mauck — Deft
} In Case

John Strayer — Pltff
vs
Isaac Reid — Deft
} In Ejectment

Tobias & Wm Gahey's ex'rs — Pltff
vs
Wm B Yancey's adm'rs — Defts
} In Case

Berry & Blakemore — Pltff
vs
Daugherty & Burnett — Defts
} In Case

Benjamin & Thomas — Pltff
vs
Reuben Raines & — Defts
} In Case

John Gongwer — Plaff
vs
Elias Stultz — Defts
} Upon a warrant

Eustler & Cobb — Pltffs
vs
Joseph Ramsel — Defts
} In Case

Joseph Ramsel — Pltff
vs
George W Eustler — Deft
} In Case

On Motion & for reasons appearing to the Court, It is ordered that the afresaid nine cases be continued until the next term

John Rollers adtor Pltff
vs
E T Alston Deft } In Debt

Sunefield Lee Pltff
vs
E T Williams Deft } In Case

Peter S Roller Pltff
vs
Robert A Gay Deft } In Case

Wm L Blakemore's admrs Pltff
vs
Francis Dever Deft } In Debt

Peter W Long Pltff
vs
Allan C Bryan Deft } Upon a warrant

On Motion and for reasons appearing to the court, it is ordered that the aforesaid five causes be continued until the next term

David Lynch Pltff
vs
Wm Schmucker Deft } In Case

This day came again the parties by their attornies and the defendant filed a general demurrer to the pltffs declaration the plaintiff joined

Same Pltff
vs
Same Deft } In Case The same order

Mark Jenkins Pltff
vs
Same Deft } In Case The same order

W H Ruffner & Co Pltffs
vs
Wm Schmucker Deft } In Case

This day came again the parties by their attornies and the deft filed a demurrer to the pltffs declaration and the pltff joined in said demurrer

Daniel D Dovel Pltff
vs
John F Lewis Deft } In Case

This day came the parties by their attornies and thereupon came a jury to wit Samuel Driver of Jacob, George Celene, Wm Eiler, Hugh Swope, John Begone, John Burkholder Samuel Driver of Jno, H McClure, James Roadcap, Mr J Carrier John Leedy and Samuel Swank, 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 for the defendant". It is therefore considered that the defendant recover against the pltff his costs by him about his defence in this behalf expended

Daniel D Dovel Pltff
vs
Zachariah Raines Deft } In Case

This day the defendant appeared in court and with the consent of the Pltff confessed judgment for $157.71 with legal interest thereon from this day. It is therefore considered that the pltff recover against the Deft the said sum of $157.71 with legal interest thereon from this day and the costs by the pltff in this behalf expended

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

D. C. Sterling

Tuesday August 28' 1860

Present

+Ole Sterling +P M Saylor +J S Speck } Gent
+Wm W Carpenter } Justices

Ordered that the Clerk of this Court register Virina a Payne a Mulatto – five feet 6¼ inches high. and aged twenty yeers. and was born fee in the County of Rockingham

C R Rush who was heretofore appointed a commissioner to assign hands to certain precincts of public roads. this day presented in court his report which is confirmed and ordered to be entered on the minutes

Commonwealth Pltff
vs } Upon a Scire
Charles A Rader & Defts

This day came as well the ~~defendants~~ attorney for the Commonwealth as the defts by their attorneys. and on motion & for reasons appearing to the Court. It is ordered that this cause be dismissed

C Aultman & Co Pltff
vs } In Case
George Rader Deft

This day came the pltffs by their attorney. and neither party requiring a jury the Court proceeded to execute the writ of enquiry. and doth ascertain the damages to which the pltffs are entitled to be $161.50. and the time from which interest thereon shall run to be on $80.75 part thereof from the 20th day of June 1859 and on $80.75 the residue thereof from the 20th day of Dec. 1859. It is therefore considered that the pltff recover against the deft $161.50 the damages aforesaid with interest on $80.75 part thereof from the 20th day of June 1859 and on $80.75 the residue thereof from the 20th day of December 1859 their costs about their suit in this behalf expended

George E Deneale — Pleff
vs
Charles Chandlera — Deft
} In Ejectment

Commonwealth Lyde — Pleff
vs
Wm K Gaileyt — Deft
} In Debt

John Scanlon — Pleff
vs
Philip Liggett — Deft
} In Case

D Pennybacker — Pleff
vs
James Steele — Deft
} upon warrant

Isaac Paul — Pleff
vs
Wm D McCall — Deft
} In Case

Thos Charles Ellis — Pleff
vs
D M Huffman — Deft
} In Debt

John N Gordon — Pleff
vs
John W Flick — Deft
} In Case

Andrew Henton — Pleff
vs
John Byerly — Deft
} In Case

~~H H Effinger~~ — ~~Pleff~~
vs
~~Same~~ — Deft
} ~~In Case~~. On Motion it is ordered that the aforesaid Nine causes be continued until the next Term

John N Hill Pltff
vs
Philip Liggett Deft } In Debt

This day came the pltff by his attorney and on the motion of the pltff it is considered that the pltff recover against the deft $19.25 the debt in the declaration mentioned with legal interest thereon from the 30th day of May 1857 till paid and the costs by the pltff about his suit in this behalf expended

Jacob P Effinger Pltff
vs
George W King Deft } In Case

This day came the parties by their attornies and thereupon came a jury to wit Hugh Scrope, George Kline, Geo Eastham, Michael Carman, John Seely, Samuel Driver of Jacob, Milton J Carrier, John Burkholder, John Begown, Francis M Ervine, Samuel Driver of Jno and Thomas K Hannelberger, who being elected tried and sworn the truth to speak upon the issue joined and upon their oaths do say "We the Jury find for the plaintiff and assess his damages at four hundred dollars and 69 cents, with interest from the 21st of December 1859 till paid." It is therefore considered that the pltff recover against the deft $400.69 the damages aforesaid with legal interest thereon from the 21st day of December 1859 till paid, and the costs by the pltff about his suit in this behalf expended

Charles Williams for Pltff
vs
John Niswander Deft } In Debt

This day came the parties by their attornies and by consent it is considered that the pltff recover against the deft $131.60 part of the debt in the declaration mentioned with interest thereon from the 11th day of Jany 1860 till paid & the costs by him expended up to this time, & the deft pleaded & fraudulently filed set offs as to the balance of the debt to which the pltff replied generally on or the judgment obtained is set aside & the trial of the issue is referred until the next term

John R Kougler Shff Pleff
vs
Geo E Deneale & Defts } In Debt

and

David Rogers admr Pleff
vs
Isaac Whipsen Defs } In Debt

On Motion and for reasons appearing to the court it is ordered that the aforesaid two causes be continued until the next term at the costs of the defts

S Hoff & J Huffman Pleff
vs
Hugh Gilleson Defs } In Case

N H Brewer for Pleff
vs
E S Peale & Defs } In Debt

On Motion and for reasons appearing to the court it is ordered that the aforesaid two causes be continued until the next term at the costs of the pleff

John N Hill Pleff
vs
J H Brightman's exr & Defs } In Case

Wm E Webster Pleff
vs
A L Byrn Defs } Upon a warrant

Wm Bunch Pleff
vs
St Clair Poindexter Defs } Upon a warrant

On Motion and for reasons appearing to the court it is ordered that the aforesaid three causes be continued until the next term

Browns & Byrd Pltff
vs
Wm Schmucker Deft } Upon an attachment

On Motion it is ordered that this cause be dismissed

David Sink Pltff
vs
Wm Schmucker Deft } In Case upon an attachment

This day came the pltff by his attorney and thereupon the deft appeared in court and confessed judgment for $78.38 with interest thereon from the 1st day of July 1860. It is therefore considered that the plaintiff recover against the deft $78.39 with legal interest thereon from the 1st day of July 1860 till paid, and the costs by the plaintiff ~~recover against the deft the costs~~ in this behalf expended

Same Pltff
vs
Same Deft } In Case upon an attachment

This day came the pltff by his attorney and the deft appeared in court and confessed judgment for $91.84 with legal interest thereon from the 25th day of July 1860. It is therefore considered that the pltff recover against the ~~said~~ deft the said sum of $91.84 with legal interest thereon from the said 25 day of July 1860 till paid, and the costs by the pltff about his suit in this behalf expended

Same Pltff
vs
Same Deft } Upon an Attachment

This day came the pltff by his attorney and the deft appeared in court and confessed judgment for $39.00 with legal interest thereon from the 5th day of October 1860. It is therefore considered that the pltff recover against the deft $39.00 with legal interest thereon from the 5th day of October 1860 till paid and the costs by the pltff in this behalf expended

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David Sink Pltff
vs
Wm Schmucker Deft
} Upon an Attachment

This day came the pltff by his attorney, and the deft appeared in court and confessed judgment for $105.73 with interest from the 21st day of April 1861. It is therefore considered that the pltff recover against the deft $105.73 with interest thereon from the 21st day of April 1861 till paid and the costs by the pltff about his suit in this behalf expended

Jacob Bowyers Pltff
vs
Noah A Royer Deft
} In Case

This day came the parties by their attornies and the deft pleaded non assumpsit &c to which the pltff replied generally, and thereupon came a jury to wit John Burkholder, Samuel Swank, Samuel Driver sr, Jno Jno Begorne Milton J Carrier, George Cline, Michael Carman, John Leedy, Thomas K Hamsberger, Samuel Driver sr Jacob, Hugh Swope and George Eastham 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 for the defendant", thereupon the pltff by his attorney, moved the court to set aside the verdict, which motion the court doth sustain, and set aside the verdict and grant a new trial, and thereupon by consent it is considered that this cause be dismissed

Ordered that the following named persons be allowed the sums affixed to their respective names for jury service during this term to be paid by the Commonwealth

Levi Shaver	$1 50	Geo Cline	50	Wm J Carrier	1 00	Wm Eiler	1 50
Geo Eastham	1 50	Saml Driver sr Jacob	1 00	Mich Carman	1 50	Jno Begorne Jr	1 50
Hugh Swope	50	T K Hamsberger	1 00	Jas Rockcash	1 00	Jno Leedy	1 00
Jno Burkholder	50	Jos Dinkle	50	Wm Price	1 50	J M Ervine	1 50
Saml Swank	1 50	Saml Driver sr Jacob	50	H E Cramer	50	Jno H Kerlin	50
Jacob Boyers	50	N A Royer	50	A J Sigler	50	H A Rockcash	50
E S Weaver	50	Alex Jones	50	D H VanDeer	50	and it is ordered	

that the Sheriff pay the several sums to the persons entitled thereto

(Co Clerks fee 6 cts)

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

✓ Levi Shaver	$ 2	50	Geo Cline ✓	6	50	M J Carrier ✓	5	00
✓ Wm Eiler	4	50	Geo E Earham	5	50	Saml Driver sr Jno ✓	6	00
✓ Mich Carman	5	50	Jno Begerow Jr ✓	5	50	Hugh Murphy ✓	6	50
✓ D K Harnsberger	6	00	Jas Rodecap ✓	5	00	Jno Leedy ✓	6	00
Dan Flory			Jno Burkholder ✓	3	50	Jno Dinkel ✓		
✓ Wm L Price ✓	4	50	G M Lemire ✓	5	50	Saml Swank ✓	5	50
✓ Saml Driver of Jacob	6	50	H E Brower ✓		50	Jno H Kerlin ✓		50
✓ Jacob Bowyers		50	Noah A Royer ✓		50	A J Sigler ✓		50
✓ H A Rhodes		50	Ed Weaver ✓		50	A W Jones ✓		50
✓ D H Van Pelt	3	50						

and it is ordered that the Sheriff of this county pay to the said sums to the persons entitled thereto

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Fernando Crawford Pltff
vs
Solomon Dean Deft
} In Case

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term

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Wm Farnyhaugh Pltff
vs
Abraham Koontz Deft
} Upon a warrant removed from before a justice

This day came the parties by their attornies and thereupon sundry witnesses being sworn and examined it is considered that the plaintiff recover against the deft fifteen dollars with legal interest thereon from this day and the costs by the pltff about his suit in this behalf expended

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John R Kagler Pltff
vs
Abraham Miller Deft
} Upon an Attachment

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed

Anderson Black Pltff
vs
Charles Black Deft } Upon an attachment

This day came the deft by his attorney, and the plaintiff having failed ~~required~~ to give the security for costs required by a former order of this court, it is ordered that this cause be dismissed, and ~~that the pltff~~ deft recover against the Pltff the costs about his defence in this behalf expended.

=

Robert G Coakley Pltff
vs
Abraham Miller Deft } Upon an attachment

This day came the parties by their attornies and a witness being sworn and examined, it is considered that the pltff recover against the defendant $144.12 with legal interest on $108.09 part thereof from the 15th day of December 1858, and on $36.03 the residue thereof from the 1st day of February 1859 till paid, and the costs by the pltff about his attachment in this behalf expended, and it is ordered that the officer in whose possession the proceeds of the sale of the attached effects now is, do levy and satisfy this judgment out of the proceeds aforesaid.

=

Houck & Melhorn Pltffs
vs
Sally Taylor Deft } Upon a Motion to try the right of property

This day came the parties by their attornies, and with the consent of the court James Steele is substituted as security for the plaintiffs in the indemnifying bond filed in this cause in the place of Adam G Brewer, who is hereby released from his responsibility as such security, and sundry witnesses being sworn examined touching the premises the court upon deliberation are of opinion that the following articles belong to Sally Taylor viz 1 axe, 2 tables, 1 beaun, 1 bed steadle & bedding, 1 iron Baker, 1 small wheel & 1 clock, _____ and that the roan cow & calf belongs to Erasmus Taylor, and that the other property named in the papers is subject to the levy of the pltffs execution, and that neither party recover any costs

D S Jones & others Pltff
vs
J B Yost's heirs Defts } In Chancery

The attachment awarded at the last term of this court against S M Sommers the receiver being returned "not found" It is ordered that a new attachment be awarded against him to the Sheriff of Harrison County, directed, and made returnable to the next term of this court

Alt. v Dost

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

O. G. Sterling

Wednesday August 29th 1860

Present

× O G Sterling Jonathan S Speck × Members } Gent
Carpenter & Andrew J Couch } Justices

Wm Harvey Effinger & Bro Pltff
vs
John Byerly Deft } In Case upon an Attachment

This day came the pltffs by their attorney, and neither party requiring a jury the court proceeded to execute the writ of enquiry and doth ascertain the damages to which the pltff are entitled to be $61.88. ~~and the~~ time from which interest shall run to be on $50.48 part of the damages from the 2d day of January 1857 and on $11.40 the residue thereof from the 15th day of December 1857. It is therefore considered that the pltffs recover against the deft $61.88 the damages aforesaid with legal interest on $50.48 part thereof from the 2d day of January 1857 and on $11.40 the residue thereof from the 15th day of December 1857 till paid, and the costs by the pltff about their suit in this behalf exhibited

John A Hill Pltff
vs
Philip Sigsett Deft } In Debt

This day came again the parties

by their attornies. and by consent it is ordered that the judgment rendered in this cause during the present term be set aside and that same be placed upon the docket for a new trial to be had therein

Ordered that the Justices of the peace for this county be summoned to appear here on the first day of the next term to act upon the purchase by the overseers of Poor of farm for the use of the Poor House.

John N Hill Pltff
vs
Philip Liggett Deft } In Debt

This day came again the parties by their attornies. and the deft files a paper marked "A". and on consideration it is considered that the pltff recover against the deft $1925 with legal interest thereon from the 30 day of May 1857 till paid. and the costs by the pltff. about his suit in this behalf expended

Isaac Reid Pltff
vs
Jonas Reid & Gideon B Reid Deft } In Chancery

The defendants this moved the court to dissolve the injunction awarded the plaintiff during this term which motion is overruled and it is ordered that the injunction awarded the plaintiff as aforesaid is so far modified as to require the Sheriff to take an inventory of all the personal effects of the late firm of Isaac Reid & Brother. including the crop of corn now growing on Isaac Reids land. and to deliver the same to Gideon and Jonas Reid. together with all debts due said firm. upon the said Gideon and Jonas Reid giving bond with good security in the penalty of $10000. to dispose of the same, in a reasonable time and account for the proceeds thereof. upon a settlement of the partnership accounts. and if the said Gideon and Jonas Reid failing or refusing to take and account for said partnership personal property. then the Sheriff will dispose of the same as directed by the former order in this cause. or if the said Isaac Reid shall desire it. deliver the same to said Isaac Reid upon the same terms upon which they are directed to be delivered to the said Jonas and Gideon Reid

Silbert & Son Pltff
vs
Wm Schmucker Deft } In Case upon an attachment

This day came again the parties by their attorneys and the deft by his attorney tendered 3 bills of exceptions to ~~an~~ opinions of the Court delivered upon the trial of this cause which exceptions are in the words and figures as follows to wit. "Silbert & Son" which ~~is~~ are signed sealed and enrolled and ordered to be made a part of the record.

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 September next

O. G. Sterling

In the Clerks Office of the County Court of Rockingham Augst 31st 1860

Abel Gibbons Pltff
vs
Henry Niswander & John Niswander Defts } In Debt

This day came the defendants & appeared in the office aforesaid and confessed judgment for $737.03 the debt in the writ mentioned with interest and costs. It is therefore considered that the pltff recover against the defendants $737.03 the debt aforesaid with interest thereon to be computed after the rate of six per centum per annum from the 27th day of August 1860 till paid, and the costs by the pltff about his suit in this behalf expended Teste

Wm D Frout DC

State of Virginia

In the Clerk's Office of the County Court of Rockingham Oct 6 1860
Cornelius Toomay a native of Ireland this day appeared in the office aforesaid (the said Court being a Court of record with common law a clerk and seal) and before me deputy Clerk of said Court, and on oath declared that it was bona fide his intention to become a citizen of the United States of America, and to renounce forever all allegiance he may have or owe to any foreign prince potentate, State or sovereignty and particularly to Victoria Queen of the United Kingdom of Great Britain and Ireland

Teste

Wm D Frank DC

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 17 day of Sept 1860

Present

+ Anderson M Newman + D J Mem'h Miller + S N Sellers + Wm McDonough Harris + John H Hopkins } Gent Justices

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

✓ A Deed of Release from S W Gamble trustee to Joseph Funk
✓ A Deed of Bargain & Sale from Henry Jones & wife to Allen Jones
✓ Same from W S Baugher & wife to Harrison Bateman
✓ Same from Henry Neff D S R to Solomon B Heatwole
✓ Same from Nelson Shrinkel & wife to A & C A Shrinkel
✓ Same from M M Effinger & wife to Frances Clary &c
✓ Same from George W Hogan & wife to Elizabeth Pulse

A Deed of Trust from M. Meyerhoeffer & Wf Meyerhoeffer In Trust for Bank of Rockingham &c.

A Deed of Bargain & Sale from Isreal Fusing & wife to David Fusing

Same from Jacob B Strickler & to Richard A Stephens

Same from Thomas McGuire to Joseph Blosser

Same from Henry Miller & wife to J H Kite

A Deed of Trust from Isaac Roadcap to G W Frick In Trust for D Pennybacker

Same from Absalom Roadcap to Same In Trust for Same

A Deed of Bargain & Sale from Samuel E Long & wife to Jacob Carrico Jr.

Same from Eli Fulwiler & wife to Reuben Heffman

Same from Joel Flory & wife to John Linn

Same from G W Kemper Jr & wife to Harrison Bateman

Same from Harvey Silley & wife to Adam Leap

Same from Allan C Bryan trustee to David Ross

Same from David Harshbarger & to Elizabeth Harshbarger Jr &

Same from David Miller & wife to Magdalena & Anna Harshbarger

Same from Henry E Rhodes & wife to Shem & Harshbarger

Beginning of Book 34

Same from John Hertzler's admr & to Samuel A Long

A Deed of Trust from John Billheimer to Jas Kenney In Trust for Jno Hedrick &c

A Settlement of the estate of John Bible having been filed in the Clerk's Office of this Court for the time prescribed by Law, was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded.

Same of the estate of Henry Neff dec'd

The Same order

Same of the estate of Polly Perkey dec'd

The Same order

Same of the estate of Samuel Stover dec'd

The Same order

Same of the Executrix of Andrew J Strickler dec'd

The Same order

A Settlement of the accounts of Philip Strickler Guard for Sam Strickler having been filed in the Clerks Office of this court for the time prescribed by law, was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of John Hopingarner Guard for John Leedy
The Same order

Same of Henry A Rodes Guard for Mary A Gilmore
The same order

Same of Same Guard for Cornelius Gilmore
The Same order

Same of Daniel Rodes Guard for Samuel Rodes
The Same order

Same of Same Guard for Frances Rodes
The Same order

Same of Cyprus Rhodes Guard for Mary M Alder
The Same order

Same of Henry Beery Guard for Sarah & Frances Beery
The Same order

Same of Solomon Garber Guard for David, Mary V Elizabeth A Flora
The Same order

Same of Richard A Stephens Guard for the late Charles A Stephens
The Same order

Ordered that the Clerk of this Court renew register No 303 of Benjamin Hawes (son of Lucy Hawes.) a free negro - and deliver a copy thereof to the said Hawes

On the motion of Reuben W Harrison who made oath thereto according to law, and together with Samuel R Allebaugh his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of four hundred dollars conditioned as the law requires. A certificate is granted the said Reuben W Harrison for obtaining letters of administration in due form upon the estate of Jesse Flick dec'd

Ordered that James Baker, Nathaniel Howard, Reuben H Humbert and John E Dovel, or any three of them being first duly sworn for that purpose do appraise the estate of Jesse Flick dec'd and report thereon to the Court according to law

On the motion of Henry C Beery who made oath thereto according to law and together with David H Sanders his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two thousand dollars conditioned as the law requires certificate is granted him for obtaining letters of administration in due form upon the estate of Anna Burkholder deceased

Ordered that Daniel Byerly, John Sanders, George W Effinger, John Albright or any three of them being first sworn for that purpose do appraise the estate of Anna Burkholder dec'd and report thereon to the Court according to law

P Pretwell Plff
vs
H M Harris Defts } Upon a Notice

This day came the plff by his attorney and the defts being solemnly called and not appearing. It is considered that the plff recover against the defts $32.81 with legal interest thereon from the 10th day of August 1858 till paid, and the costs by the Plff about their motion in this behalf expended

Wm H B Brown vs J R Cooly. This cause being returned executed on the defts not appearing, it is ordered that this cause be dismissed at the plffs

Martha Virginia Newman. William Ambrose Newman & Nancy J Newman orphans of Alexander Newman decd being upwards of 14 years. by an instrument of writing made choice of Nathan L Blakemore as their guardian. and the court doth appoint the said Nathan L Blakemore as guardian for Andrew S Newman & Elizabeth F Newman orphans of the same who are under the age of 14 years. and thereupon the said Nathan L Blakemore appeared in court and together with Andrew J Blakemore & Philip Arehart his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of fifteen hundred dollars conditioned as the law requires. which bond is ordered to be recorded

---

On the motion of James Steele guardian of Frances Steele. it is ordered that Thomas Harrison. Samuel M Bowman & David David S Jones. are appointed commissioners to make partition of the slave property devised by Mrs Mary Steele to her four daughters Agnes. Mary. Elizabeth & Frances. and report thereon to the court according to law

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Luther H Ott Pltff
vs
Thomas R Corby Deft
} upon an attachment

The attachment awarded in this cause being returned executed and the deft not appearing. and the court being satisfied that the said attachment was properly issued. It is therefore considered that the pltff recover against the deft $50.28 with legal interest thereon from the third day of June 1860 till paid. and the costs by the pltff in this behalf expended. and it is further ordered that D H Minor who has been summoned as a garnishee in this cause render a report on oath at the next term of this court. as to the effects in his hands. or debts due the deft. Corby. under his control

---

Ordered that Jacob Byerly. Peter F Eastman & Reuben Huffman be appointed commissioners to make partition of the real estate of which Christian Blose died seized among his heirs. and report thereon to the court according to law

John R Kougler Pleff
vs
Thomas R Cooley Deft } Upon an attachment

This day came the pltff by his attorney, and it appearing that the said attachment was properly sued out and returned executed and the deft not appearing, and the court being satisfied of the justice of the pltffs demand, it is considered that the pltff recover against the deft $26.25 with legal interest thereon from the 1st day of July 1860 till paid, and the costs by the pltff in this behalf expended, and it is further ordered that D J G Minor render under oath an account or report of all sums and effects in his hands or under his control belonging to the deft Thos R Cooley, and file the same with the papers of this cause on or before the next term of this court.

Henry Grove Pleff
vs
Thomas R Cooley Deft } Upon an attachment

This day came the pltff by his attorney, and the court being satisfied that the said attachment was properly sued out and it being returned executed and the deft not appearing it is therefore considered that the pltff recover against the Deft $81.00 with legal interest thereon from the 16th day of November 1858 till paid and the costs by the pltff in this behalf expended and the cause as to the Garnishee is continued until the next term.

Arthur Grabouskey Pleff
vs
Thomas R Cooley Deft } Upon an attachment

This day came the pltff by his attorney, and the attachment being returned executed and the court being satisfied that the attachment was properly sued out it is ordered that this cause be docketed.

P H Snyder Pleff
vs
Same Deft } upon an attachment
The same order

G W Braley Pltff
vs
Thomas R Cooley Deft
} Upon an attachment

This day came the pltff by his attorney and the said attachment being returned executed, and it the court being satisfied that the said attachment was properly sued out, it is ordered that this cause be placed upon the docket

Thomas H D Brown Pltff
vs
Same Deft
} Upon an attachment

The Same order

Ordered that Emanuel Suiter surveyor of Precinct No 1 of the Harrisonburg & Hopkins Mill Road, be authorized to purchase a new sledge, and four hammers made and the old sledge repaired

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

A M Newman

Tuesday September 18th 1860

Present

+ A M Newman P J + George Brannen + A G Gray
+ Wm N Miller
} Gent Justices

On the Motion of G W Ammon administrator of Samuel Rayer dec'd it is ordered that he render an account of his administration before Wm N R Wartmann who is appointed a special Commissioner to examine state and settle said account and report thereon to the Court according to law

On the Motion of John A Kogler Sheriff of this County, the attorney for the commonwealth being present & assenting to the motion it is ordered to be certified to the auditor of public accounts that the Commissioner of the revenue of this County, assessed Thomas G Logan with Thirty three dollars & thirty four cents

the tax on a Billyard Table on the 3d day of September 1859 for the space of four Months from that time. that the said Table was shortly after the said assessment removed. and that the said Logan has no property out of which the said assessment could be made

Upon the petition of Lewis Leopold who has paid the Tax imposed by law. a license is granted him to keep an ordinary at his house in the town of Harrisonburg. until the first day of May next. the Court being of opinion that the applicant is a person of good character not addicted to drinking or gaming. and that he will probably keep a house useful, orderly and such as the law requires and leave is granted the said Leopold to dispence with accommodation of horses

Nancy Shuflett Pltff
vs
Sarah Ann Shuflett Defts } In Chancery

This cause came on again to be heard this 18th day of September 1860. upon the papers formerly read and the report of W. D. Covington a commissioner appointed by the previous decree of this Court. to which there is no exception. and was argued by counsel. On consideration whereof the Court doth adjudge order and decree that the said report be confirmed. and that the said W. D. Covington be appointed a receiver whose duty it shall be to receive from the said Charles B. Yancey the one fifth according to the contract made with him. collect the amount of said claims and hold the proceeds subject to the future order of this Court, unless the said Nancy Shuflett shall execute bond as required by a previous decree in this cause. in which case the amount shall be paid out to her as required by a previous decree in this cause

On the Motion of John Sites Esqr. the Commonwealths attorney being present and defending the motion. It is ordered that the order made at the April & July terms of this Court in the present year be amended as follows viz The Court was satisfied by the evidence offered that the ground on which

the relief was granted that the license for the bowling alley was erroneously assessed because the said bowling alley had been discontinued and was not used at the time of the assessment and the merchants license was erroneously assessed because the court were satisfied by the evidence that said John Sites Jon were not merchants within the meaning of the law and that the dates of the assessment or license were the day of

John Dunnivant is appointed Surveyor of precinct No in the place of Christian Kyger resigned

Present Wm Newman P.J. Ob Sterling A.J. Gray And'w Gouch Wm D. Harris J. Roller Isaac Wright P.P. Carman T.N. Sellers Wm S. Miller H. Devin T.N. Layton Wm N. Miller Robert Black J.S. Speck Peter Paul Jno H. Hopkins C.B. Mayers Archibald Hopkins Dulas Martz Madison Moore S.H. Carrier Benjamin Hoover Geo Brannen O.P. Horn and Adam Huck } Gent Justices

Resolved that it is inexpedient for this court to incur a debt at this time of $20000 for the purpose of purchasing a farm for the support of the Poor

The Overseers of the poor for this County presented in Court a contract for the purchase of a farm for the use of the Poor on consideration whereof the court doth refuse to sanction the purchase aforesaid

Ordered that permission be granted to Eshman's Cornet Band to hold a concert in the Court House on the 1st day of October next

Ordered that permission be granted to the Baptist to hold divine worship in the Court House until they can procure a place of worship

Absent all the Justices except Wm Newman P.J. Jno H. Hopkins } Gent
T.N. Sellers Wm N. Miller Wm D. Harris } Justices

On the Motion of D.H. Lee Martz who made oath thereto according to law and together with Doriles Martz his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of Ten thousand dollars conditioned as the law requires a certificate is granted the said D.H. Lee Martz for obtaining letters of administration in due form upon the estate of Benjamin F. Martz dec'd. Elvira Martz widow of decedant having in writing relinquished her right to administer

---

Ordered that Isaac G. Coffman George O. Conrad. D. Morgan Switzer and Garard M. Effinger or any three of them being first duly sworn for that purpose do appraise the estate of Benjamin F. Martz dec'd and report thereon to the court according to law

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It appearing to the Court that bond of George Bruffy General receiver of this Court is not in a sufficient penalty. it is therefore ordered that he be required to enter into a new bond in the penalty of Ten thousand dollars and thereupon the said George Bruffy appeared in court and together Samuel Shacklett. Alm Newman. John H. Hopkins & Littleton W. Garnett his securities. entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires. which bond is ordered to be recorded

---

Richard Jarrels — Appellant
v.
Commonwealth — Appellee

} upon an appeal from the Judgment of a Justice

Ordered that this cause be continued until the next term at the cost of the appellant

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The Court will sit at the December term next for the purpose of disposing of the causes upon the appeal docket

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Manassas Gap Rail Road Company v. Gray. 2 cases on Motion continued until the next term

Ordered that the Court be adjourned until the third monday in Oct next

A. M. Newman

In the Clerk's Office of the County Court of Rockingham Sept 26' 1860

Shrinkel & Gay use of Abel Gilliam Pltff } In Debt

vs

Franklin Liskey Deft }

This day the deft personally appeared in the office aforesaid and confessed judgment for $418.86 the debt in the writ mentioned with interest and cost

It is therefore considered that the pltff recover against the deft $418.86 the debt aforesaid, with legal interest thereon from the 3° day of January 1860 till paid and the costs by the pltff about his suit in this behalf expended. this judgment is subject to a credit of $100cc paid March 30' 1860

Test

Wm D Frost Cl.

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 15° day of October 1860

Present

+A M Newman +M Donough Harris +D N Sellers } Gent Justices

+Wm N Mueller

The Clerk of this Court presented a list of deeds and other writings admitted to record in his office 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

A Deed of Bargain & Sale from Benjamin F Ralston to Albert Joseph

Same from David Gilmore & wife to Joseph Brill

Same from Enoch D Leedy & wife to John Leedy

Same from J Allen Fulton & wife to D Benny Lacher

Same from Wm Showalter & wife to George Kiser

A Deed of Trust from Jeremiah Holland to Archd Holland for Jno McDonnan

Same from Daniel May & wife to Wm D Harris in Trust for George Kiser

Same from David Coffman to Alex Paine in Trust for Jonathan Shaver

Same from Wm Miller & wife to Jno C Sprinkel in Trust for Jno Zigler

A Deed of Bargain & Sale from R M Ewan & wife to George Humphrey

Same from Jno C Woodson comm to Allan C Bryan

Same from Mary Ann Fisher to Jeremiah Tommy

Same from John Heister & wife to Lewis F Gaither

A Deed of Trust from J H Grady to C H Warren in Trust for A W Brown &

A Deed of Bargain from David Harshbarger & wife &c to A H C Gile

Same from Wm C Smith & wife to John H C Hopkins

Same from Daniel Tracey & wife to George W Hawse

Same from Henry Keezel & wife to Abraham Whitmore

Same from Mary A Probst to Henry F Probst

Same from Augustine Armentrout & wife to Joseph Stern

Same from Martha D Gratten to Jackson Rhodes

Same from Allan C Bryan & wife to Jacob Sellers

Same from Daniel Flack comm to Andrew Heenton

Same from Henry Beery Gr dr to John K Beery &c

Same from Elizabeth Sellers &c to Ann M Sowers

A Settlement of the estate of Conrad H Kite dec'd having been filed in the Clerks Office of this Court for the time prescribed by Law was presented in Court, and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the estate of James Fulton dec'd

The Same order

Same of the estate of Henry Sellers dec'd

The Same order

Same of the estate of John C Campbell dec'd

The Same order

A Settlement of the estate of Wm Harper dec'd having been filed in the Clerks Office of this Court for the time prescribed by Law, was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of the estate of Samuel Bowman dec'd.

The Same order

Same of the exrs of Robert A Gillons Exec'd for Jno G Yancey

The Same order

Same of Wm S Miller Exec'd for Layton Yancey

The Same order

Same of A M Newman Exec'd for I & J E Pennybacker

The Same order

Same of same receiver for the heirs of Isaac S Pennybacker dec'd

The Same order

A Settlement of the estate of John Tutwiler dec'd & list of debts & agt said estate

The Same order

Same of the estate Silas Gabriel

The Same order

A Settlement of the accounts of B.F. Michie ~~trustee~~ of Geo C. Dove

The Same order

Ordered the ~~Clerk of this~~ Court register Benjamin Colley a free man of Color six feet & one half inches in height about twenty five years old of Mulatto complexion, marked with a scar on the left leg below the knee, and was born free in the county of Rockingham

Ordered that the Clerk of this Court registers according to Law, Hannah

Jane Lewis a free woman of dark mulatto complexion, aged ab 25 years ob the 2d day of last April five feet three inches high and has a scar on the right wrist and has a child under the age of 12 years named Mary Frances. both of Mother and Child were born free in the county of Rockingham

Jordan vs Miller and Boner Notice proved & ord accordingly

Peter Mick Jailer of this County presented in Court an account against the Commonwealth amounting to nineteen dollars & Ninety cents which being sworn to was examined allowed by the Court and ordered to be certified to the auditor of public accounts

On the Motion of William G Thompson who made oath thereto according to law and together with John Bowman Jr and Abraham Funk 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, a certificate is granted him for obtaining letters of administration in due form upon the estate of Mathias Minnick dec'd Christena Minnick the widow of the said decedant having in writing relinquished her right to administer

Ordered that Emanuel Hoover, William Wilkert, David Driver & Martin Wampler or any three of them being first sworn for that purpose do appraise the estate of Mathias Minnick dec'd and report thereon to the Court according to law

Peter Koontz Pltff
vs
H & M Harris & Deft } Upon a Notice

This day came the pltff by his attorney and the defts not appearing it is considered that the pltff recover of the defts $20. with interest thereon at the rate of six per centum per annum from the 16th of March 1857 to 22d of Aug. 1859 & damages upon the amt then due at the rate of 15 per centum per annum from the 22d of Aug 1857 till paid & the costs in this behalf expended

Ordered that James Crawford be appointed surveyor of precinct No 3 roads No 5 in the place of Richard Whitmore

On the Motion of Conrad J Sullivan who has paid the tax imposed by law to enable him to keep a house of Publick Ordinary at his house in this county. the Court doth Certify that he a man of good character no addicted to drinking gaming and will probably keep a house orderly and useful and such as the law requires a license is granted

An Instrument of writing purporting to be the last will and testament of Noah Sipe dec'd was presented in Court and proved by the oaths of Peter P Koontz & Jno H Rhodes two of the subscribing witnesses thereto and ordered to be recorded. and on the Motion of Gideon Rosenbarger the executor therein named who made oath thereto according to law and together with Peter P Koontz his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of fifty dollars conditioned as the law requires. a certificate is granted the said Gideon Rosenbarger for obtaining a probate of the said will in due form

Present Madison Moore Gent Justice

George Masterson who stands charged with felony was sent to the bar in custody of the Sheriff and on his motion the examination is continued until the next term

Abraham Nisewander Catharine Nisewander David Kelly and John Nisewander appeared in Court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of $100. each to be levied of their respective goods and chattels lands & tenements and for the use of the Commonwealth. yet upon this condition that the above bound persons shall make their personal appearance before this Court on the first day of the next term to give evidence on behalf of the Commonwealth against George Masterson. and not to depart thence without the leave of the said Court

Rogers vs Naylor on Dft Bond notice proved Verdict awarded

Present. Madison Moore Gent Justice

James McD Graham who has been duly licensed to practise as an attorney at law in the courts of this commonwealth, on his motion he has leave to practise in this court, and thereupon he took the several oaths required by law

James McD Graham who has been appointed a Notary Public for this county, appeared in court & together with John D Learmis his security, entered into and acknowledged a bond in the penalty of Five hundred dollars conditioned as the law requires which bond is ordered to be recorded, and thereupon the said James McD Graham took the several oaths required by law

Frederick Speck & Wm Beard who have heretofore been appointed Notary Publics for this county appeared in court, and entered into bonds with security, each in the penalty of $250. conditioned as the law requires, which bonds are ordered to be recorded

Ordered that John B Baldwin & Robert McKyle do appear on the 1st day of Nov. term next of this court, in order to shew their several claims to property taken under a distress warrant sued out by John B Baldwin and claimed as the property of H Reeves for rent, and under which the several bonds required by the statute has been given, in order to a final judgment in the case

Manassas Gap Rail Road Company Pltff
vs
Robert A Gray Deft
} upon a Notice

On the motion of the deft. this cause is removed to the Circuit Court of this County, it having been depending in this court more than a year without being determined.

Same Pltff
vs
Same Deft
} upon a Notice

The same order

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H B Jones Pltff
vs Upon a Notice
Wm K Gailey &c Defts

This day came the parties by their attornies and by consent it is considered that the pltff recover against the defts $95.03. subject to a credit of $50. of date August 11 1857. with interest on the amount due from the 11 day of August 1857. till paid. and the costs by the pltff about his motion in this behalf expended

John Richter a Natative of Hesse Castle in Germany this day appleid to the Court to be admitted to become a citizen of the United States. whereupon it was proved to the satisfaction of the Court that the said applicant came in the United States three years before he attained the age of twenty one years of age and that he has resided in the said United States and the State of Virginia five years since he attained the age of 21 years. and during that time has behaved as a man of good moral character. attached to the principals of the Constitution of the United States and well disposed to the good order and happiness of the same he the said John Richter 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 William King of Hesse Castle. and thereupon the said John Richter is admitted a citizen of the said United States

An Instrument of writing purporting to be the last will and testament of Reuben Altaffer dec'd was presented in court and proved by the oaths of Mathias Diehl & Samuel Hollowman two of the subscribing witnesses thereto and ordered to be recorded. and on the motion of William Sanfley who made oath thereto according to law and together with George Sanfley his security (who justified as to his sufficiency) entered into bond in the penalty of Eleven thousand dollars conditioned as the law requires. which bond is ordered to be recorded. a certificate is granted the said William Sanfley for obtaining a probat of the said will in due form

Ordered that Mathias Deihl. Peter Shawalter. Samuel Brown & Isaac Baker or any three of them being first duly sworn for that purpose do appraise the estate of Reuben Altaffer deceased. and report thereon to the Court according to law

---

S.W. Gamble Clerk of this Court presented in Court an account against the Commonwealth amounting to $104.49 which being sworn to was examined allowed by the Court. and ordered to be certified to the auditor of public accounts

~~Edward S. Beale — Plff~~

~~vs~~ } ~~upon a suggestion that the defendant is dead~~

~~Hatch — Defts~~ } ~~to George Harwell~~

~~This day came the plff by his attorney and the defts appeared in Court and was examined on oath and it appearing from such examination that there is liability on Promissory notes for money in his hands belonging to Geo Harwell. It is therefore considered~~

Isaac Reid — Pltff

vs } In Chancery

Gideon B Reid & others — Defts

On the Motion of the plaintiff the defendants Gideon and Jonas Reid are ordered to be summoned to appear upon this Court on the 1st day of the next term thereof, to shew cause if any they can. why they should not as Receivers in this cause. pay over to the plaintiff Isaac Reid for his support a portion of the partnership funds in their hands as Receivers

---

Ordered that the Agent of this County. be authorized to do any thing he may think proper. in regard to resisting the confirmation of a sale of the old Jail property ~~sold~~ under a decree of the Circuit Court of this County. in a case therein depending in the name of the County of Rockingham against S.W. Gamble & others ~~trustees~~

Edward S Beale Pltff
vs
Jno Armentrout & David Black Defts } upon a suggestion that the defts are indebted to Geo Bausell

This day came as well the Pltff as the defts David Black by their attornies, and the defts were examined upon oath and it appearing from such examination that there is a liability on the pt John Armentrout for one hundred dollars on the 15th day of Augt 1859 It is therefore considered that the pltff recover against the said Armentrout the said One hundred dollars with legal interest thereon from the 15th day of August 1859 till paid, and the costs by the pltff about his motion in this behalf expended. ~~and the said Deft Black~~ as to this cause is discharged as to said Black

Record for Black $1.55

Memorandum the Deft Black excepted to the opinion of the court delivered in this cause giving judgment, and tendered his bill of exceptions which was 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 November next

A. M. Newman

Virginia

At a Court Summoned and held for Rockingham County at the Court House thereof on Thursday the 1st day of November 1860-

Present

+ A M Newman P + Wm McClanahan + P Earman } Gent
+ Robert Black + C Sterling } Justices

Fernando Crawford who stands Charged with a felony by him committed in this that he did on the night of the 15th day of October 1860. 30 yds of Virginia Stripes worth $7.00. 1 pair shoes $2.00 1 pair do $1.75. 1 hat $2.50 one piece Osnebrig 42 3/4 yds worth $5.34 an indefinite number of small coin supposed to be about six dollars of the goods & chattels of said J D Grimes did feloniously enter his store take steal & carry away, was led to the bar in custody of the Sheriff of Rockingham County

and thereupon by consent of the Attorney for the Commonwealth & the prisoner it is ordered that the examination of the prisoner be continued until the next regular term of the County Court of Rockingham County

And thereupon the court arose

A. M. Newman

In the Clerks Office of the County Court of Rockingham Oct 24th 1860

Scott Baker & Co (use of Chas H Scott) Pltffs
vs
Andrew Houck & John McMeehan late partners trading under the style of Houck & McMeehan & Robert A Gray & Douglas Gray Defts
} In Debt

This day the Defendant Andrew Houck appeared in the office aforesaid and confessed judgment for $189.94 the debt in the writ mentioned with interest and costs. It is therefore considered that the pltffs recover of the Defts Houck $189.94 the debt aforesaid with legal interest thereon from the 1st of March 1859 till paid $2.85 charges of protest and the costs of this suit

Test

Wm D Frost DC

In the Clerks office of the County Court of Rockingham Nov 16th 1860

Thomas Magill a Native of Ireland this day appeared in the office aforesaid and on oath before me Deputy Clerk of the said Court, declared it was bona fide his intention to become a citizen of the United States 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 & Ireland

Test

Wm D Frost DC

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Virginia to wit

At a Court held for Rockingham County, at the Court House thereof, on Monday the 19th day of November 1860

Present

+ Abm Newman, PJ + Dorcas Martz + R. M. Layton, Gent
+ Adam H. Fiek + Robert Black } Justices

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

1 A Deed of Bargain & Sale from Abm Miller & wife to Jonathan & Joseph Miller +
2 Same from Joseph Miller & wife to Wm Drummon +
3 Same from Samuel H. Lewis & wife to John F. Lewis & Samuel H. Lewis Jr +
4 Same from Jacob Pence & wife to Dorcas Martz +
5 A Deed of Trust from Wm Showalter to A. Byrd & Tr. Trust for R. M. Kyger +
6 A Deed of Bargain & Sale from David Rose & wife to John R. Kagey +
7 Same from George Kiser & wife to Henry B. Jones +
8 Same from A. J. Johnson & wife to Lucinda Weekley & children
9 Same from Edward S. Yancey & wife to Hopkins & Kisling +
10 Same from John Dever & wife to Harvey N. Jordan
11 Same from James Brannon to Amanda Brannon
12 A Deed of Trust from Daniel P. Rogan to S. M. Gamble & Tr. Trust for Chas Priddy
13 A Deed of Bargain & Sale from Jacob Heine to Samuel Orebaugh
14 Same from A. J. Wm Pelt & wife to Robert H. Smith +
15 A Deed of Loan from Joseph Harper to Addison Harper
16 A Deed of Trust from Jno A. Rosenberger to S. M. Gamble & Tr. Trust for A. Hockman
17 A Deed of Bargain & Sale from Conrad Custer & wife to Moses Pumphrey
18 Same from Thomas K. Harris Exor & Exr. to Samuel Long
19 A Deed of Trust from Geo Dove & wife to Jas D. Ralston & Tr. Trust for Jno G. Ralston Jr
20 A Deed of Bargain & Sale from Thomas Dean & wife to John Dovel
21 A Deed of Trust from Robt K. Wilson to Thos P. Wilson & Tr. Trust for Wm M. Wilson
22 A Deed of Bargain & Sale from Wm Showalter & wife to George Sanfley
23 Same Thomas L. Yancey Com. to B. F. Armentrout

22 A Deed of Bargain & Sale from George Life & wife &c to Henry Lamb

25 Same from Henry Miller & wife to Isaac Reamer & Christian Hall

26 Same from Thomas Gilmore & wife to Henry Gilmer's executor

27 Same from Henry Michael Trustee to Wm J Sampson

A Settlement of the estate of Jacob Rhodes dec'd having been filed in the Clerk's Office of this Court for the time prescribed by law. was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of the estate of Catharine Fogle dec'd

The Same order

Same of the estate of Catharine Rowhoof dec'd

The Same order

Same of the estate of Adam Wise dec'd

The Same order

Same of the estate of John H Campbell dec'd

The Same order

Same of the estate of John Shaver dec'd

The Same order

Same of the estate of Elizabeth Arey dec'd

The Same order

Same of the estate of Philip Keller dec'd

The Same order

Same of the estate of Richard Winfield dec'd

The Same order

A Settlement of the accounts of J. M. Liggett Guard for Alice Weinfield having been filed in the Clerk's Office of this Court for the time prescribed by law, was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the accounts of J. M. Liggett Guard for Louisa Weinfield
The Same order

Same of John A. Weinfield Guardian for Emily Weinfield
The Same order

Same of the accounts of Silas Hinton Committee for Henry Rhodes
The Same order

A Settlement of the accounts of Isaac Hoover late General receiver of this Court, was examined, approved and ordered to be recorded

Samuel Barley Pltff
vs
Albert Rogers & others Defts } In Debt, upon a warrant brought before a Justice of the peace

The amount in controversy in this cause exceeding twenty dollars, was by order a Justice removed to this Court and on Motion of the parties the same is ordered to be placed upon the docket

Wm Mechum & Co Pltffs
vs
Michael H. See Deft } In Debt

This cause having been removed to this Court by an order of the Circuit Court of Rockingham County, and on Motion of the Pltffs it is ordered that the same be placed upon the docket

Giles Dever appellant
vs
David Frank appellee } Upon an appeal from the Judgt of a Justice

On Motion it is ordered that this cause be placed upon the docket and continued until the next Term

Ordered that the Clerk of this Court register according to law Emanuel aged thirty three years of dark complexion five feet eleven inches high a small scar on little finger of the left hand and George aged twenty years on the 21 of January 1860 of copper complexion 5 feet 9½ inches high a scar on inside of wrist of right arm and emancipated by the last will and testament of Hannias Davisson but no permission is granted the said negroes to remain in the Commonwealth of Virginia

On the motion of John Sigler who made oath thereto according to law and together with Samuel Kline John Kline & David B Rhodes his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $12.000 conditioned as the law requires a certificate is granted the said John Sigler for obtaining letters of administration in due form upon the estate of David Hoover dec'd the widow of the said decedent having in writing relinquished her right to administer

Ordered that John W Driver David Driver Samuel H Myers & David B Rhodes any three of them being first sworn for that purpose do appraise the estate of David Hoover dec'd and report thereon to the Court according to law

The Court doth appoint Jacob A Bowen Guardian for Perry R Pickering orphan of Richard Pickering dec'd who is under the age of 14 years and thereupon the said Jacob A Bowen appeared in Court & together with Ephraim Hoof 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

upon the motion of G R Harris it is ordered that James P Lowman be and he is hereby appointed Trustee in the deed executed by Charles Pollard to William Anderson resigned in trust for said Harris which deed is recorded in Augusta County & a certified copy of record in the Clerks office of Rockingham County

On the Motion of Mason Bare who has given the notice required by law it is ordered that Benjamin Hoover be appointed a trustee in the place of John W Newham who has removed beyond the limits of the Commonwealth Trustee in a deed of trust executed by John G Bowers on the 13th day of November 1858

On the Motion of Mason Bare who has given the notice required by law it is ordered that Benjamin Hoover be appointed a trustee in place of J. Jno E Brown who declines to act in a deed executed by Jacob Sonke wife bearing date on the 31st of July 1857

Ordered that Wm G Thompson be appointed a commissioner to reapportion the hands among the following overseers of roads. James Mauck John Shutters. Jonathan Brammer & Augustine Heller and report thereon to the Court according to law

The last will and testament of Joseph Swank dec'd was presented in court and proved by the oaths of Isaac N Bowers James P Ralston & John H Ralston Jr the subscribing witnesses thereto and ordered to be recorded and on the motion of Joseph Harvey Swank the executor therein named who made oath thereto according to law and together with John Swank Peter Bleny and John H Ralston 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 a certificate is granted the said Joseph Harvey Swank for obtaining a probate of the said will in due form

Ordered that Hanson Ralston Isaac Bowers Wm R Hopkins and James Flick do appraise the estate of Joseph Swank dec'd and report thereon to the court according to law

On the motion of Joseph D Moore who made oath thereto according to law, and together with Joshua R Moyers & Christian Shewalter his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the sum of ~~three~~ Six hundred dollars conditioned as the law requires, a certificate is granted the said Joseph D Moore for obtaining letters of administration in due form upon the estate of George Moore dec'd

Ordered that John Shaver, John Rodabeffer, John Shewalter & Joseph Shewalter do appraise the estate of George Moore dec'd and report thereon to the court according to law

On the motion of Henry Sam. plaintiff in an attachment against Anderson Beazley & James W Harp decided in this court, he has leave to withdraw the three single bills upon which said attachment was founded. one for $40. dated Aug. 23d 1833. executed by Anderson Beazley & James W Harp. one for $41. executed by same on the 24th of October 1833. and the other for eight dollars executed by Anderson Beazley. Aug. 23d 1833 upon leaving attested copies with the papers of the cause

Strickler v Neelfly on DB and notice proved & execution awarded
Same v Same The same order
Same same The same order

David Rose admr of ~~Abel Rose~~ Plff
vs
George H Whitsel Deft
} upon an award

This day came the parties by their attornies and by consent it is considered that the award rendered in this cause be entered up as the judgment of the court, it is ordered that the plff recover against the deft $203.47 with legal interest thereon from the 8th day of January 1838 till payment and the costs by the plff about his prosecution in this behalf expended

~~###~~ 195

Byrd Byerly Pltff
vs
John E Brown & others Defts } Upon a Notice

This day came the pltffs by their attorney, and on their motion it is considered that they recover against the defts $15.18 with interest thereon at the rate of six per centum per annum from the 1st day of July 1857 till the 26th day of May 1859, and damages thereon at the rate of 5 per cent per annum from the said 26th day of May 1859 till paid, and the costs in this behalf expended

Jackson Knopp presented in court an account against the Commonwealth, amounting to $7.40 which being sworn to was examined and allowed by court, and ordered to be certified to the auditor of public accounts

On the motion of Jonas Lowman who made oath thereto according to law and together with Jonas Reid & Franklin Armentrout his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars conditioned as the law requires, a certificate is granted the said Jonas Lowman for obtaining letters of administration in due form upon the estate of Michael Bazel dec'd

Ordered that Cyprus Rhodes, Abram Harrison & Preston Rhodes do appraise the estate of Michael Bazel dec'd and report them to the court according to law

P Rahm Pltff
vs } Upon a Notice
John A Kogler Deft

This day came the pltff by his attorney, and it appearing to the court that the deft hath had legal notice of this motion and he not appearing, it is considered that the pltff recover of the deft $310.38 with legal interest on $300 & part thereof from the 12th day of June 1857 till paid, and the costs by the pltff in this behalf expended

~~147~~
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Isaac Long & Christian Hartman this day produced credentials of their ordination vales of their being in regular communion with the German Baptist church took the oath of allegiance to this Commonwealth & entered with security entered into and acknowledged each bonds in the penalty of $500. conditioned as the law directs whereupon on his motion a testimonial is granted him in due form

Josephine Freeze late Josephine Paulsel orphan of David Paulsel dec'd. being upwards of 14 years of age by an instrument of writing made choice of ~~J~~ Harvey Freeze as her guardian and thereupon the said Harvey Freeze appeared in Court and together with David R Hopkins his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $150.00 conditioned as the law requires

Fernando Crawford who stands charged with a felony by him committed in this that he did on the 16th day of October 1860 a certain store house the property of Zebulon D Gilmore not adjoining to or occupied with a dwelling houses there situated in the night time feloniously did break and enter with intent to commit larceny therein (and that the said Fernando Crawford fifty yards of Virginia Stripes of the value of $7.00 one pair of shoes of the value of $2. one pair of shoes of the value of $1.00 a hat of the value of $2.50 43¾ yards of Osnaburgs of the value of $5.34 a number of small pieces of coin of the value of $6.00 all of the goods and chattels of the said Zebulon D Gilmore then and there being found feloniously did steal take and carry away was led to the bar in custody of the sheriff and sundry witnesses being sworn and examined touching the premises the Court upon deliberation are of opinion that ~~has~~ a felony has been committed and that there is probable cause to charge the said Fernando Crawford therewith it is therefore ordered that he be remanded for trial before the Circuit of Rockingham County at the first day of the next term thereof and thereupon the prisoner was remanded to jail

Be it remembered that T. N. Sellers. Wm. S. Miller. Jno. Weinsborough Thomas Dean & G. T. Hopkins appeared in court and acknowledged themselves to owe and be indebted to the Commonwealth in the sum of $100 each to be levied of their respective goods and chattels, lands & tenements and for the use of the Commonwealth, yet upon the condition that the above bound T. N. Sellers. Wm. S. Miller. Jno. Weinsborough. Thomas Dean & G. T. Hopkins. shall make their personal appearance before the circuit court of this county on the first day of the next term to give evidence on behalf the Commonwealth against Fernando Crawford and not to depart thence without the leave of the said court, then this recognizance to be void otherwise to remain in full force

Henry Lamb who has been duly summoned to appear here as a witness on behalf the Commonwealth vs Fernando Crawford 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 & attached for his failure aforesaid

Fernando Crawford. who stands charged with a felony by him committed in this that he did on the 10th day of October in the year 1870. a certain store house. the property of Joseph H. Conrad then leased to H. J. Harnsberger. in whose profession it was not adjoining to or occupied with a dwelling house. feloniously in the night time of the same day did break and enter with intent to commit larceny therein and a certain number of pieces of Silver coin the number of pieces not known amounting in the whole to the sum of three dollars and of the value of three dollars. the said coin the property of the said Joseph H. Conrad. then being in the said store house. did steal take and carry away. was led to the bar in custody of the Sheriff of this county. and on motion of the attorney for the Commonwealth the examination of the prisoner is continued until the next term

Be it remembered that Thomas Dean. Geo. W. Sanford J. H. Berry. David H. Stover & Elias Michael. severally appeared in Court and acknowledged themselves to owe and be indebted

to the Commonwealth in the sum of one hundred dollars to be levied of their respective goods and chattles lands & tenements and for the use of the Commonwealth upon this condition that the said parties shall make their personal appearance before this Court on the first day of the next term, then this recognizance to be void & otherwise to remain in full force & as in rule

Fernando Lenow ford who stands charged with feloniously breaking & entering the store of M. M. Silbat was led to the Bar in custody of the Sheriff. and sundry witnesses being sworn and examined and the Court being of opinion that the prisoner is not guilty, it is therefore ordered that he be discharged of the felony aforesaid

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

A. M. Newman

Tuesday Nov 20. 1860

Present

A M Newman P.J. & Robert Black } Gent
A. G. Tuck & L. McDaniel & D. Marks } Justices

Jacob R. Braithwaite. George Masterson who stands charged with felony, in these cases was led to the bar in custody of the Sheriff and sundry witnesses being sworn and examined and the Court upon deliberation are of opinion that the prisoner is not guilty. It is therefore ordered that he be discharged and acquitted of the said offence.

White Shifflett. Eva Shifflett & Mary Shifflett children of Henkel Shifflett being upwards of 14 years of age appeared in Court and with the approbation of the Court made choice of David Gilmer as their guardian: and thereupon the said David Gilmer appeared in Court and together with John A. Cole his security (who justified as to his sufficiency) entered into and acknowledged a bond

~~200~~
199

in the penalty of $400- conditioned as the law requires which bond is ordered to be recorded

Agraboshy Pltff
vs
J R Cosby Defts } upon an attachment

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

Commonwealth
vs
Charles Murphey } upon an Indictment

The matter of law arising out of the defts demurrer to the indictment in this cause being argued the court doth overrule the said demurrer and retain the said indictment

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

A. M. Newman

Wednesday November 21st 1860

Present

+ A M Newman P.J. + P M Layton + Robert Black } Gent.
+ O C Sterling + Isaac N Peck } Justices

Commonwealth
vs
Jeremiah Dove } upon an Indictment

This day came as well the Attorney for the Commonwealth as the deft who with the consent of the court confessed judgment for $30. fine and costs. It is therefore considered that the Commonwealth recover against the deft $30. the fine aforesaid and the costs in this behalf expended

G W Washer vs C M Harris. on motion it is ordered that this cause be placed upon the docket

Commonwealth
vs
Fountain Taylor
} upon an Indictment No 1.

This day came as well the attorney for the Commonwealth as the deft by his attorney. and thereupon came a jury to wit Solomon Dean. Davis Jones Jacob Armentrout. Peachy Rice Eli Anders. John Linaweaver. Henry A Beahm. Joseph Wampler Wm Rebard. John F Showalter. Jesse Myers and A J Nicholas. who being elected tried and sworn the truth to speak upon the issue joined. and having heard the evidence upon their oaths do say "We the jury find the defendant guilty under 1st count of the indictment & not guilty under 2d count of indictment". It is therefore considered that the Commonwealth recover against the deft $30. the fine imposed by law and the costs expended in this prosecution

Commonwealth
vs
Charles Morphey
} upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney. and thereupon came a jury to wit Solomon Dean Davis Jones. Jacob Armentrout. Peachy Rice. Eli Anders. Jno Linaweaver Henry A Beahm. Joseph Wampler. Wm Rebard. John F Showalter Jesse Moyers. & A J Nichols. who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say "We the jury find the defendant not guilty" and judgment accordingly

S H Carrier & Perry Baugher who have been duly summoned to appear here as witnesses on behalf of the Commonwealth. vs Jas M Johnson being solemnly called and not appearing. It is ordered that they be summoned to appear here on the first day of the next term to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Commonwealth
vs
Fountain Taylor } upon an Indictment No 2

This day came as well the attorney for the Commonwealth as the deft by his attorney and thereupon came a jury to wit. Solomon Dean. David S Jones. Jacob Armentrout. Peachy Rice. Eli Andes Jno Lindamood. Henry A Beahm. Joseph Wampler. Wm Pethers Jno A Shawver. Jesse Myers and A J Nicholas who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence upon their oaths do say We the jury find the defendant not Guilty and judgment accordingly

Commonwealth
vs
Fountain Taylor } upon an Indictment No 3

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

Same
vs
Same } upon an Indictment No 4
The Same order

Same
vs
Same } upon an Indictment No 5
The Same order

Same
vs
Same } upon an Indictment No 6
The Same order

Same vs Same upon an Indictment No 7 The Same order

Commonwealth
vs
Harvey Curry
} upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney and by consent the deft confessed judgment for one cent fine and the costs it is therefore considered that the Commonwealth recover against the deft one cent the fine aforesaid and the costs of this prosecution

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Ann E Ergenbright & others Plffs
vs
Mary J Ergenbright & others Defts
} In Chancery

This cause came on by consent to be heard this 21st day of November 1860 upon the bill answers of the defendant Mary J Ergenbright & George R Ergenbright by Wm Gamble his guardian ad litem whereupon the argument of counsel being heard the court doth adjudge order and decree that Dr G N Sellers James M Weaver and Henry E Sipe who are appointed commissioners for that purpose do proceed to make partition of the slaves mentioned in the bill viz Fanny & her four children Sarah & her five children Frank Simon & her two children and the three named in the answer of the defendant Mary J Ergenbright viz Eliza Lucy & Sarah seventeen in number into five equal shares as near as may be practicable in value and equalizing them by a money difference where it is not practicable to equalize them otherwise and assign one fifth to each of the four complainants and one fifth to the defendant George R Ergenbright and make report to this court at its next term

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John Eastham Jeremiah Dorman & Isaac A Keller who have been duly summoned to appear here as witnesses on behalf of Richard Blatterbuck as Coroner being solemnly called come not appearing it is ordered that they be summoned to appear here on the first day of the next Quarter Term to shew cause if any they can why they shall not be fined & attached for their said contempt

203.

Commonwealth
v
Jacob R Brathwaite } upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney. and on his motion it is ordered that unless Jacob H Whitsel the prosecutor in this cause. or some one for him do give security for costs in this cause on or before the next Term then this cause shall be dismissed.

Commonwealth
v
James M Johnson } No 1. upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney. who pleaded Not guilty & filed a general demurrer to the indictment in this cause. to which the attorney for the Commwth replied generally & the trial of the issue is deferred until the next Term

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Same
v
Same } No 2. upon an Indictment
The Same order

Same
v
Same } No 3. upon an Indictment
The Same order

Same
v
Same } No 4. upon an Indictments
The Same order

Same
v
Same } No 5. upon an Indictment
The Same order

Same v Same No 6 The Same order

Same v Same No 7 The Same order

Same v Same No 8 The Same order

Deneale v Maddux upon a rule. The rule awarded on deft being ret'd executed

Feb 12 V the not appearing it is ordered that said Rule be made absolute & that attachment issue agt him accordg to law returnable here at the Feby Term next

James T Lowman a constable of this county, this day presented in Court an account against the Commonwealth for expenses incurred in attempting to arrest Francis Smallwood under a warrant issued by Jonathan Speck one of the justices of this county, and also an account against the Commonwealth for eleven days services for himself and guard in travelling out of the county in the attempt to serve the said criminal process, which said account was certified by the said Jonathan Speck, and the said account being seen and examined the Court doth consider that the items of the said account are reasonable and just, that in consequence of the failure to make the arrest under said warrant no other compensation is fixed by law, and none has been received by the said James T Lowman for the services rendered the Commonwealth as set forth in said account, and the Court doth order that said account amounting to the sum of ninety eight dollars ninety two cents be allowed and ordered to be certified to the auditor of Public accounts. This certificate is granted in lieu of a certificate made by this Court at its June Court 1860. and which was rejected by the auditor of public accounts

Commonwealth
vs
David Link } upon an Indictment

This day came as well the attorney for the Commonwealth as the defendant by his attorney, who pleaded not guilty, and thereupon came a jury to wit. John Swingle Wilber Harris, George Effinger John Harper, David S Jones, Jacob Armentrout John C Miller, Jesse Myers Wm Pickerel, Robert C Mauck Robert Burke and John T Showalter who being elected and tried and sworn the truth to speak upon the issue joined and having heard the evidence were adjourned until to morrow morning at 9 o'Clock

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

A. M. Newman

Thursday Novr. 22nd 1860

Present

+A M Newman P J + Robert Black } Gent
+J M Layton + A H Tuck + O C Sterling } Justices

Upon the petition of James Kavanaugh a license is granted him to keep an ordinary in Harrisonburg he having given the Tax imposed by law.

On Motion and by consent of A Tuck overseer of the poor for this county. ~~Daniel Tuck~~ + Catharine Eaton + Daniel Showalter is ordered that the indenture binding the said Catharine Eaton to said Daniel Showalter be and the same is hereby rescinded and annulled

Commonwealth
vs
Elijah Minnick } upon an Indictment

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

Same
vs
Abraham Riserander } upon an Indictment

By consent it is ordered that this cause be dismissed and that the Commonwealth recover of the Defr. the costs in this behalf expended

Same
vs
Catharine Bickle } upon an Indictment

By consent of parties it is ordered that this cause be dismissed and that the Commonwealth recover against the defendant the costs in this behalf expended

Commonwealth
vs
David Link } upon an Indictment

This day came again as well the attorney for the Comth as the deft by his attorney, and the jury sum and empannelled on yesterday for the trial of this cause, appeared in court in pursuance to their adjournment and having fully heard the evidence retired from the bar to consider of their verdict, and after sometime returned into court and upon their oaths do say We the jury find the defendant not Guilty". It is therefore considered that the defendant recover against Robert Dinkle the prosecutor in this cause the costs by him about his defence in this behalf expended

John N Hill Pltff
vs } In Case
Jas H Brightman's exx Deft

This day came the parties by their attornies, and on motion of the deft it is ordered that the pltff be required to file a bill of particulars upon which this action is founded

Wm C Blakemore's admrs Pltff
vs } In Debt
Francis Dever Deft

This day came the parties by their attornies and thereupon the deft withdrew his plea and confessed judgment for $81.85 the debt in the declaration mentioned with interest and costs, it is therefore considered that the pltff recover against the deft $81.85 the debt aforesaid, with legal interest thereon from the 11th day of March 1853 till paid and the costs in this behalf expended

John N Hill Pltff
vs } upon a warrant
Jas H Brightman's exx Deft. This day came the parties by their attornies, and on motion & for reasons appearing to the court it is ordered that this cause be dismissed & that the deft recover against the pltff their costs in this behalf expended

Commonwealth
vs
Burton Crawford } upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney. and by consent it is ordered that this cause be dismissed at the costs of the deft. It is therefore considered that the Commonwealth against the deft the costs in this behalf expended

Wm G Stevens adm^tr Pltff
vs
Eli Harry & others Defts } In Chancery

This cause being duly set came on this day to be heard upon complainants bill and the exhibits therewith filed, and it appearing that more than one month has elapsed since the due service of the summons awarded in this case upon the defendants Eli Harry & Robert Harry and the filing of complainants bill and they still failing to appear. the same is taken for confessed as to them. whereupon the argument of counsel being heard. the Court doth adjudge order and decree that unless the said defts Eli Harry & Robert Harry or some one for them shall within thirty days from the entering of this decree pay to A B Dick the sum of $200 with interest thereon from the 1st day of April 1857 till paid to J G Stevens adm^tr of W G Stevens dec^d the sums of $200 with interest from the 1st day of April 1857 till paid subject to a credit of $170.81 as of date Sept 8th 1858. to the same the further sum of $200 with interest from the first day of April 1857 till paid. then it shall be the duty of Jno R Kagebein the Sheriff of Rockingham County, who is hereby appointed a commissioner for that purpose to proceed to sell the house & lot in the bill mentioned to the highest bidder at public auction after having given at least four weeks notice of the time & place of sale in one of the newspapers published in the town of Harrisonburg. such sale shall be on the premises, the terms of sale to be one third of the purchase money to be payable in 60 days from the day of sale and the remainder in three equal payments due in six & twelve eighteen months from the day of sale. the whole to bear interest. and to report his proceedings to this court at its first term after such sale

Elisha Minnick & Jno. A. Dice who have been duly summoned to appear here as witnesses on behalf of the Commonwealth against James H. Curry being solemnly called come not appearing. It is ordered that they be summoned to appear here on the first day of the Feby term next of this court to shew cause if any they can why they shall not be fined and attached for their said contempt

Commonwealth
v
James H. Curry } upon an Indictment

This day came as well the attorney for the Commonwealth as the def't by his attorney who pleaded Not guilty. to which the attorney for the Commonwealth replies generally. and the trial of the issue is deferred until the next term

Same
v
Same } upon an Indictment

The Same order

Same
v
John Birket } upon an Indictment

The Same order

Same
v
Benjamin Miller } upon an Indictment

The Capias awarded in this cause at the last term not being returned executed. it is ordered that a new capias be awarded against him according to law. to be made returnable to the next term

Same
v
David Webster } upon an Indictment
The Same order

A H Brewer for Pltff
v
C S Peale &c Defts } In Debt

This day came the parties by their attorneys and by consent all matters in difference between them in this suit is submitted to the final determination of Isaac S Causey & S M Dold and their award or the award of their umpire therein is to be made the judgment of the Court and the same is accordingly entered

John N Hill Pltff
vs } In Case
Jas H Brightman's ex'r Deft

This day came again the parties by their attorneys and on motion of the Pltff it is ordered that the order made in this cause on this day requiring the Pltff to file a bill of particulars be set aside and thereupon the deft offered a general demurrer to the Pltffs declaration which demurrer the Court doth overrule and thereupon came a jury to wit George L Campbell, Wm Sipe, Wm Rehard Miller Harris Eli Anders, Patterson Burgess, J H Cannaberger, A J Nicholas, John T Showalter, John Sinaweaver, Robert L Branch and Robert Burke 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 Pltff assess his damages to be $82.13 with interest from Oct 27th 1857 till paid. It therefore considered that the Pltff recover against the deft $82.13 the damages aforesaid with legal interest thereon from the 27th day of October 1857 till paid and the costs in this behalf expended to be levied of the goods and chattels which were of the said James H Brightman at the time of his death in the hands of Catharine Brightman executrix of the said James H Brightman dec'd to be administered

Upon the application of John O'Connell for a license to keep an Ordinary in Harrisonburg, for reasons appearing to the Court, it is ordered that the said application be rejected

Peter Acker Pleff
vs
Wm Minnick Deft } Upon a writ of unlawful Detainer

On Motion of the pleff 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 in this behalf expended

Gillinghast & Duffield Pleff
vs
Wm M Sibert Defts } In Case

This day came the parties by their attornies and the deft by his attorney pleaded non assumpsit & leave is reserved to him to file special pleas, and thereupon the writ of enquiry & judgment obtained in the office is retained and the trial of the issue is deferred until the next term

David Road & anr
vs
Isaac Whisler } In Debt

This day came the parties by their attornies and thereupon came a jury to wit George W Hoffman, Thos Barton, Peachy Rice, Jacob Armentrout, John Harper, David Jones, Wm A Beeler, F G Clay, C A Sprinkel, D M Kauffman, B F Ralston and John Leedy 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 9 O Clock

Ordered that the court be adjourned until to morrow morning at 9 O Clock

A M Newman

Friday Nov. 23d 1860

Present

+ A M Newman P.J. + A H Fuck + Robert Bleick } Gent.
+ O.C. Sterling + J M Layton } Justices

John G Effinger exr &c Pltff
vs
Jacob R Brackenridge Deft } In Debt

By consent of parties it is ordered that all matters in dispute in this cause be referred to the arbitrament & award of J G Coffman & C. Strayer and if they shall be unable to agree they to choose an umpire whose decision shall be entered up as the judgment of this Court at its first term after such award without notice to either party of the entering up of the judgment. But this order is to be of no effect unless such award shall be made before the Feby Term 1861 of this Court, at which time it shall be ready for trial if the award is not made.

Alexander Cooper Pltff
vs
George W Cooper Deft } In Debt

This day came the parties by their attornies and by consent of parties, all matters in dispute between the parties is referred to the final determination of John H Kerlin Wm H Hopkins & H B Kennedy and their award or the award of any two of them thereupon is to be made the judgment of the Court and the same is ordered accordingly

S H & G Coffman Pltff
vs
Hugh Gilkeson Deft } In Case

On Motion & for reasons appearing to the Court it is ordered that this cause be continued at the costs of the pltff. By consent of the parties it is ordered that this cause be removed to the Circuit Court of this county for trial

J R Sterling a notary public for this county appeared in court together with A & C Sprinkel his security. entered into & acknowledged a new bond in the penalty of $500. conditioned as the law requires

Geo W Waesche Pltff
vs
H M Harris & others Defts
} Upon a Notice

This day came again the parties by their attornies and by consent it is considered that the pltff recover against the defts $28. with legal interest thereon from the 31st day of March 1859 till paid. and the costs by the pltff in this behalf expended

Addison Royer Pltff
vs
Saml Royer's adm'r Deft
} In Case

This day came the parties by their attornies. and the deft by his attorney pleaded Non assumpsit to which the pltff by attorney replied generally & thereupon the writ of enquiry of inquest & damages in the office is set aside and the trial of the issue is denied until the next Term

G W Duey for Pltff
vs
D W C Tower Defts
} In Case
The Same order

George Fox Pltff
vs
Sheriff Deft
} In Case
The Same order

Samham & Stuart Pltffs
vs
John Bowman Deft
} In Case.
The Same order

Jonathan M Shipman Pltff
v
Francis W Shipman Deft } In Case

This day came the parties by their attornies and the deft by his attorney pleaded non assumpsit to which the pltff replied generally and thereupon the writ of enquiry & judgment obtained in the office is set aside and the trial of the issue is deferred until the next Term

J B Charron & Co Pltff
v
M M Silbert Deft } In Debt

This day came the parties by their attornies and the deft pleaded payment to which the pltff replied generally and thereupon the judgment obtained in the office is set aside and the trial of the issue is defered until the next term

Nancy Gordon &c Pltff
v
Michael Whitmore Defts } In Debt

The Same order

Wm Heaton Pltff
v
Wm Jones Deft } In Debt

This day came the parties by their attornies and the deft pleaded payment & filed an account of set off which he avers to prove upon the trial of this cause to which the pltff replied generally and thereupon the judgment obtained in the office is set aside and the trial of the issue deferred until the next term

G W Landes Pltff
v
Wm P Bloce Deft } In Debt

The Same order and leave to file special pleas

E J & C Warren Pleff
vs
A J VanPelt & al Defts } In Debt

By consent it is ordered that this cause be continued until the next term

Peter Acker Pleff
vs
Wm Minnick Deft } upon a writ of unlawful detainer

This day came again the parties by their attornies and on the motion of the deft it is ordered that the judgment rendered in this cause on yesterday be set aside and thereupon the deft pleaded Not guilty and the trial of the cause is deferred until the next term

Hochman & Long Pleff
vs
B A Ralston's ex Deft } In Case

This day came the parties by their attornies and the deft by his attorney pleaded non assumpsit to which the pltff replied generally

Andrew Dorman Pleff
vs
Charles Black Deft } upon a motion to try the right of property

On Motion it is ordered that the parties in this cause be summoned to appear at the next term to assert their right to the property in dispute

Same Pleff
vs
Peter Koontz & Deft } upon a Motion The Same order

I Bustner vs Ott Coates & Co

The Same order

Solomon Buntner Pltff
v
Philip A Eastham Deft } upon a motion to try the right of property

On Motion it is ordered that the parties to this cause be summoned to appear at the next term to assert their claim to the property in controversy

Same Pltff
v
Hardesty & Son Defts } upon a motion
The Same order

Wm R Carnes & Bro Pltff
v
D B Reid Deft } In Case

This day came the parties and by consent it is ordered that this cause be dismissed and that the deft. recover against the pltff his costs in this behalf expended

Margaret Poindexter Pltff
v
George Poindexter & Defts } In Chancery

On Motion and for reasons appearing to the Court it is ordered that the Sheriff of Rockingham County proceed to sell the land in the proceedings mentioned upon the terms set forth in the decree of June Court 1859. and report thereon to the next Court after such sale

Commonwealth
v
Fernando Crawford } upon a warrant for felony
On Motion & for reasons appearing to the Court it is ordered that the examination of the prisoner is continued until the next Term

Same vs Same The Same order

David Roads adm^r Pl^tff
v
Isaac Whiten Def^t
} In Debt

This day came again the parties by their attys and the jury sworn for the trial of this cause on yesterday appeared in court in pursuance to their adjournment and not having time to hear all the evidence were adjourned until to morrow morning at 9 O'Clock

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

A. M. Newman

Saturday Nov 24' 1860

Present

+A M Newman P X O Sterling X Robert Black } Gent
+A G Ruch X J. McLayton } Justices

Ordered that the following allowance be made to jurors for services during the present term to be paid by the commonwealth. viz

Robert Burke fifty cents. Eli Anders $1.25. Jno Linaweaver $1.25. Jo. Wampler $1.25. Jno F Showalter $1.25. Jesse Myers $1.25. Wm Rohrer $1.25. John Hearsen fifty cents. Peachy Rice $1.25. A J Nicholas $1.25. Jacob Armentrout $1.25. D S Jones $1.25. H A Beahm $1.25. Solomon Dean $1.25. Wiley Harris fifty cents. G W Effinger 50 cents. R C Mauck fifty cents

Ordered that the allowance to and -

D Pennybacker Pl^tff
vs
James Steele Def^t
} upon a warrant

On Motion this cause is continued until the next term at the costs of the pl^tff.

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

Ordered that the following allowances be made to jurors for services to jurors for services during the present term to be paid by the County of Rockingham. viz. Richard Hedrick $1.00. Robert Burke $3.50 Eli Anders $2.75 David Garber $1.00 Jno Lineweaver $2.75 Jno Hampler seventy five cents Jno A Showalter $2.75 Jesse Myers 75 cents. Wm Rehard $2.75 Jno Harper $3.50 C A Spinkel $3.00 Peachy Rice $2.75 A J Nicholas $2.75 Jacob Armentrout $2.75 D J Jones $2.75 H A Beahm $2.75 Miller Harris $3.50 Geo Campbell $4.00 Wm Sipe $4.00 G W Effinger $3.50 R C Branch $3.50 P Burgess $4.00 W Basford $4.00 T G Gray $4.00 W C Carrington $4.00 Jno C Miller $2.00 R A Ralston $3.00 Jno Leedy $3.00 D M Cuffman $3.00

Littleton W Gamble Clerk of this Court presented in Court an account against the Commonwealth amounting to $118 19 Cents which being sworn to was examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Land Roads Executor Pltff
against
Isaac Wheeler Deft } In Debt

This day came again the parties by their attorneys and the Jury sworn for the trial of this cause on Thursday last appeared in Court agreeable 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 oaths do say We the Jury find for the Plaintiff $533.33⅓ Cents with interest thereon from the 2d day of August 1859 till paid Subject to a Credit of $44.18 paid August 20th 1859 as endorsed on note and a credit of for $18.46 of date March 1st 1859 and a Credit for $37 of date August 2d 1859 Therefore it is Considered by the Court that the Plaintiff recover against the said Defendant the sum of $533.33⅓ Cents with interest from the said 2d of August 18[illegible] till paid subject to the Credits as found by the Jury, and the Defendant moved the Court to set aside the Verdict found the Jury which motion was Overuled by the Court

John O Runnels Pltff
vs
Rueben Bonds Deft } In Debt

This day came the parties by their attorneys and the Defendant pleaded payment for Twenty Dollars part of the Debt in the declaration mentioned to which plea the plaintiff replied generally and issue is thereupon Joined & the cause is continued until the next Term

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

A. M. Newman

In the Clerks Office of the County Court of Rockingham
November 30th 1860

Browns & Byrd Pltffs
vs
George F Dinkle Deft } In Debt

This day the deft appeared in the office aforesaid and confessed judgment for $150.12 with interest and costs

It is therefore considered that the pltffs recover against the deft $150.12 the debt aforesaid with legal interest thereon from the 30th day of November 1860 till paid and the costs by the pltffs about their suit in this behalf expended Teste

Wm D Grattan DC

Virginia to wit

At a County Court held for Rockingham County at the Court-House thereof on Monday the 17th day of December 1860.

Present

+A M Newman P J + Christian R Moyers } Gent
+Robert Black + Wm Sawley & Jacob S Roller } Justices

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

1 + ~~A~~ Deed of Bargain & Sale from Mary A Prosser to Noah W Shuler
2 + Same from Joseph Rhodes & wife to David Armentrout
3 + A Deed of Trust from Jas B Whitmore to J S Roller in Trust for Peter S Roller
4 + A Deed of Bargain & Sale from Jas B Dickson & wife to James J Miller
5 + Same from Samuel Loffman & wife to Albert L Fishback
6 + Same from John Greer & wife to Benjamin B Ewing
7 + Same from Peter Dinkle & wife to A M & Robert Painter —
8 + Same from Joseph B Glosser & wife to Henry Miller —
9 + Same from John W Swartz & wife to Harvey Bonner ✓
10 + Same from Samuel H Lewis Jr & to Robert McKee
11 + Same from Robert McGaine & wife to Wm S Showalter & trustees —
12 + Same from John Wine & wife to George W Wine ✓
13 + Same from Emanuel Roller & wife to Reuben A Whitmore ✓
14 + Same from R M Kyle & wife to Reuben Raines trustee ✓
15 + Same from Same to Reuben Raines ✓
16 + Same from George Sawley & wife to George Kiser ✓
17 + Same from Joseph Miller & others to John A Beckner ✓
18 + Same from Patrick Murphy & wife to Jeremiah Mooney ✓
19 + Same from John A Price & wife to Harrison Ross ✓
20 + Same from Isaac Reamer & wife & to Hopkins & Kisling ✓
21 + Same from Samuel B Good & wife to John P Long & ✓
22 + Same from Elizabeth Hoover & others to A W Brown ✓

A Settlement of the accounts of Adam Wise guardian for Amanda J Sheets, having been filed in the Clerks Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded.

Gideon B Reid &c appellant
vs
Isaac Reid appellee
upon an appeal from the judgment of a justice

On Motion it is ordered that this cause be placed upon the docket

Joseph T Logan Deputy for John R Kougler Sheriff of Rockingham County, presented in Court a list of lands and lots sold by him on the 17th day of Sept & 15th day of October 1860 sold for the non payment of taxes due thereon for the years 1855. 1856. 1857. 1858 and 1859 which list being sworn to was examined and the Court being satisfied that the said list is correct doth order that a copy thereof be certified to the first auditor

Joseph T Logan Deputy for John R Kougler S R Co. presented in Court a list of lands & lots sold by him on the 17th day of Sept and 15th day of October 1860 for the non payment of taxes due thereon for the years 1855, 56. 57. 58 & 59 & 60 and purchased by the Commonwealth. was examined and the Court being satisfied that the said list is correct, doth order that a copy thereof be certified to the first auditor

Roger & Miller vs Mefick on DD & and notice proved & execution awarded

John R Kougler Sheriff of Rockingham County presented in Court an account against the Commonwealth amounting to two dollars and ninety one cents which being sworn to was examined & allowed by the Court and ordered to be certified to the Auditor of Public accounts

On the Motion of S M & R Bowman ~~they~~ leave is granted them to transfer their Ordinary License to William Williams

Sinnes for use Shenk on D Bond Notice prayer & execution awarded

Ralston use Effinger on D Bond The same order

David R Hopkins
vs
Henry Garfinger
} Upon a Notice

On Motion it is ordered that this cause be placed upon the docket

Warren & Yancey Pltff
vs
H M Harris Defts
} Upon a Notice

This day came the pltff by their attorney and it appearing to the court that the defts. hath had legal notice of this motion and they being solemnly called and not appearing. On Motion of the plaintiffs it is considered that they recover against the defts $15 with interest thereon at the rate of six per centum per annum from the 20th day of August 1856 to the 1st day of August 1859 and their damages upon the whole amount due at the rate of 15 per centum per annum from the said 1st day of August 1859 till &c. & it is and the costs by the pltff. in this behalf expended

On the Motion of Jacob L Silcott & Jacob L Bowman securities of Addison Harper administrator of Richard Counter. a rule is awarded against said Harper to shew cause at the next term of the court why he should not execute a new bond or have his powers revoked as such administrator

The last will and testament of Jacob Brattonwaite dec'd. as exhibited was presented in court and proved by the oaths of John L Woodson and Abner J Nicholas two of the subscribing witnesses thereto and ordered to be recorded

On the Motion of Henry Neff who made oath thereto according to law and together with Emanuel Hoover and John A White his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty four hundred dollars conditioned as the law requires. a certificate is granted the said Henry Neff for obtaining letters of administration in due form upon the estate of Israel May dec'd the widow of the said decedant having relinquished her right to administer

Ordered that David Rhodes. William McIntire. Adam Lichlighter and David Sigler or any three of them being first duly sworn for that purpose do appraise the estate of Israel May dec'd and report thereon to the court according to law

J W Kaylor's Com'r & others Pltffs
vs
Peter Kaylor & others Defts } In Chancery

This cause came on this 17th day of December 1860 to be heard upon the plaintiffs bill & exhibits and the return to the subpoenas duly executed & more than one month having elapsed since the filing of said plaintiffs bill the same is taken for confessed, whereupon the court doth adjudge order and decree that Lewis W Kayler who is appointed a commissioner for that purpose shall after advertising the time place & terms of sale for four successive weeks in one of the newspapers published in Harrisonburg & posting a like notice at some public place in the neighborhood, proceed upon the premises to sell at public auction to the highest bidder the real estate in the plaintiffs bill mentioned requiring the purchaser to pay one third of the purchase money in 90 days from the day of sale & the remainder in two equal annual payments all to bear interest from the day of sale for all of which payments he will be required to execute bonds with good personal security. But before said commissioner

shall receive any money under this decree he shall execute before the Clerk of this Court bond with sufficient security in the penalty of $2000. conditioned for a faithful performance of his duty under this decree — and this cause is referred to one of the Commissioners of this Court with instructions to state and settle the account of Lewis W Kayler administrator of John W Kayler dec'd. the amount of debts against said decedant & other matters deemed by the parties

The last will and testament of Nicholas Purkey dec'd was presented in Court and proved by the oaths James Moore & William J Lawton of the subscribing witnesses thereto and ordered to be recorded

On the motion of John C Walker who made oath thereto according to law and together with Jacob Miller & Shimeon B Jennings his securities who act by S W Gamble their attorney in fact by virtue of a Power of Attorney bearing date the 15 day of December 1865 and duly admitted to record entered into and acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires. a certificate is granted the said John C Walker for obtaining letters of administration in due form upon the estate of Robert B Jennings dec'd

Ordered that Wm VanDeaver, Robert M Mooney, Edward S Kempfer, Wm M Kempfer and Henry Carpenter or any three of them being first duly sworn for that purpose do appraise the estate of Robert B Jennings dec'd and report thereon to the Court according to law

A Power of Attorney from Jacob Miller & Shimeon B Jennings to S W Gamble was presented in Court and being acknowledged by the said Miller & Jennings before a Notary Public is together with the certificate of the said Notary Public thereon endorsed ordered to be recorded

George W. Holland this day produced credentials of his ordination, and also of his being in regular communion with the Evangelical Lutheran Church. took the oath of allegiance to this Commonwealth. and with Abraham Byrd & Joseph Miller 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

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D. M. Gilroy & Jacob R. Brathwaite who have been duly recognized to appear here as witnesses on behalf of the Commonwealth against Fernando Corcoran fore. being solemnly called, and not appearing it is ordered, that they be summoned to appear here forthwith. to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

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Morris Lowenbach who has been hereto appointed and qualified as a Notary Public for this County, appeared in Court & together with James W. Burgess his security entered into and acknowledged a bond in the penalty of five hundred dollars. conditioned as the law requires. which bond is ordered to be recorded and certified to the Auditor of public accounts

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Charles A. Shrimbel who was by the board of School Commissioners of this County, on the 19th day of November 1860 appointed superintendant of Schools for said County for the year commencing the 1st day of January 1861. appeared in Court and together with Nelson Shrimbel his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of $5000 - conditioned as the law requires which bond is ordered to be filed and recorded

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Upon the petition of Michael H. See he having paid the tax imposed by law. a license is granted him to keep a Public Ordinary at his house in Timbleville. the Court being of opinion that he is a man of good character. not addicted to drinking or gaming

Ordered that the Clerk of this Court, register as a free negro Mary Taylor, age 21 years, five feet, two & three fourth inches high, of bright Mulatto complexion, and has a scar on the upper part of the forehead, and was born free in the County of Page.

On the Motion of Silverton C Ammon, Sheriff elect for this County for ten years commencing on the 1st day of January 1861, and with the consent of the Court, Henry Neff, Samuel R Allebaugh, Joseph T Logan, Robert G Coakley, Christopher Miller, John T Long B M Rice and Peter Rich are permitted to qualify as his deputies, to serve as such during the term of said Ammon, or during the pleasure of the said Ammon, or this Court, and thereupon the said Henry Neff, Samuel R Allebaugh, Joseph T Logan, Robert G Coakley, Christopher Miller, John ~~Peter~~ B M Rice & Peter Rich appeared in Court and took the several oaths required by law

Fernando Crawford who stands charged with a felony by him committed in this that he did on the ~~12~~ day of October in the year 1860 ~~in the night~~ a certain shop the property of Harriet Effinger, which was in the occupation of D McGilvray to whom it was there leased and which was not adjoining to, or occupied with a dwelling house in the night time, feloniously did enter with intent to commit larceny therein, and that the said Fernando Crawford, one gun of the value of five dollars of the goods and chattels of the said D McGilvray, then being in the said Shop, feloniously did 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 a felony has been committed, and that there is probable cause to charge the prisoner thereupon 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 was remanded to jail

M M Sibert who has been duely summoned to appear here as a witness on behalf of the Commonwealth ags Fernando Crawford being solemnly called and not appearing, it is ordered that he be summoned to appear here forthwith to shew cause if any he can why he shall not be fined & attached for his failure aforesaid

Fernand Crawford who stands charged with a felony by him committed in this that he did on the 10th day of October in the year 1868. a certain store-house. the property of Joseph H Conrad. then leased to S J Hamsberger in whose profession it was. not adjoining to. or occupied with a dwelling house. feloniously, in the night time of the same day. did break and enter. with intent to commit larceny. therein. one certain number of pieces of silver coin. the number of pieces not known amounting in the whole to the sum of three dollars. and of the value of three dollars. the said coin the property of the said Joseph H Conrad. there being in the said store house. did steal. take & 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 a felony has been committed. and that there is probable cause to charge the said Fernando Crawford 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 was remanded to jail

Be it remembered that Joseph H Conrad. D H Shaver Thomas Dean. Wm Harner & Henry Lamm. personally appeared in Court and acknowledged ~~each~~ 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 they the said Joseph Heironimus, Dyke Glover, Thomas Dean Wm Harmer & Henry Sam 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 Germanus Crawford, and not to depart thence without the leave of the said Court, then this recognizance to be void, otherwise to remain in full force

Commonwealth
vs
H M Gilvray & J R Brathwaite } Upon a Rule

On Motion & for reasons appearing to the Court it is ordered that the said Rule be discharged

Same
vs
M M Sibert } Upon a Rule

The Same order

Ordered ~~that the Court be adjourned until to morrow morning at 9 o'clock~~ Upon the petition of Andrew Yancey who has for a license to ~~retail ardent Spirits~~ in this County on consideration the Court to refuse to grant said license

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

A M Newman

Tuesday December 19th 1860

Present

+ A M Newman P J + Christian R Rogers } Gent
+ Robert Black + Wm Sanfley + J S Roller } Justices

The Commissioners heretofore appointed to make partition of the real estate of which Christian Bloce died seized this day filed their report which was examined confirmed and ordered to be recorded

Ordered that the following named persons be appointed to patrol in the neighborhood of Conrads Store, ~~until the January term next of this Court~~ viz. Thomas Dean Captain, John Rine, Jy H. Miller, Frank Elliott Henry Lariner, Joseph Harnsberger, Layton Mayers, Henry Harnsberger, Joseph Heskite, S P H. Miller & Jacob Shat

Ordered that the following named persons be appointed to patrol in the neighborhood of Mt Weaverlie in Rockingham County ~~until the Jany term next of this Court~~. Capt. Jno. L. Walker, R W Bear Alfred Welch, Robert H. Spindle, Wm Sigler, George Hauffman John P. Hauffman, James W. Bloce, Joseph Bateman, Wm B Snyders & Isaac Gooding

Ordered that the following named persons be appointed to patrol in Magesterial District No 6 ~~until the January term next of this Court~~ viz. patrol No 1. ~~A L Bayse Capt~~. Charles A Shrunk Capt B F Rickard, S M Ott, B F Coates, Robt Bowman, J R L Hardesty Geo O Conrad, A W Flecker, S R Sterling, S H Ott, Wm N Gay Jacob L Silbert, James A Wilson, Dr G K Gilmer, Jno W G Smith N H Heneberger, James Kenney, Quincy Nicholas, Jy Coffman D H L Maritz, A M Newman Jr, James L Gray, Thos O Sterling Samuel Giles, G M Effinger, H F Wartmann, S T Walker Dr. A Martin, O P H Elsphenstine, Emanuel Royer, Wm H Roadiffer, David A Jones, Franklin Pence, C F Liggett, Jno W C Houston, D H Galambier, Richard A Stephens, L P M Gilreay Lewis Rehrer, Wm O Hall, T L Yancey, George P Bruffy Patrol No 2. Abraham Carman Capt. Ezra Buntner Strother Bright, Henry Sheets, Michael Howard, Wm Lisbey to patrol ~~twice~~ a week if the Capt shall think necessary

On the motion of Yelverton & Avirett sheriff elect for this county, for the term of two years commencing on the 1st day of January 1861, and with the consent of the Court hath appointed Jno R Kiogler as his deputy Sheriff, and thereupon the said Jno R Kiogler took the several oaths required by law

229.

David Armentrout Appellant
vs
Andrew Henton Appellee } Upon an appeal from the judgment of a justice.

This day came the parties by their attorneys and by consent it is considered that the judgment of the justice aforesaid be affirmed and that the appellant recover against the appellee $20. with legal interest thereon from the 19th day of August 1854 till paid & $3.40 costs before said justice, and that neither party recover any costs in this court

Fenil (a Slave) Appellant
vs
Commonwealth Appellee } Upon an appeal from the judgment of a justice

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

Robert Hooke appellant
vs
Jo Coogle alias Harrison Appellee } Upon an appeal from the judg of a justice

It being suggested that the appellant has departed this life it is ordered that this cause be revived & proceed in, in the name of Jas'd Hooke v. A Scott Hooke executor of the said Robert Hooke dec'd.

Jonas Moyer for appellant
vs
Samuel Bechtell &c appellees } Upon an appeal

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 appellees

Wm Smith Appellant
vs
Geo. Armentrout appellee } Upon an appeal

Eli Keerans Appellant
vs
J Hannsberger &c Appellee } Upon an Appeal
On Motion & for reasons appearing to the court, it is ordered that this cause be continued until the next term

D N Houston	Appellant	Upon an Appeal
vs		
Moses Joseph	Appellee	
Moses Joseph	Appellant	Upon an Appeal
vs		
John Sites	Appellee	
Wm S Butler	Appellant	Upon an Appeal
vs		
Amanthus Brock	Appellee	
Silvester Bowman	Appellants	Upon an Appeal
vs		
Wm Carpenter	Appellee	
Samuel Rexroad	Appellant	Upon an Appeal
vs		
Samuel Good	Appellee	
G W Dunney	Appellant	Upon an Appeal
vs		
Wm P McCall	Appellee	
P Bowen Donaldson	Appellant	Upon an Appeal
vs		
David Keller	Appellee	
Wm K Gailey &c	Appellants	Upon an Appeal 8 Cases
vs		
G W Effinger	Appellee	
Hugh M Harris	Appellant	Upon an Appeal
vs		
John O'Neal	Appellee	
Warren Veach	Appellant	Upon an Appeal
vs		
Isaac Hardesty	Appellee	
J P Effinger	Appellant	Upon an Appeal
vs		
Joseph Yelich	Appellee	

On Motion & for reasons appearing to the Court, it is ordered that the aforesaid Causes be Continued until the next Term

Nevel Rogers	Appellant	Upon an Appeal
vs		
W O Hitchcock	Appellee	
Conrad Long	Appellant	Upon an Appeal
vs		
Henry Maces Comtee	Appellee	
Jacob O Slusser	Appellant	Upon an Appeal
vs		
Peter Hile	Appellee	
Wm P McCall	Appellant	Upon an Appeal
vs		
Alfred Sprinkel	Appellee	
Elias Grim	Appellant	Upon an Appeal
vs		
H M Hannis & c	Appellee	
Michie & Robertson	Appellant	Upon an Appeal
vs		
Jacob Ammon	Appellee	
W L Baugher	Appellant	Upon an Appeal
vs		
G W Layton	Appellee	
Richard Jaunds	Appellant	Upon an Appeal
vs		
Commonwealth	Appellee	
Amos Scott &	Appellant	Upon an Appeal
vs		
Zachariah Raines	Appellee	
and		
Harrison Ridalle	Appellant	Upon an Appeal
vs		
W & Hendon	Appellees	

On Motion and for reasons appearing to the Court it is ordered that the aforesaid ten causes be continued until the next Term

John A Switzer — Appellant
vs
Jas H Burgess &c — Appellees
} upon an appeal from the judgmt of a justice

This day came the parties by their attornies, and the Appellees moved the Court to quash the notice upon which this action was founded, which motion the Court doth sustain. It is therefore considered that the said appeal be dismissed & that the appellees recover against the appellant their costs in this behalf expended

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Shacklett & Gibbons — appellants
vs
Christian Kyger — appellee
} upon an appeal from the judgmt of a justice

This day came the appellants by their attorney, and a witness being sworn and examined and the Court upon deliberation of opinion that there is error in the judgment aforesaid. It is therefore ordered that the same be reversed and annulled and the Court proceeding to give such judgment as the justice ought to have given, it is therefore considered that the appellants recover against the appellee $5.25 with legal interest thereon from the 22d day of November 1858 till paid, and the costs by the appellants in this behalf expended

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Curtis Hall — Appellant
vs
Commonwealth — Appellee
} upon an appeal

This day came the parties by their attornies and by consent it is ordered that this cause be dismissed and that the Comwlth recover against Curtis Hall & Wm Peters his security in said appeal the costs by her in this behalf expended

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Whitfield Haney — Appellant
vs
Commonwealth — Appellee
} upon an appeal

This day came the parties by their attornies, and by consent it is

ordered that this cause be dismissed. and that the Commonwealth recover against the said Whitfield Haney & Obed Ritchie his security in said appeal. the costs by her in this behalf expended

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Alexander Broadas (a slave) Appellant,
vs
Commonwealth Appellee. } Upon an appeal.

This day came the parties by their attornies. and by consent it is considered that this cause be dismissed. and that the Commonwealth recover against Philo Bradley the owner of said slave. the costs by her in this behalf expended

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John Freeman Appellant
vs
Commonwealth Appellee } Upon an appeal

This day came the parties by their attornies and by consent it is considered that this cause be dismissed. and that the Commwth recover against the said John Freeman. & Peter Frick his security in said appeal. the costs by her in this behalf expended

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Richard Jarvis Appellant
vs
Commonwealth Appellee } Upon an appeal from the judg of a Justice

This day came the parties by their attornies. and the proceedings of the said justice being seen and inspected. and sundry witnesses being sworn and examined. and the Court upon mature deliberation are of opinion that there is no error in the judgment aforesaid it is therefore considered that the same be affirmed. and the said appeal be dismissed. and that the Commonwealth recover against the Appellant & Adam H. Brewer his security the costs in this behalf expended

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Gideon B. Reid & Appellants, } Upon an appeal.
vs
Isaac Reid Appellee } By consent this cause is continued until the next term

Giles Dever Appellant
vs
David Frank Appellee
} Upon an appeal

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

S K & J A Moore Pltffs
vs
Jno E Brown Defts
} Upon a Notice

On Motion it is ordered that this cause be placed upon the docket & continued until the next term

Thomas L Yancey trustee Pltff
vs
John N Neill & Deft
} Upon a Motion

On Motion ~~and for reasons~~ it is ordered that the parties
183 to this cause be summoned to appear here on the first day of the next term of this Court. to try the right to the property in Controversy

Jacob Flook appellant
vs
Jacob P Effinger appellee
} Upon an appeal

This day came the parties by their attornies and sundry witnesses being sworn and examined and the record of the proceedings before the said justice being seen on a inspection. upon consideration whereof is seems to the court here that there is error in the said judgment. it is therefore considered that the said judgment be reversed and annulled. and this court proceeding to give such judgment as the justice below ought to have given. doth order that the appellant recover against the appellee $20. with legal interest thereon from the 15th day of April 1856 till paid. and the costs by the appellant in this behalf expended

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

A M Newman

Wednesday December 19th 1860

Present

+A.M. Newman P.J. + Robert Black + Wm Caufley } Gent
+ Josiah Roller + C.R. Moyers } Justices

Jacob Rymel & Wm Clatterbuck who have been duly summoned to appear here as witnesses on behalf of Andrew Donman vs A. VanPelt being solemnly called and not appearing. It is ordered that they be summoned to appear here at the next term, to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Andrew Donman Pltff
vs
Andrew J. VanPelt Deft
} Upon a Motion

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 Pltff

Jacob P. Effinger Pltff
vs
George W. King Deft
} Upon an Attachment

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 Pltff

Tutwiler's admrs vs Valley Turnpike Company, Rockingham C.P. Co vs Bryan, White, for use Grove, Shaver vs Hodsinger, M. & H.R.R. Co vs Dibbs same vs Same, Spannbel vs Denton, Siggett vs Mauck, Harper vs Ramsdell Clifton & Co vs Crawford, Rockingham Mut. F. Seminary vs Rebecca, same vs Young, same vs Swank, same vs Colaysad, same vs Beem same vs Miller, same vs Sterling, same vs Shank, same vs Gamble same vs Jones, same vs Miller, Pitt. Bell vs McCue & Hanna vs same On Motion, it is ordered that the aforesaid causes be continued until the next term

Hiram M Harris Pltff
vs
Samuel P Windle Defd
} upon an Attachment

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

Sigler vs Austin & Co. Cupp vs Cupp. Bayne vs Brewer Harrison vs Hancett, Hopkins vs Beard, Bayne vs Spannhee, Brightwell vs Clarke, Herring vs Glasgow, Gilbert & Bowman vs Crane, Jordan vs Pollard & Mead Meisinger & Co vs Harris & Wise's admrs vs Clark Van Pelt vs Smith, Bryan & Co vs Beirne, Ergenbright vs Ferrow Maiden vs Finsman, Byrne vs Dennale, Keeran vs Logan Ryan vs Bridegame, Christie vs Same, Bagly vs Same Braithwaite vs Same, Rhodes vs Thrift & Co, Sanders vs Earley Same vs Cline's heirs, Keeran vs Keller, Overseers of Poor vs Taylor Moyers vs Sigler & Co, Kyle vs Bonar, Gray vs Grove, Talley vs Harnsberger Mayerhoeffer vs Mahler, Diggs vs O'Neale & Co, Barley vs Byerly Heaton vs Same, Effinger & Bro vs Same, Hopkins for vs Grove Barley vs Moyers, Royer vs Harris & Co, Rogers vs Keenan, Barley vs Jennings, Harnsberger & Co vs Stevens, Speck & Altaffer vs Schmucker Sink vs Same, Same vs Same, Jenkins vs Same, Ruffner & Co vs Same Ruffner & Co vs Same, Shoemaker & Dove vs Maitz, Dorman vs Harnsberger Dinkle vs Schmucker, Same vs Same, Houck vs Bailey & Co vs Same vs Same, Mendenhall vs Effinger, Morse vs Sellers, Harnsberger vs Mowry Same vs Same, Overseers of Poor vs Emmenweiler, Stinespring vs Hiser Brannen vs Trout, Donnales vs Madams, Morse vs Brown & Co, Bailey vs Cosby, Baldwin vs Reeves, Dorman vs Kuntz & Same vs Black

On motion and for reasons appearing to the Court it is ordered that the aforesaid causes be continued until the next Term

Solomon Bustner & Co. Pltff
vs
Isaac Hardesty & Son Defts
} upon an interpleader

This day came the several parties by their attornies, and it is ordered that an issue be tried at the bar of this court

to determine whether the property levied upon by virtue of a fifa in favour of Isaac Hardesty & Son. is the property of Solomon & Wm Buntner or the property of Ezra Buntner and subject to the lien of said fifa. at the date of its levy and the said parties having waived a jury, and submitted the cause to the Court, and sundry witnesses being sworn and examined and the parties fully heard and the Court upon mature deliberation are of opinion & decide that the property levied upon is subject to the levy of the execution of Isaac Hardesty & Son. it is therefore considered that the said Isaac Hardesty & Son recover against the said Solomon Buntner & Wm H Buntner their costs by them about their defence in this behalf expended

Absent A M Newman

Jacob Flook — Appellant
vs
Jacob P Effinger — Appellee
} Upon an appeal

This day came again the parties by their attornies and the deft by his attorney moved the Court to reconsider the judgment rendered on yesterday and thereupon by consent the judgmt is set aside and the trial of the cause deferred until the next term

Present A M Newman

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

A. M. Newman

In the Clerk's Office of the County Court of Rockingham Dec. 21st 1860

Harvey Kyle — Pltff
vs
Allen C Bryan — (Deft)
} In Debt

This day the deft appears in the office aforesaid & confesses judgment for $7500.00 the debt in the writ mentioned with interest & costs. It is therefore considered that the pltff recover against the deft $7500 the debt aforesaid with legal interest thereon from the 26th day of Nov. 1857 till paid & the costs in this behalf expended. This judgment is entitled to a credit for int paid to Nov 26th 1859

Wm D Frank D C

In the Clerks Office of Rockingham County Dec 28th 1860

Hamilton Easter & Co Pltffs
vs
R M Harrison Deft } In Case

This day the deft appeared in the Office aforesaid and confessed judgment for $171.80 Damages with interest from the 27th day of October 1857 the pltffs by their attorney being present and consenting to take judgment for that amount It is therefore Considered that the pltffs recover against the deft $171.80 the damages aforesaid with legal interest thereon from the 27th day of October 1857 till paid, and the costs by them in this behalf expended

Teste

Wm D Trout DC

In the Clerks Office of the County Court of Rockingham, Jany 7 1861

Samuel Barley Pltff
vs
Wm K Fishback Deft } In Debt

This day the deft appeared in the Office aforesaid and confessed judgment for $203.54 the debt in the writ mentioned with interest and costs. It is therefore Considered that the pltff recover against him $203.54 the debt aforesaid with legal interest on $42.91 part thereof from the 12th day of August 1859 and on $160.63 the residue thereof from this day till paid, and the costs by the pltff in this behalf expended

Teste

Wm D Trout DC

In the Clerks office of the County Court of Rockingham Jany 7th 1861

John C Mowason Pltff
vs
John Mefferly Deft } In Debt

This day the deft appeared in the office aforesaid and confessed judgment for $46.10 the debt in the writ mentioned with interest and costs It is therefore considered that the pltff recover against the deft $46.10 the debt aforesaid with legal interest thereon from the 28th day of March 1857 till paid and the costs by the pltff about his suit in this behalf expended.

Teste Wm D Trout DC

State of Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 21st day of January 1861

Present

+ Wm Newman P.J. + Wm Sanger + Josiah S. } Gent
Roller + Robert Black + E.R. Mayers } Justices

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 December 1860 which being examined is ordered to be entered on the minutes as follows to wit

1 + A Deed of Bargain & Sale from Samuel A Long & wife to Christian Showalter
2 + Same from Same to John & Robert Beery
3 + Same from Wm & Webster & wife & to George Ireland
4 + Same from Preston T Burkholder & wife & to Samuel B Good
5 + Same from Magdalene Shaver & to James May
6 + Same from Jacob Coffman & wife to Jacob May
7 + Same from Jacob Lentz ex'tor to Harvey Dove
8 + Same from Jacob Wine & wife to John Crebaugh
9 + Same from Maswell Sheets & wife to Mathew Bright
10 + Same from James L Nash to John Miller trustee
11 + Same from Christian Sites & wife to Christian Wine
12 + Same from John & Wm Swisher trustees to A H Brewer & S Rhodes
13 + A Power of Attorney from Eastharine Brock & to John G Coates
14 + A Deed of Bargain & Sale from Emanuel Roller & wife to Wm H Monger
15 + Same from James Burk & wife to Wm T Smith
16 + Same from W & Cunningham Comm'r to Wm B Yancey +
17 + Same from John E & King & wife to Hezekiah & Kisling
18 + Same from Samuel Frank & wife to Archibald & Roller
19 + A Deed of Trust from James Jones to Samuel Coffman for Jacob & Frank
20 + A Deed of Bargain & Sale from Isaac S Pennybacker to Sarah A Pennybacker
21 + Same from Thomas L Yancey & wife to E T D Warner
22 + Same from Benjamin Kerlin & wife to Samuel Frank
23 + A Deed of Trust from Charles S Weaver & wife to Jno Beery for G & Swanson &

24 ✓ A Deed of Bargain & Sale from Wm Sanfley Exrs to Harrison Baseman

25 ✓ Same from Harvey Kyle Exrs to Elijah Hauffman

26 ✓ Same from Geo W Mauzy to Joseph Mauzy

27 ✓ A Deed of Trust from Harrison Bosp to J. Rivercomb Intrust for N. & Blakemore

28 ✓ A Deed of Bargain & Sale from B. Richardswife to Archibald Taylor

29 ✓ Same from Isaac Hardesty &c. to Sam & Robert Bowman

A Settlement of the estate of Daniel Rodes dec'd ameraces a list of debts against his estate, having been filed in the Clerks Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto, the same is confirmed and ordered to be recorded.

A Settlement of the estate of Peter Hoff dec'd

The Same order

Same of the estate of Jacob Sendz dec'd.

The Same order

Same of the estate of Adam Hondeshell dec'd.

The Same order

Same of the estate of Abraham Nisewanger dec'd

The Same order

Same of the estate of Samuel Rose dec'd

The Same order

A Settlement of the accounts of Reuben Sellers Guard for Mary E Coonan

The Same order

A Settlement of the accounts of William Sanfley Guard for Elizabeth E Kyger & others

The Same order

A Settlement of the accounts Reuben W Harrison Guard for Susannah Harrison having been filed in the Clerk's office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the a/c of Allen W Brown Guard for Tom Woman is
The same order

Joseph D Logan Deputy for John R Koogler late Sheriff of Rockingham presented in Court a list of lands & lots sold by him on the 17th day of Sept 1860 & 15th day of October 1860 sold for the non payment of taxes due thereon for the years 1855. 1856. 1857. 1858 & 1859. which list being sworn to, was examined and the Court being satisfied of the correctness of said list doth order a copy thereof to be certified to the Auditor of Public accounts.

Joseph D Logan Deputy for John R Koogler late Sheriff of Rockingham County, presented in Court a list of lands & lots sold by him on the 17th day of Sept 1860 & on the 15th day of Octo 1860 for the non-payment of the taxes due thereon for the years 1855 1856. 1857. 1858 1859 & 1860 and purchased by the Commonwealth which list being sworn to was examined and the Court being satisfied of the correctness of the said list doth order that a copy thereof be certified to the Auditor of Public accounts

On the Motion of Joseph Kline the attorney for the Commonwealth being present & defending said Motion & it appearing to the satisfaction of the Court that the said Joseph Kline has been assessed with and paid the tax upon 388 & 1/2 A of land for the year 1857 amounting to $10.20 said land is part of a tract of 800 & 3 Roods of land before that time owned by said Kline and the said 388 & 1/2 A having been transferred to Solon D & Hamlet and not taken off the said tract of 800 & 3 Roods all of which is ordered to be certified to the Auditor of Public accounts

On the Motion of Benjamin Hoover admr of Daniel Lowry dec'd the Attorney for the Commonwealth being present and no person saying said Motion it is ordered to be certified that said Lowry's est has been a defendant with and paid $12.06 the tax for the year 1857 on three tracts of land in Mifflin one of 105 acres one of 20 acres and one of 14 A. 2 R. & 10 perches and that Isaac V Geesey & John C Abe (proper persons to pay the same) have been defendants with the same land and it is ordered that the same be certified to the auditor of public accounts.

Upon the petition of Edward S Yeamey for the alteration of a road in this County. It is ordered that David Gilmore Charles Sowers & George Argenbright be appointed viewers to act and report upon the said petition according to law

Williams for use Kinsander & ux & D Bonsall Notice proved & Judgment awarded

Little use Porter & ux & D Bonsall — The Same order

Strickler use Wolfley & ux & D Bonsall — The Same order

Ammentraut use Wise & ux & D Bonsall — The Same order

Weaver use Rogers & ux & D Bonsall — The Same order

Frances Baker orphan of Samuel Baker dec'd being over 14 years of age appeared in Court and with the approbation of the Court made choice of Peter W Whitmer as her guardian and thereupon he appeared in Court and together with Michael J Meyerhoeffer & Samuel Baker 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 executed.

N K Smith Trustee Pltff
vs
H M Harris & Deft } On Motion for money collected by Harris as constable

This day came the pltff by his attorney and

it appearing that the defts hath had legal notice of this motion, and they being solemnly called & not appearing, it is considered that the pltff recover against the defts $19.30 with legal interest thereon from the 16th day of February 1858 till paid, and the costs by the pltff about his motion in this behalf expended.

The last will and testament of Daniel Shickel dec'd was presented in court and proved by the oaths of John Wine V. Solomon Garber two of the subscribing witnesses thereto and ordered to be recorded, and on the motion Daniel Thomas the executor therein named who made oath thereto according to law, and together with Daniel Bowman his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires, a certificate is granted the said Daniel Thomas for obtaining a probate of the said will in due form.

Ordered that Samuel Yolick, Joel Yolick, Joseph T Miller and Samuel Manks or any three of them being first sworn for that purpose do appraise the estate of Daniel Shickel dec'd and report thereon to the court according to law.

On the Motion of Archibald Brock by his attorney for Jno G Smith (the attorney for the Commonwealth being present and defending the same) and the following facts appearing to the court which are hereby accordingly certified as follows, viz the said Archibald Brock has been erroneously assessed and charged in his taxes for the year 1860 with $1060.00 as a tax on an income of $21000.00 whereas in fact no such income was chargable, but that the same was given in by mistake and it further appearing that this application for relief has been made within one year after the date of the Clerks certificate to the property book returned by H. N. Chrisman one of the Commrs of the revenue for the County of Rockingham who assessed the same, and who qualified & gave bond in this Court as Comr as aforesaid, and ~~within one year from the assessment of the said license tax~~, and it further appearing that the said Brock has paid the said tax of $10.60 - it is ordered that the same be refunded to him.

On the Motion of Mary Lincoln by her attorney (the attorney for the Commonwealth being present and not defending the same) and the following facts appearing to the court which are hereby accordingly certified as follows, viz that the said Mary Lincoln has been erroneously assessed and charged in her tax for the year 1860 with $15.00 as a tax on an income of $1000. whereas in fact no such income was charged, but that same was given in by mistake, and it further appearing that this application for relief has been made within one year after the date of the Clerk's certificate of the property book returned by H. A. Chrisman a Comr. of the revenue for the County of Rockingham who assessed the same and who gave bond and qualified as such Comr in this Court, and it further appearing that the said Mary Lincoln has paid said tax of $15. It is ordered that the same be refunded

On Motion of John P. Brock the attorney for the Commonwealth being present and not defending the said motion) and the following facts appearing to the court, which are hereby accordingly certified as follows viz, that the said John P. Brock has been erroneously assessed and charged in his tax for the year 1860 with $15. as a tax on an income of $1000.00 whereas in fact no such income was charged, but that the same was given in by mistake, and it further appearing that this application for relief has been made within one year after the date of the Clerk's certificate of the property book returned by H. A. Chrisman a Comr of the revenue for the County of Rockingham who assessed the same, and who gave bond and qualified in this Court as such Comr, and it further appearing that the said John P. Brock has paid the said tax of fifteen dollars, it is ordered that the same be refunded to him

The last will and testament of William Whitesell dec'd was presented in Court and proved by the oaths of Samuel Niswander and Jacob B. Niswander two of the subscribing witnesses thereto and ordered to be recorded, and on the

motion of Jacob Burkholder the executor therein named who made oath thereto according to law, entered into and acknowledged a bond in the penalty of One hundred dollars conditioned as the law requires, a certificate is granted him for obtaining a probate of the said will in due form. the Testator by his will having requested that no security should be required of his said executor the Court accordingly require none.

Ordered that John Burkholder, Samuel Niswander and Benjamin F Ralston, do appraise the estate of William Whitesell dec'd and report thereon to the Court according to law

The last will and testament of David G Whitmer dec'd was presented in Court and proved by the oaths of Henry A Rhodes and Anthony Showalter two of the subscribing witnesses thereto and ordered to be recorded. and there being no executor appointed by said will. on the Motion of Frances Whitmer who made oath thereto according to law, and together with Benjamin S Byerly & Henry G Brunk 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. a certificate is granted the said Frances Whitmer for obtaining letters of administration with the will annexed of said David G Whitmer dec'd in due form

Ordered that Adam Showalter, John Hostetter & Peter Whitmore do appraise the estate of David G Whitmer dec'd and report thereon to the Court according to law

The last will and testament of Mary Roseffer dec'd was presented in Court and proved by the oaths of Joseph W Kratzer & Isaac L Myers two of the subscribing witnesses thereto and ordered to be recorded. and on the Motion of Christian Myers the executor therein named who made oath thereto according to law and together with Andrew Andes his security (who justified

as to his sufficiency) entered into and acknowledged an bond in the penalty of twelve hundred dollars conditioned as the law requires. a certificate is granted him for obtaining a probate of the said writ in due form

Ordered that Eli Andes John Burkholder & Samuel Myers do appraise the estate of Mary Roadfer dec'd. and report thereon to the Court according to law

Jacob L Silbert &c. Pltff
vs
Addison Harper Deft } upon a Motion

This day came the pltff by their attorney and it appearing that the defts has been duly summoned to appear herein and shew cause and he failing so to appear. on the motion of the Pltff it is ordered that the power and authority of the deft as administrator of Richard Lester dec'd be revoked and annulled. and that the pltff recover of the deft their costs in this behalf expended

On the motion of J L Silbert & J C Bowman it is ordered that the estate of Richard Lester dec'd be committed to the hands of the Sheriff of this County for administration according to law

Reuben H Brown in the stainer committed to the Jail of this County charged with a felony by him committed in this that he did on the 23rd day of Dec. 1860 in this county one handkerchief. and one Music Box of the value of one dollar and five pieces of the value of 2½ cents each five pieces of gold coin current in this commonwealth of the value of $2.50 each three pieces of gold coin current in this Commonwealth of the value of $1 each. 28 pieces of silver coin current in this commonwealth of the value of fifty cents each. forty six pieces of silver coin current in this commonwealth of the value 25 cents each. divers other pieces of silver coin the

number not known of the value of four dollars and divers to wit six Bank notes for the payment of divers sums of money in the whole amounting to the sum of fifty dollars and of the value of fifty dollars all of the said gold and silver coin and Bank Notes then and there being the goods & silver Bank Notes and property of one Lucharine Hill feloniously did steal take and carry away and was lead to the bar in custody of the Sheriff of this County and it appearing that a felony has been committed and that there is probable cause to charge the said Reuben H Brown therewith it is 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 was remanded to jail

Be it remembered that Nathan Houston Wm B Johnson Jacob Hill Joseph Sapinan & Lucharine Hill 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 Nathan Houston Wm B Johnson Jacob Hill Joseph Sapinan & Lucharine Hill shall make their personal appearance before the Circuit Court of Rockingham County on the 1st day of the next term then and there to give evidence on behalf of the Commonwealth against Reuben H Brown 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

The Jailer having reported to the Court that Nancy Mines is confined in the jail of this Court as a Lunatic and it appearing that she has been examined as required by law it is ordered that the said examination be certified according law

David H Deffry son of Charles Deffry being upwards of 14 years of age & by an instrument of writing made choice of

Wm L Simmons as his guardian and thereupon the said Wm L Simmons appeared in Court and together with Joseph Layman his security (who justifies as to their sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars conditioned as the law requires. which bond is ordered to be recorded

Joseph Carley & Frederick Miller who produced proof of their ordination and of their being in regular communion with a religious society called the German Baptist Church appeared in Court and entered into each a bond with security in the penalty of fifteen hundred dollars conditioned as the law requires. Testimonials are granted them in due form to celebrate the rites of Matrimony

~~Ordered that the Court be adjourned until the third monday in February~~ next

On the Motion of Henry Neff who made oath thereto according to law, and together with Samuel R Allebaugh his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of Two hundred dollars conditioned as the law requires. a certificate is granted the said Henry Neff for obtaining letters of administration in due form upon the estate of John Ritchie dec^{d}

Ordered that Moses Bowman, Gideon Pence, Mathias Miller and Samuel Stover or any three of them being first duly sworn for that purpose do appraise the estate of John Ritchie dec^{d} and report thereon to the Court according to law

Jacob L Sibert who has been duly commissioned as a Notary Public for this County appeared in Court and together with John R Kessler his security, entered into and acknowledged a bond in the penalty of $250.00

conditioned as the law requires which bond is ordered to be recorded, and thereupon the said Jacob L Silbert took the several oaths required by law

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

A. M. Newman

In the Clerks Office of the County Court of Rockingham Feby 9th 1861

H & S M Ott Pltff
vs
Joseph Rhodes Deft } In Debt

This day the defendant appeared in the said office and confessed judgment for $677.98, the debt in the writ mentioned with interest and costs

It is therefore considered that the Pltff recover against the deft $677.98 the debt aforesaid with legal interest thereon from this day, and the costs by the Pltff in this behalf expended and this judgment is subject to a credit of $20. of even date this day

Teste

Wm D Frost Jr.

In the Clerk's Office of the County Court of Rockingham February 11th 1861

Samuel Barley Pltff
vs
Daniel Coakley & Fielding H. Coakley Defts } In Debt

This day the defendants personally appeared in the office aforesaid and confessed judgment for $145.90 the debt in the writ mentioned with interest and costs. It is therefore considered that the Pltff recover against the defts. $145.90 the debt aforesaid with interest on $50. part thereof from the 1st day of February 1861 and on $95.90 the residue thereof from the 11th day of February 1861 till paid and the costs by the Pltff in this behalf expended

Teste

Wm D Frost Jr.

Virginia fs

At a Court held for Rockingham County at the Court-House thereof on Monday the 18th day of February 1861

2d Month

Present

+ A M Newman & + Old Sterling Arch^d } Gent
+ Hopkins + George Fawley & P Mann } Justices

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 January 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 Trust from John A Wise & wife to John A Fishback Trust &
2 ✓ A Deed of Bargain & Sale from Reuben Huffman & wife to Benj Coffman.
3 ✓ Same from Same to William Rogers
4 ✓ A Deed of Trust from Allan & Bryan & wife to James Kenney Trustee
5 ✓ Same from James M Dorman to Hopkins Palmer Trustee
6 ✓ Same from Charles B Yancey to John & Wm Logan Trustees
7 ✓ Same from Robert Hammer to S A Sellers Trustee
8 ✓ A Deed of Bargain & Sale from Christian Funk Sen^r to Abm Brunk
9 ✓ Same from Conrad Sanger & wife to Conrad Sanger Jr
10 ✓ Same from Same to Samuel Sanger
11 ✓ Same from John & Cooke & wife to Philip, Jas A & Jno J Miller
12 ✓ A Deed of Trust from Wm Hacker to S R Sterling Trust for Harnsberger & Co
13 ✓ A Deed of Bargain & Sale from John J Roller & wife to Samuel Menifee
14 ✓ Same from Benj Price & wife to Martin Hollinger
15 ✓ Same from Charles B Yancey to Wm D & Cooper Trustees
16 ✓ Same from Solomon P Rupert to Philip Hollinger
17 ✓ Same from Samuel Carpenter & wife to John Carpenter
18 ✓ Same from John H & Mc Reed & wife to B F & Mefick &
19 ✓ Same from Anthony Rodes & wife to Henry J Hoyaecker
20 ✓ Same from Joseph H & Swank to Samuel Shanks
21 ✓ Same from Jackson Hain & wife to Swanes J Conrell
22 ✓ Same from John Sheets & wife to Samuel H Tritapoe
23 ✓ Same from Hugh A Brunk & wife to Gabriel Heatwole

24 ✓ A Deed of Bargain & Sale from Jacob L Sibert &c to Thomas L Yancey

25 ✓ Same from John Gordon's heirs to Michael Whitmer

26 ✓ Same from John Culbertson Comr to Mich Effinger

27 ✓ Same from Eli Gutwiler & wife to David Sipe

28 ✓ Same from Jacob Miller Sen & wife to George L Gundy

29 ✓ A Deed of Trust from David Sipe to E A Thomas Trust for Dan Huffman

30 ✓ A Deed of Bargain & Sale from George H Shaver & wife to Michael Shank

31 ✓ Same from George May & wife to Job May

A Settlement of the accounts of Henry Miswander as guardian for Lydia S Miswander has been filed in the Clerks office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of Peter Whitmore guardian for B & R Whitmore

The Same order

Same of John D Miller guardian for Sarah Shoemaker

The Same order

Same of Jacob Meyers guardian for David H Meyers

The Same order

Same of Lewis Driver guardian for B & M H Beery

The Same order

Same of Jacob Smith Trustee of David S Jones

The Same order

A Settlement of the estate of Henry Meyers dec'd. amended & the testamentary trustee of Margaret Meyers &c

The Same order

Joseph A Mitchell who has been heretofore appointed a

Notary Public for this County this day appeared in Court and together with Jacob A Mitchell his security entered into and acknowledged a new bond in the penalty $500. conditioned as the law requires

On the Motion of David Hines Esq. it is ordered that the estate of Jacob Copenhaver dec'd be committed to the Sheriff of this County for administration according to law

Ordered that Wm Hines Esq Wm Koontz Henry Sinclair Sr and Isaac Wright or any three of them being first sworn for that purpose do appraise the estate of Jacob Copenhaver dec'd and report thereon to the Court according to law

On Motion it is ordered that Wm M. Hartmann be appointed a special commissioner to examine state and settle the accounts of Jacob A Liggett trustee of Charles P Smith & wife and report thereon to the Court according to law

Ordered that the following persons be appointed to patrol in the neighborhood of Loop Key in this County viz Robert M Mooney Captain Edward S Kemper. Ed W Mansfield. Wm M Kemper. Albert Parker. Charles Mansfield. M J Mayerhoffer Jos Mayerhoffer John Bowman. Conrad Long Wm H Jones and Newman Peale. Wm Altaffer. Peter Whitmore. Wm Slusser Stephen Slusser. Samuel Slusser. John W Burke. Isaac Long Wm Lewis who are to patrol for one month from this date.

Sinclair for Milwaukee & Ohio R.R. Co. Notice proved & Def'dt awarded

A H Brewer for Pl'ff vs. Jas Keeler & Co. On Motion this cause is docketed &c

J P Effinger vs Same

The Same order

John R Kessler Pltff
vs
Jas H Courneyt Defts
} Upon a Notice

On Motion of the Pltff it is ordered that this cause be placed upon the docket

Same Pltff
vs
Same Defts
} Upon a Notice

The Same order

G Jordan Pltff
vs
Wm K Gaileyt Defts
} Upon a Notice

The Same order

Ordered that the Settlement of the accounts of William Thacker admr of John H Gyaliee dec'd be recommitted to Commissioner Fletcher to report for a new settlement and report

Ordered that the Clerk of this Court renew the register of William Airtrip No 190 and deliver a copy thereof to the said Wm Airtrip

On the Motion of Hedgewell & Hockman against James M Modisett Sheriff of Page County and Gideon L Brubaker & others his securities in his official bond as such Sheriff, This day came the Pltffs by their attorney and it appearing that the defendants hath had legal notice of this motion and they not appearing, It is considered by the Court that the Defts be fined $15.00 to the use of the said Hedgewell & Hockman for not returning according to law an execution issued out of this Court by the Pltffs against Wilson Garrison and also the costs by the Pltffs that the Plaintiffs recover against the defts, their costs by them in this behalf expended &c

On the Motion of Samuel Good Guardian for Peter, Lucy, Ann William, Jackson, Jacob, Margaret & Joseph Good orphans of John Good dec'd. It is ordered that he execute a new bond as such guardian. and thereupon the said Samuel Good appeared in Court and together with Jonathan Miller & Samuel Collins his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty five hundred dollars conditioned as the law requires which bond is ordered to be recorded.

Lydia Heaton, Peter Heaton and Henry Heaton orphans children of Joseph Heaton dec'd having been over 14 years of age before a Justice of the Peace for this county, made choice of their father the said Joseph Heaton as their guardian and thereupon the said Joseph Heaton appeared in Court and together with John G Heaton his 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 which bond is ordered to be recorded

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The Court doth appoint Isaac H Baker guardian for Mary R Baker, William Baker, Peter Baker, Daniel Baker & Samuel Baker orphans of Samuel Baker dec'd who are under the age of 14 years. and thereupon the said Isaac H Baker appeared in Court and together with George Sanfley his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires. which bond is ordered to be recorded

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The Court doth appoint John Zigler guardian for John Hoover, George Hoover, Samuel Hoover orphans of Daniel Hoover dec'd. who are under 14 years of age. and thereupon the said John Zigler appeared in Court and together with Samuel Collins, Samuel Thurlkill & John J Rowzer & David B Rhoads his securities (who justified as to their sufficiency) entered into & acknowledged a bond in the penalty of ten thousand dollars conditioned as the law requires which bond is ordered to be recorded

On the Motion of Abraham Brunk who made oath thereto according to law and together with Samuel Shank, Christian Brunk & Abraham Shank his securities and Jacob Brunk his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of twenty four hundred dollars conditioned as the law requires, a certificate is granted the said Abraham Brunk for obtaining letters of administration in due form upon the estate of Martin Burkholder dec'd

Ordered that Peter Rhodes, Jacob Shank, John Brunk sr & Samuel Coffman or any three of them being first sworn for that purpose do appraise the estate of Martin Burkholder dec'd and report the same to the Court according to law

The last will and testament of Rebecca Barnett dec'd was presented in Court and proved by the oaths of Joseph Good & Isaac Billheimer two of the subscribing witnesses thereto and ordered to be recorded

William Hoffman son of John R Hoffman being over 14 years of age appeared in Court and with the approbation of the Court made choice of the said John R Hoffman as his guardian, and the Court doth appoint the said John R Hoffman guardian for Amanda A Hoffman, Caroline Hoffman, Franklin Hoffman, Charles Hoffman children of the said John R Hoffman who are under the age of fourteen years, and thereupon the said John R Hoffman appeared in Court and together with Abraham Funk and E P Hollinger his securities who justified as to their sufficiency entered into and acknowledged a bond in the penalty of fifteen thousand dollars conditioned as the law requires, which bond is ordered to be recorded

Josiah S Roller who has been heretofore appointed a Commissioned and qualified as a Notary Public in and for this county appeared in Court and together with George Saufley his security entered

into and acknowledged a bond in the penalty of $600.00 conditioned as the law requires, which bond is ordered to be recorded.

On the motion of John Pigler guardian for the infant children of David Hoover dec'd. it is ordered that Wm G Thompson, John J Bowman and David B Rhodes be appointed commissioners to assign dower to the widow of David Hoover in the real estate of which he died seized, and report thereon to the court.

The last will and testament of David Steele dec'd was presented in court and proved by the oaths of John McIlvaine & Wm Fisher two of the subscribing witnesses thereto and ordered to be recorded and on the motion of Francis W Shipman the executor therein named who moves each thereto according to law, and together with James Steele and John McIlvaine 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. a certificate is granted the said Francis W Shipman for obtaining a probate of said will in due form.

The last will and testament of Robert Liskey dec'd was presented in court and proved by the oath of Samuel Shacklett one of the subscribing witnesses thereto and continued for further proof.

On the Motion of Abraham Liskey & Martin Liskey it is ordered that a commission be issued directing a proper officer to take the deposition of Allen O Bryan a subscribing witness to the will of Robert Liskey deceased who is unable from sickness to attend this court in person.

The Court doth appoint Robert M Ruffner guardian for Mary C Strickler & Martha Strickler infant children of Isaac C Strickler who are under the age of 14 years, and thereupon the said Robert M Ruffner appeared in court and together with Harrison Dovel & Wm L Stevens his securities (who justified as to

their sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires in which bond is ordered to be recorded.

On the Motion of Madison West who made oath thereto according to law and together with Thomas Moon his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of eight hundred dollars conditioned as the law requires a certificate is granted the said Madison West for obtaining Letters of Administration in due form upon the estate of Elizabeth Hedsinger dec'd.

Ordered that Martin Wampler, Philip Hedsinger, David Driver & John Driver or any three of them being first sworn for that purpose do appraise the estate of Elizabeth Hedsinger dec'd and report thereon to the Court according to law.

Andrew L Lindsey foreman, George Shank, John B Smith, Franklin Armentrout, George Nicholas, James J Miller, William Carpenter, Harvey Wise, Elias Perkey, Peter Acker, Daniel Miller, David Stover, Ely Harnsberger, Abraham Heatwole, Adam Showalter, Thomas Hoard, John Williamson, Henry G Beery and Bazzel B Burgess were sworn a Grand Jury of Inquest for the County of Rockingham and having received their charge retired from the bar to consider of their presentments and after some time returned into Court and presented the following Indictments viz. An Indictment against Thomas Logan for a assault & battery "A true bill" an Indictment against John Neff for assault & battery "A true bill" an Indictment against Thomas Reeves of the name Thomas Reeves of Thomas, Madison Reeves & James Rogers for disturbing a assembly met for the worship of God "a true bill", an Indictment against Benjamin Millet for associating with unlawful assembly of Negroes "a true bill". an Indictment against Henry B Jones for permitting unlawful assembly of slaves "a true bill" an Indictment against Early Shifflett for lascivious cohabitation & fornication "a true bill"

an Indictment against James Clary for a assault & battery a true bill an Indictment against Edward Barker for Petit larceny "a true bill" an Indictment against George Adams for a assault & battery "a true bill" an Indictment against Jefferson Rogers for a assault & battery a true bill. an Indictment against Daniel Gover for retailing ardent Spirits contrary to law "a true bill" an Indictment against Daniel Gover for retailing ardent Spirits contrary to law "a true bill". an Indictment against Daniel Gover for retailing ardent Spirits without contrary to law "a true bill". an Indictment against Daniel Gover for retailing ardent Spirits contrary to law a true bill. an Indictment against Daniel Gover for retailing ardent Spirits contrary to law "a true bill" (6) an Indictment against Daniel Gover for retailing ardent Spirits contrary to law "a true bill" (7) an Indictment against Daniel Gover for retailing ardent Spirits ~~contrary to law~~ a true bill" (8) an Indictment against Daniel Gover for retailing ardent Spirits contrary to law a true bill (9) an Indictment against Daniel Gover for retailing ardent Spirits ~~contrary to law~~ a true bill (10) an Indictment against Daniel Gover for retailing ardent Spirits contrary to law. a true bill. an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law a true bill. an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law "a true bill". an Indictment against Andrew Ganley for retailing ardent Spirits ~~contrary to law~~ a true bill an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law "a true bill". an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law a true bill an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law "a true bill". an Indictment against Andrew Ganley for retailing ardent Spirits ~~contrary to law~~ a true bill an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law "a true bill" and an Indictment against Andrew Ganley for retailing ardent Spirits contrary to law a true bill" and the Grand Jury not having any further business before them were discharged

Ordered that a Capias be awarded against Edward Barker against whom the Grand Jury this day found an indictment and to be made returnable hereon the first day of the next term

Be it remembered that Paddy McDearmore & Jno Conners personally appeared in Court and severally 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 the above bound Paddy McDearmore and Jno Conners shall make their personal appearance before this Court on tomorrow morning at 9 O'clock, to give evidence on behalf of the Commonwealth against Andrew Garvey 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

Upon the petition of ~~Samuel J~~ Keller who has paid $8.00 the tax imposed by law to keep a ~~house~~ of Public Ordinary in this County, upon consideration whereof the Court doth refuse to grant said application, and it is ordered that the Sheriff of this County, refund to the said S J Keller the said tax

The Court doth appoint Eli Keeran guardian for Mary Buntner & Albert Buntner Children of Ezra Buntner who are under the age of 14 years, and thereupon the said Eli Keeran appeared in Court and together with Levi Rinker his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of six hundred dollars conditioned as the law requires, which bond is ordered to be recorded

On the Motion of John C Walker guardian of Rebecca & Samuel Powell, it is ordered that he render an account of his guardianship before George R Calvert who is hereby appointed a special commissioner to examine state and settle the said account and report thereon to the Court according to law

Thos L Yancey trustee pltff
vs
H M Harris & Defts } Whose Notice.

On the Motion of the pltff. it is ordered that this cause be placed upon the docket

An Instrument of writing purporting to be the last will and testament of Delia M Lewis dec'd was presented in Court and there being no subscribing witnesses thereto. Samuel Shacklett & M Harvey Effinger were sworn and examined in open Court who proved that the said instrument of writing and the signature thereto is wholly in the hand writing of the said Delia M Lewis. it is therefore ordered that the same be recorded as the last will and testament of the said Delia M Lewis and upon the motion of Abner K Fletcher the executor therein named who made oath thereto according to law entered into & acknowledged a bond in the penalty of Twelve hundred dollars conditioned as the law requires a certificate is granted the said Abner K Fletcher for obtaining a probate of said will in due form. the said testatrix having by her will requested that no security should be required of her executor, the Court accordingly require none

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

A. M. Neuman

Tuesday February 19th 1861

Present

+ A M Neuman P J + Geo. Fawley + O Sterling } Gent
+ Archibald Hopkins + W P Dunn } Justices

The Jailor of this Court having returned that ____ Maloy has been committed to his custody as a Lunatic. it is ordered that Dr S H Moffett & Henry C Wortmann be appointed Commissioners to examine said Lunatic and report thereon according to the provision of § 44 of Chap 85 of the Code of 1860

Ordered that R D Fletcher one of the Commissioners of this Court do examine State and settle the accounts of all the receivers of this Court both general and special and of all persons to whom any money has been loaned under the order of the Court or who may have money subject to the order of this Court, and which remains unadjusted and report thereon to the Court

Ordered that Summons be awarded against the several persons against whom the Grand Jury yesterday found true bills, except Edward Barker which summons is to be made returnable hereon the first day of the next term and to be directed to the Sheriff of this County

Henry Mace's Committee Pltff
vs
Henry Mace Deft } In Chancery

This cause came on again to be heard this 19th day of Dela 1861 on the papers formerly read and on the report of Commissioner Farris, who was appointed to sell a part of the lands of said Mace, specified in a former decree of this Court, and was argued by Counsel - whereupon it is ordered and decreed that the said report, no exceptions being taken thereto, be filed - that the sale of the lands by said Commissioner be confirmed that J McC Kennsberger Committee for said Mace is hereby empowered to convey the lands sold to Davison & Scott & to Richard Ramsell & the purchasers & if the wife of the said Mace shall unite in the sale & conveyance & the parties thereto J McC Kennsberger shall pay to the said Mace wife of said Henry Mace twenty five dollars a compensation for her relinquishment of Dower. It is further ordered & decreed that Charles D Lewis one of the Commissioners of this Court do proceed to audit & settle the accounts of Wm B Farris late Committee for said Mace. It is further ordered that the lands returned unsold in the report of Commissioner Farris be delivered to J McC Kennsberger Committee for said Mace for collection

262.

Noah A Royer Pltff
vs
Jacob Royer & others Defts } In Chancery

This cause came on this day to be heard on the bill answers exhibits & was argued by counsel, whereupon it is adjudged ordered and decreed, that Yelverton Ambrose who is hereby appointed a commissioner for the purpose, shall after due notice proceed to rent the lands & premises mentioned in the bill, at public renting to the highest bidder for twelve months from the day of renting taking bond of the renter for the payment of the rent at the expiration of the lease with good personal security. The house & garden now occupied by Jacob Royer is to be excepted from the renting, & the lessee to bind himself to deliver to Noah A Royer committee for the said Jacob Royer, that portion of the crops raised on said land, reserved to the use of said Jacob Royer, by the articles of agreement between Peter Royer dec'd & Samuel Royer dec'd, and that said commissioner report his action in the premises to this court, and this cause is referred to Lyeurgus Rolvert who is hereby appointed a Special Commissioner for that purpose to take an account first of the amount of rent Noah A Royer ought to pay for the use and occupation of the part of the land in controversy in his possession and damages Jacob Royer may have sustained by reason of the trespass by said Royer on his right & the amount of rent which Jacob Royer ought to pay for rent of the premises, and all other matters which said Commissioner may deem pertinent.

John R Kegler late Sheriff of this county presented in Court an account against the Commonwealth amounting to three dollars and ten cents, which being sworn to was examined, allowed and ordered to be certified to the auditor of public accounts.

Memphis M Cowton v. on D Bond Notice proved & ack. awarded
Mock for M Same Replevin order

Wm R Cannier &c Pltff
vs
Daniel B Reid Deft } Upon an award.

This day came the pltff by their attorney, and on motion it is ordered that a rule be awarded against the said parties returnable to the next term to shew cause if any they can why the said award shall not be entered and made the judgment of the Court

On the Motion of Addison Royer it is ordered that Noah A Royer committee of Jacob Royer 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 removed from his office or trust as such committee

The Last will and testament of Robert Liskey dec'd was this day again presented in Court and fully proved by the deposition of Allen Le Bryan a subscribing witness thereto, and ordered to be recorded, and there being no executor appointed by said will, on the motion of Abraham Liskey & Martin Liskey who made oath thereto according to law, and together with James J Miller & William Liskey their securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of five hundred dollars conditioned as the law requires, a certificate is granted the said Abraham Liskey & Martin Liskey for obtaining letters of administration in due form with the will of Robert Liskey dec'd annexed, the executors of the testator having in writing relinquished their right to administer

Ordered that Jacob Linaweaver, Robert A Gray and Andrew Veach after being first duly sworn for that purpose do appraise the estate of Robert Liskey deceased and report thereon to this Court according to law

Andrew Ganley who stands charged with a felony by him committed in this that he did on the 31st day of January 1861 in this County maliciously and unlawfully beat Jeremiah Delaney with a billy with intent to maim disfigure disable or kill the said Jeremiah Delaney appeared in Court in pursuance to his recognizance entered into before a justice of the peace and sundry witnesses being sworn and examined the Court upon mature deliberation are of opinion that no felony has been committed by the said Andrew Ganley it is therefore ordered that he be acquitted and discharged of the felony aforesaid

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John Deane who has been duly summoned to appear here as a witness on behalf of Holman Deane ads Commonwealth being solemnly called and not appearing it is ordered that he be summoned to appear here on the second day of the August term next of this Court to shew cause if any he can why he should not be fined and attached for his failure aforesaid.

Commonwealth Pltff
vs
Benjamin Miller Defft } Upon an Indictment

The Capias last awarded against the defft not being returned executed it is ordered that a new Capias be awarded against him according to law

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Same
vs
Dennis Webster } Upon an Indictment

The same order

Commonwealth
vs
S. Holmes & Perry Baugher } Upon a rule for failing to attend as witnesses

On Motion and for reasons appearing to the Court it is ordered that this rule be discharged.

Commonwealth
vs
George E Deneale } Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft who confessed judgment for one cent fine and the costs. It is therefore considered that the Commonwealth recover against the deft one cent the fine aforesaid and the costs by her about her said indictment expended.

Geo E Deneale Pltff
vs
Martin Madaux Deft } Upon an Attachment for failing to attend as a witness

On Motion and for reasons appearing to the court it is ordered that the said rule be discharged.

Commonwealth
vs
James McLeurry } Upon an Indictment for a assault & battery

This day came as well the attorney for the Commonwealth as the deft by his attorney and thereupon came a jury to wit Henry Pulse. Henry Siler. Daniel Bowman. John Ferguson. Jacob J Thomas. Daniel Cromer. John S Effinger. M Blair Kyle. Jr B Trifsee. Joseph Bauserman. Christian Mozer and John D Sellers who being elected. tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say "We the jury find the defendant guilty and fix his fine at Ten dollars". It is therefore considered that the Commonwealth recover against the defendant Ten dollars the fine aforesaid and the costs in this behalf expended.

Commonwealth
vs
Solomon Dean } Upon an Indictment
On Motion it is ordered that this cause be continued until the next Term.

Commonwealth
vs
James M Johnson
No 1 } Upon an Indictment

On Motion. It is ordered that this cause be continued until the next term at the cost of the deft

Same
vs
Same
No 2 } Upon an Indictment
The Same order

Same
vs
Same
No 3 } Upon an Indictment
The Same order

Same
vs
Same
No 4 } Upon an Indictment
The Same order

Same
vs
Same
No 5 } Upon an Indictment
The Same order

Same
vs
Same
No 6 } Upon an Indictment
The Same order

Same
vs
Same
No 7 } Upon an Indictment
The Same order

Same
vs
Same
No 8 } Upon an Indictment
The Same order

Commonwealth
vs
James McElwee } Upon an Indictment

This day came as well the Attorney for the Commonwealth as the defendant by his attorney, and thereupon came a jury to wit George Shaver Jr. Henry Swartz, John Brunk, David Sink, Francis McGlich, Philo Bradley, H Gilway, Robert Bowman, Daniel McCarthy, Wm Billheimer, Wm C Brubaker and John M Hoffman who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into court and upon their oaths do say, "We the jury find the defendant guilty on the first count and assess his fine at five dollars, and not guilty on the second count of the indictment". It is therefore considered that the Commonwealth recover against the defendant five dollars the fine aforesaid and the costs by her expended in prosecuting the said indictment.

Same
vs
Jacob R Brathwaite } Upon an Indictment

This day came as well the attorney for the Commonwealth as the deft by his attorney, and the prosecutor having failed to give the security required by the order of Nov. court last, it is ordered that this cause be dismissed and that the deft recover against Jacob H Whitsel his costs by him in this behalf expended.

Same
vs
John Birket } Upon an Indictment

This day came as well the atto for the Comwlth as the deft by his attorney, and by consent the deft confessed judgment for $5 fine & the costs. It is therefore considered that the Comwlth recover against the deft $5 the fine aforesaid, and the costs by her in this behalf expended.

Wm Strother Appellant
v
Commonwealth Appellee } Upon an appeal from the judg of a justice

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

John K Seedy for Pltff
v
John Seedy p. Defts } In Debt

On Motion of the Pltff by attorney it is ordered that this cause be dismissed

Commonwealth
v
Richard Clatterbuck } Upon an Indictment

On Motion it is ordered that this cause be continued until the next term of the court of the deft

Richard Clatterbuck
v
Jno Eastham & Jeremiah Dorman } Upon a rule for failing to attend as witnesses

On Motion of the pltff it is ordered that the said rule be enlarged and continued until the next term

Richard Clatterbuck
v
Isaac N Keller } Upon a rule for failing to attend as a witness

The rule ag aforesd against the deft being returned executed and the deft being solemnly called and not appearing on the motion of the pltff it is ordered that the said rule be made absolute and that an attachment be issued against the said Keller. Sole directed to the sheriff of Rockingham county and made returnable here on the second day of the August term next of this court

Commonwealth
vs
Jack Robinson
} Aspersan Indictment

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

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Thomas & Charles Ellis Pleff
vs
David McHuffman Deft
} In Debt

On Motion it is ordered that this cause be continued until the next Term

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Commonwealth by &c Pleff
vs
Wm & Geiskey & Defts
} In Debt

The Same order

Wm Harper's heirs Pleff
vs
Catharine Grim &c Defts
} Unlawful Detainer

The Same order

Peter Acker Pleff
vs
William Minnick Deft
} Unlawful Detainer

This day came the parties by their attornies, and thereupon came a jury to wit John McHuffman, David Leith, Daniel McClanahan, Francis McGlick, Henry Akers, Jno Eversole, George Shaver Jr, Christian Moyers, Daniel Conner, Henry Sites, Jacob Thomas and Wm McBurtner who being elected tried & sworn the truth to speak upon the issue joined, and thereupon the deft by his attorney moved the Court to quash the return made by the Sheriff upon the summons in this cause which motion the Court doth overrule for the reason that it comes too late, and

thereupon, sundry witnesses being sworn and examined and the said jury having fully heard the case, retired from the Court to consider of their verdict and after some time returned into Court and not being able to agree were adjourned until to-morrow morning at 9½ O'Clock

Ordered that the Court be adjourned until to-morrow morning at 9½ O'Clock

A. M. Newman

Wednesday February 20th 1861

Present

+ A M Newman P J + George Fawley + O'e Sterling } Gent
+ O'D Horn + Archibald Hopkins } Justices

Dr Saml H Moffett & H A Wortmann who were yesterday appointed to examine ——— Maley who is confined in the jail of this Court as a lunatic, this day made their report, and it appearing from said report, that the said ——— Maley is a lunatic and that he is a resident of the State of Maryland, it is therefore ordered that the Sheriff of this County, ascertain if possible to what place in Maryland the said lunatic is from, and when he ascertains the said fact, to proceed at once to remove the said lunatic to such place

Ordered that H C Smith be appointed a special officer to remove & convey Nancy Mines a lunatic confined in the jail of this County, to the Eastern Lunatic Asylum at Williamsburg

Thomas L Nancy Trustee Pltff
vs
H M Harris & Defts } Subpoena Notice

This day came again the parties by their attornies, and it is considered that the pltff recover against the defts $15.00 with interest thereon from the 10th day of Sept 1854 till paid, and the costs by the pltff about his suit in this behalf expended

Ordered that the following proceeding resolutions of the bar of this County be spread upon the records of this court.

At a meeting of the members of the Rockingham bar held at Harrisonburg on the 18th day of February 1861 the following resolutions were unanimously passed

Whereas we are called upon to mourn the loss of one of the members of our bar endeared to us by the strongest ties of friendship and his many virtues this is an occasion upon which we should give expression to our respect for his memory and the sorrow we feel at his removal from our midst. Therefore. Resolved That we have heard with profound sorrow of the death of our late associate friend and brother Benjamin P. Nichols Esq. and we deplore his loss for us are thereby deprived of one of our most cherished members and the community of an upright honest and honorable citizen. Resolved That the many virtues of our deceased Brother, the amiability of his disposition the frankness and kindness of his manner, the generous impulses of his nature his high sense of honor, his pure integrity, and his courteous and manly bearing in all our intercourse with him, have endeared him to us and engraven his memory upon our hearts never to be effaced. Resolved. That we tender to the bereaved father and family our condolence in this hour of their affliction when one of the lights of their household, which they so faithfully watched over and to which they looked with the fondest hopes has been extinguished. This bereavement was the will of him who is wise to save and before whom we should all reverently bow Resolved. That we shall ever cherish his memory and though dead he still lives in our hearts

Resolved That these resolutions be published in the Harrisonburg and Staunton papers and spread upon the records of our Courts and that a copy thereof be sent to the family of the deceased.

Ordered Bridges &c on D Bond Notice issued & execution awarded

Pence vs Hentown on D Bond The same order

Miller &c vs Kite on D Bond The same order

Same vs Miller & al on D Bond The same order
Same vs same on D Bond The same order
Same vs Kite &c on D Bond The same order
Same vs Miller & al on D Bond The same order

Gabriel Jordan Pltff
vs
E W Pollard & Defts } Upon a Notice

This day came the pltff by his attorney and on his motion it is considered that the pltff recover against the defts $21.18 with legal interest thereon from the 21st day of February 1853 till paid and the costs by the pltff about his notice in this behalf expended.

John Longwire Pltff
vs
William Bricker Deft } Upon a writ of unlawful Detainer

This day came the parties by their attorneys and the defft by his attorney pleaded Not Guilty to which the pltff replied generally and thereupon came a jury to wit S H Clair Kyle, John S Effinger Joseph Bauserman, Wm Billhimer, Philo Bradley, Robert Bowman, A G Keay, John D Sellers, Daniel Bowman, Joseph B Tripplett, Henry Swartz and Wm L Anderson who being elected tried and sworn the truth to speak upon the issues joined and having heard the evidence upon their oaths do say "We the Jury find for the plaintiff the premises described in the within writ" Therefore it is considered by the court that the plaintiff recover against the defendant the possession of the premises aforesaid and the costs by him in this behalf expended. Whereupon the plaintiff prays a writ to the Sheriff of this County to be directed to cause him to have his possession of the tenements aforesaid and to him it is granted

Wm A Meisinger & Co Pltff
vs
H M & Harris & Defts } Upon a Notice

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

S F Mayerhoeffer v. Wm Mohler upon a suggestion
The same order

Samuel Barley Pltff
vs
Jacob Moyers &c Defts } Upon a Suggestion

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

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S K & J A Moore Pltff
vs
John E Brown &c Defts } Upon a Notice

The same order

Jacob E Harnsberger & wife Pltffs
vs
Jacob R Stevens Defts } Upon an Attachment

This day came the Pltffs by their attorney, and the Joseph H Conrad who has been summoned as a garnishee in this cause having filed his answer in writing thereto on oath, and it appearing from his said answer that he is indebted to the said Jacob R Stevens in a sum more than sufficient to satisfy the plaintiffs judgment against said Stevens. It is therefore considered that the said Harnsberger & wife recover against the said Joseph H Conrad $1000.00 with legal interest thereon from the 11th day of March 1852 till paid, $111.75 cents, and the costs by the pltffs in this behalf expended. This judgment is subject to the following credits viz 1853 July 19. Cr by Int. 1852 May. by interest to Feby 18th 1857. 1858 Jany 1st Cr by $90. 1859 April 27 Cr by $386.75 as paid by Wm Bear & this estate, and $500. paid Feby 1st 1861. paid by Joseph H Conrad

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Sutliff's adm'r vs Valley Turnpike &c, Rockingham Turnpike &c vs Bryan White for use Grove, Shavers vs Hodsingers, Mfg R R Co vs Diggs, same vs same, Spindle vs Vernon, Liggett vs Marsh, Harper vs Ramsey, Rockingham N S Seminary vs Rebers, same vs Ewing, same vs Swank, same vs Clarys adm'r, same vs Bear, same vs Mc Miller, same vs McSherry for use vs Shank, same vs Gamble & same vs Jones. Continued until the next term.

Sigler vs Austin vs Leuffer vs Leuffer, Baynes vs Brewer, Harrison vs Hanscott, Hoofstein vs Beard, Baynes vs Shrimbel, Brightwell vs Clark, Herring vs Glasgow, Gilbert & Bauman vs Crouse, Wiseaden vs Clark, VanDeet vs Smith, Bryan vs Bierne, Engenbright vs Boren, Mariner vs Simmons, Byrd vs Dennale, Keenan vs Logan, Rhodes vs Kirk, Ryan vs Briggs, Christie vs Same, Bagley vs Same, Brathwaite vs Same, Hanna vs Bailey same vs Chinsheim, Keran vs Keller, Overseers of the poor vs Langlen, Mayers vs Sykes, Gray vs Grove, Tally vs Hannsberger, Biggs vs Mc Arthur, Barley vs Byerly, Hunter vs Same, Effinger & Bro vs Same, Hoofstein vs Grove, Royer vs Hannis, Rogers vs Warren, Barley vs Jennings vs Speck & Altaffer vs Schumacher, Leith vs Same, Same vs Same, Jenkins vs Same, Ruffner Hopp vs Same, Ruffner & Co vs Same, Dinkle vs Same, Same vs Same, Shoemaker & Dover vs Mary, Dorman vs Rosenberger, Moore, Sellers, Overseers of poor vs Comptroller, Shinespring vs Kiser, Conner vs Frank, Staley vs Leesley

On Motion the foregoing causes are continued until the next term

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J J Littell & Co — Pltff
vs
Buckingham Markley — Deft } In Case

This day came the pltff by their attorney, and the neither party requiring a jury the court proceeded to execute the writ of Enquiry & to ascertain what damages the pltff is entitled to & what time interest on the principal money should run. The court doth ascertain the damages to be $70.03 & the time from which interest shall run to be the 30th day of August 1860. It is therefore considered that the pltff recover against the deft $70.03 the damages aforesaid, with legal interest thereon from the 30th day of August 1860 till paid & the costs by the pltff about their suit in this behalf expended.

Samuel Barley for — Pltff
vs
R B Jennings & — Defts } Upon a suggestion

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

Peter Acker Pleff
vs
William Minnich Deft } Unlawful Detainer

This day came again the parties by their attornies and the jury sum and impannelled and sworn for the trial of this cause appeared in Court in pursuance to their adjournment and retired from the bar to consider of their verdict and after some time returned into Court and not being able to agree Doc VanVleet one of the said jurors was withdrawn and the balance from rendering a verdict were discharged and the trial of the issue deferred until the next term

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Andrew Dorman Pleff
vs
Peter Krontz Deft } Upon a Motion to try the right of property

This day came the parties by their attornies and thereupon came a jury to wit S Blair Kyle, John Offinger Joseph Bausserman, Wm Billheimer, Wm L Anderson, Robert Bowman, P G Way, John D Sellers, Daniel Bowman, Joseph Bupell, Henry Swartz and John Brunk who being elected tried and sworn to try the issue to whether the property levied upon is the property of Andrew Dorman or Richard Clatterbuck, 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 for the defendant and that the property levied upon under the fifa of Peter Krontz vs Richard Clatterbuck is not the property of the claimant Andrew Dorman, but the property of Richard Clatterbuck and as such liable to the satisfaction of the executions filed in this cause. It is therefore considered that the defendant recover against the plaintiff his costs about his defence in this behalf herein exp

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Scott Baker & Co vs Hench & Melhorn & Dr Delt. on motion of Pleff it is ordered that this cause be dismissed

Zachariah Raines Pltff
vs
Daniel D Dove Deft
} In Case.

This day came as well the pltff by his attorney as the deft by his attorney who pleaded not guilty to which the pltff replied generally and thereupon the writ of Enquiry & judgment obtained in the office is set aside and the trial of the issue is deferred until the next term

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Joseph Sipe Pltff
vs
Robert M Money Deft
} In Case.

This day came the parties by their attorneys and the deft by his attorney pleaded non assumpsit to which the pltff replied generally, and thereupon judgment writ of enquiry obtained in the office is set aside and the trial of the issue is deferred until the next term

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John W Ellett Pltff
vs
Sheldon H Cannon Deft
} In Case.

On the Motion of the Pltff by attorney it is ordered that this cause be dismissed

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Gabriel Jordan Pltff
vs
Edw Pollard Jr. Defts
} Upon a Notice

This day came again the pltff by his attorney and on his motion it is ordered that the judgment this day rendered in this cause be set aside and that this notice be dismissed

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Nancy Gordon pltff vs Michael Whitmore deft In Debt

On the Motion of the pltff by attorney and for reasons appearing to the court it is ordered that this cause be dismissed

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Andrew Dorman Pltff
vs
Andrew J VanPelt Deft } upon a Motion to try the rights of property

This day came the parties by their attorneys and by consent of parties an issue is directed to be made up to be heard at the bar of the Court, to determine whether the bay horse levied upon under the fifa of George Rush Kincade use of A J VanPelt vs Richard Clatterbuck and claimed by Andrew Dorman is the property of the said Andrew Dorman, or the property of Richard Clatterbuck and liable to the said execution and thereupon came a jury to wit John M Hauffman, David Link, Philo Bradley, Francis McElich, Henry Pulse, John Evans, George M Shaver, Christian Moyers, Daniel Cromer, Henry Sites, Jacob J Thomas and Wm H Buettner who being elected, tried and sworn the truth to speak upon the issue, and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after sometime returned into Court and upon their oaths do say, "We the jury find for the defendant that the bay horse levied upon under the fifa of George Rush Kincade (use of A J Vanpelt vs Richard Clatterbuck is not the property of Andrew Dorman the claimant but the property of Richard Clatterbuck & is such liable to the satisfaction of the defendants fifa". and the Court not being advised what judgment to enter takes time to consider.

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

A M Newman

Thursday Feby 21st 1861

Present

+ A M Newman PJ + George Fawley + Ob Sterling } Gent
+ O P Hearn + Archibald Hopkins } Justices

Raynes & Mohler vs Jno Pirkey's Admrs upon a Suggestion. On motion of Plff it is ordered that this cause be dismissed

~~287~~
278.

R Mauzy for Pltff
vs
G.K. Gilmer Deft } In Debt

This day came as well the pltff by his attorney as the deft by his attorney who files a plea of payment and leave is given him to file special pleas, to which the pltff replies generally and thereupon the judgment obtained in the office is set aside and the trial of the issue is deferred until the next term

John G Effinger for Pltff
vs
Jacob B Brathwaite Deft } In Debt

This day came the parties by their attornies and the persons to whom this cause was referred at a former term made their report in the words & figures following to wit. "Whereas" & and by consent of parties, it is considered that the same amount be entered up as the judgment of this Court. It is therefore considered that the pltff recover against the deft $271.55 with interest on $140.44 part thereof from the 2d day of January 1854. on $26.11 an other part thereof from the 19th day of January 1855 and on $5.00 the residue thereof from the 18th day of April 1853 till paid, and the costs by the pltff about his suit in this behalf expended

On the Motion of Benjamin G Patterson who made oath thereto according to law and together with Thomas J Michie his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of five thousand dollars conditioned as the law requires, a certificate is granted him for obtaining letters of administration in due form upon the estate of Benjamin F Michie dec'd

Ordered That Thomas L Yancey, George S Calvert and E D Holleman after being first sworn for that purpose do appraise the estate of Benjamin F Michie dec'd and report thereon to the Court according to law

~~284~~
279.

R Dunnaden Pltff
vs
Andrew Gourley Deft } Inbase

This day came the parties by their attorneys and referees chosen by the parties this day returned their award together with the bonds of submission which award is in the words and figures following to wit. Whereas &c and by consent of parties, it is ordered that the said award be entered up and made the judgment of this court. It is therefore considered that the pltff recover against the deft $23.91 with interest thereon from the 17 day of January 1861 till paid and the costs by the pltff about his suit in this behalf expended

David R Hopkins pltff
vs
Henry Farflinger Deft } Upon a Notice

This day came the pltff by his attorney and the deft still failing to appear and give a new bond as guardian for the infant children of David Paulick dec'd. It is ordered that the power and authority of the said Farflinger as such guardian be revoked and annulled and that the pltff recover against the deft his costs in this behalf expended.

Hezekiah Lam pltff
vs
Andrew Beazley Deft } Upon an Attachment

This day came the pltff by his attorney and on this motion it is ordered that Robert Bloerh, George W. Miller & Jos H. Conrad who have been summoned as ~~a~~ garnishees in this cause, failing to appear and answer, it is ~~ordered~~ that they be summoned to appear here on the first day of the next term, to then and there if any they can why they should not be fined & attached for their sd failure

Jno B Baldwin vs R M Kyle. On motion and for reasons appearing to the Court, it is ordered that this cause be continued until the next term.

~~285~~
280

Andrew Donman Pltff
vs
Charles Black Deft } Upon a motion to try the right of property

This day came the parties by their attornies and by consent of parties, it is considered that the property levied upon under the fifa of Charles Black vs Rebecca Clatterbuck is the property of said Clatterbuck and not the property of the claimant Andrew Donman, it is therefore considered that the deft recover against the Pltff, his costs about his defence in this behalf expended

Wm H. Barley Pltff
vs
Andrew Newton Deft } Upon a Suggestion

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

Thomas L Yancey trustee Pltff
vs
D K Hannaberger & } Upon a Motion
Deft
The same order

Wm Hoopers admrs Pltffs
vs
Robert Hawkes & Wife Defts } In Case
The same order

John R Kogler Pltff
vs
James H Conway & Deffts } Upon a Notice

This day came again the parties by their attornies and on Motion this cause is continued until the next term at the costs of the defts

Same Pltff
vs
Same Deft } Upon a Notice
The same order

Andrew Damon Pltff
vs
Andrew J VanPelt Deft } Upon a Motion to try the right of property

This day came again the parties by their attorneys and the Court having maturely considered the cause, it is considered that the Deft recover against the Pltff his costs by him about his defence in this behalf expended.

John Scanlon Pltff
vs
Philip Liggett Deft } In Ease.

This day came the parties by their attorneys and the deft by his attorney pleaded non assumpsit to which the pltff replied generally. and upon the Motion of the deft by attorney and it appearing to the court that this cause has been pending 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

Wm Bundy Pltff
vs
McClain Poindexter Deft } In Debt

On the Motion of the deft it is ordered that this cause be continued until the next Term of this Court

Charles Williams for Pltff
vs
John Riswanger Deft } In Debt

On Motion and for reasons appearing to the Court it is ordered that this cause be continued until the next Term at the cost of the deft.

Keister vs Fretz . unlawful Detainer

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next Term

John Dundore Pltff
vs
Jonathan Bateman Deft } Unlawful Detainer

On Motion it is ordered that this cause be continued until the next term

Charles Batis Pltff
vs
Zachariah Crawford Deft } Unlawful Detainer

The Same order

Robert Pritchett Pltff
vs
Wm McCue & } Upon a Notice

The Same order

Newton Thorne Pltff
vs
Same Deft } Upon a Notice

The Same Order

Gabriel Jordan Pltff
vs
E W Pollard & } Upon a Notice

The Same order

John Minnick Jr. Joshua Price. Samuel Baker & Isaac A Branner who have been duly ~~sworn~~ & Summoned to appear here as Jurors to serve during the present term solemnly called and not appearing it is ordered that they be summoned to appear here on the first day of the August Term next. to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Jacob P Effinger Pltff
vs
George W King Deft } Upon a distress warrant

This day came the parties by their attornies, and the deft moved the court to quash the attachment in this cause which motion the court doth overrule: and thereupon came a jury to wit Henry Stites, Philo Bradley, John M Hauffman, John Conrad, Henry Pulse, Wm L Anderson, Daniel Bowman, Wm M Bellhimer, Francis McElich, Jacob J Thomas, John D Sellers and George W Shaver who being elected and sworn to try whether the attachment was properly sued out or not and having heard the evidence and argument of counsel retired from the bar to consider of their verdict and after some time returned into court and upon their oaths do say we the jury find that the writ attachment was properly sued out and with sufficient cause" and thereupon the deft moved the court to set aside the said verdict when consideration the court doth sustain the said motion and set aside the said verdict & grant a new trial to the deft

Hoagnes & co Pltff } In Debt
vs
Jno D Hoagnes Deft

On motion it is ordered that this cause be continued to the next term

Abraham Seedy Pltff } In Trespass
vs
James O Boarks Deft

The same order

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

A M Neuman

Friday February 22d 1861

Present

+ A McNeeman P + George Fawley + Archibald Gent
Hopkins + O'Donnell + Stanley } Justices

Heirne Nicholemus & Co Pltffs
vs
R L Mauck Deft } In Case

On Motion it is ordered that this cause be continued until the next term

John Strayer Pltff
vs
Isaac Reid Deft } In Ejectment

The same order

Tobias McGahey + Pltff
vs
Wm B Yancey & Davis Deft } In Case

The same order

Berry & Blakemore Pltff
vs
Daugherty & Burnes Deft } In Case

The same order

Benjamin F Haines Pltff
vs
Reuben Haines & Deft } In Case

The same order

Jonathan M Shipman Pltff
vs
Francis W Shipman Deft } In Case

The same order

Jacob P Effinger Pltff
vs
George W King Deft } Upon a Distress warrant

This day came again the parties by their attornies and on motion of the pltff, the Court reconsidered the motion of the deft to set aside the verdict rendered in this cause: and on consideration whereof the Court overrules the defts motion and set aside and annul the order entered on yesterday, granting to the deft a new trial in this cause, and doth enter up the said verdict as the judgment of the Court, & that the said Attachment be sustained: and thereupon the Court being satisfied of the justice of the pltff demand, it is therefore considered that the pltff recover against the deft $225.00 the rent due from the deft to the pltff with legal interest thereon from the 1st day of April 1860 till paid, and the costs by the pltff about his suit in this behalf expended

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George W Duey for Pltff
vs
D W C Vorrer Defts } In Lease

This day came the parties by their attornies and by consent it is considered that the pltff recover against the defts $80.00 damages, with legal interest thereon from this day: and the costs by the pltff about his suit in this behalf expended

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Daniel D Dovel Pltff
vs
Alfred Welch Defts } In Debt

This day came the parties by their attornies, and the deft files his pleas of Nil debet & Statutes of limitation to which the pltff replies generally, and thereupon the judgment obtained in the office is set aside, and the trial of the issue is continued until the next term

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Alfred Mooney In Debt, on Motion of pltff this cause is continued

Jacob P Offsinger Pltff
vs
George W King Deft } Upon a distress warrant

This day came again the parties by their attorneys and the deft by his attorney excepted to opinions, decisions and directions of the Court upon the trial of this cause and tendered two bills of exceptions which were signed sealed and enrolled and ordered to be made a part of the record

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Wm M Dunaugh Pltff
vs
Parmelia Cook Deft } In Case.

This day came the parties by their attorneys and the deft pleaded non assumpsit to which the Pltff replied generally and thereupon the writ of enquiry of judgment obtained in this office is set aside and the trial of the issue is referred until the next term

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Daniel D Dare Pltff
vs
P K & J Azalright Deft } In Case.
The same order

Hough A Turk Pltff
vs
Daniel Bagerly Deft } In Case
The same order

Joseph Sipe Pltff
vs
Robert M Mooney Deft } In Case.
The same order

P Offsinger vs Jas Steele & On Motion by Consent this cause is ordered to be placed upon the dockets as to James Steele & Continued over 3d Term

Zachariah Shirley for Pltff
vs
A J Rader &c Defts } In Delt

This day came the parties by their attornies and by consent of parties it is ordered that Zachariah Shirley A J Rader Addison Hearper & Thomas L Yancey be summoned to appear here on the the first day of the May term next to shew cause if any they can why this suit shall not proceed for the use of the said Zachariah Shirley

Same Pltff
vs } In Delt
A J Rader Deft
The Same order

P W Long Pltff
vs } In Case
Allen & Bryan Defts

On Motion it is ordered that this cause be continued until the next term as the case of the deft

J & J P Effinger for Pltff
vs } In Case
John R O'Neale & Co Defts

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

Margaret Poindexter Pltff
vs } In Chancery
John Poindexter & others Defts The Sheriff having reported that George Poindexter has failed to comply with the terms of the sale made by him of the land directed to be sold in this cause. The Sheriff is directed to proceed to sell the said land to the highest bidder after giving four weeks notice of the time place & terms by posting notice at three public places near the land & at the Court House

door. and publication in the Register. ⅓ of the purchase money payable in thirty days from the day of sale. with interest or in cash. the residue in two equal, annual payments from the day of sale. taking from the purchaser bonds with good personal security. and retaining a lien on the land. as ultimate security

John N Gordon. exor &c Pltff
vs
John W Flick Deft } In Case

This day came the pltff by his attorney. and thereupon came a jury to wit. Wm M Billhimer. Henry Sites. Wm H Buettner John M Hoffman. A Gilkey. John P Sellers. Christian Mayers. Jno Eversole. D & H VanDolt. Joseph Bausserman Daniel Cronner and Henry Pulse. who being selected. 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 for the plaintiff and assess his damages at $11.25 with interest from the 1st day of January 1855 till paid." It is therefore considered that the pltff recover against the deft $11.25 the damages aforesaid with interest thereon from the 1st day of January 1855 till paid and the costs by him in this behalf expended

Jeph English Pltff
vs
Alfred Jennings Deft } In Case

This day came the parties by their attornies and the defts by their attorney file issue non assumpsit to which the pltff replies generally. and thereupon the trial of issue joined and judgment obtained in the office ~~is set aside the trial of the issue aforesaid and the cause~~

Ruth Ellen Lang vs Malinda Davis &c & Pltff & Devereux Lane. Delaware

On Motion & for reasons appearing to the Court it is ordered that the aforesaid suit cause be continued until the next term

Commonwealth Pltff
vs In Debt
Robert Bowman Deft

This day came the parties by their attornies and the deft pleads sev conditions performed to which the pltff by atty replies generally and thereupon the judgment obtained in this office is set aside and the trial of the issue deferred until the next term.

Henry Probst Pltff
vs In Case
Joseph Pile Deft

This day came the parties by their attornies, and the deft pleaded non assumpsit & plea and account of offsets which he desires to prove upon the trial of this cause, to which plea the pltff replies generally, and thereupon the writ of enquiry and judgment obtained in the office is set aside and the trial of the issue is deferred until the next term.

Elizabeth Millersville Pltff
vs In Debt
Henry Miller Jr Deft

This day came the pltff by their attorney and thereupon came a jury to wit Christian Mayer, Henry Pierce, Daniel Cremer, Joseph B Tufell, George Wolfarth, Philo Bradley, Jr. Fell, Bauserman, John S Effinger, St Clair Kyle, Daniel C VanDeer, John P Sellers and Daniel Sink 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 $600. the debt in the declaration mentioned with interest from January 1st 1860 till paid subject to a credit of $8.83 paid 1st January 1857 endorsed on bond" It is therefore considered that the pltff recover against the defts $600. the debt aforesaid with legal interest thereon from the 1st day of January 1860 till paid and the costs by the pltff about their suit in this behalf expended. This judgment is subject to a credit of $8.84 paid January 1st 1857

Ely & Ammon &c. Pltff
vs
Zachariah Raines &c. Defts } In Debt

This day came the parties by their attornies & thereupon came a jury to wit. Christian Moyers. Henry Pulse. Daniel Corrow Joseph B Tirpell. George W Shaver. Phile Brady. Joseph Baumgardner Jno F Effinger. St Clair Kyle. D H Crawford. John D Sellers and David Link 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 sixty dollars with interest from the 19 day of August 1858 till paid, subject to a credit of $18 21/100 August 19 1858" It is therefore considered that the pltff recover against the defts $60. the debt aforesaid with legal interest thereon from the 19 day of August 1858 till paid, and the costs by the pltff about their suit in this behalf expended & this judgt is subject to a credit of $18.21 of date Aug 19 1858—

Wm H Ruffner & Co Pltff
vs
Wm Schumacher Deft. } In Case

This day came the parties by their attornies and by consent of parties it is considered that the pltff recover against the deft $304.09 Damages with legal interest thereon from the 1st day of January 1861 till paid, and the costs by the pltff about their suit in this behalf expended—

Fernando Crawford Pltff
vs
Solomon Doan Deft } In Case

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 pltff

George Fox Pltff
vs
Silas Fox Deft } In Case
On Motion & for reasons appearing to the Court it is ordered that this cause be continued until the next term.

John Gongwer Pltff
vs
Elias Stultz Deft } In Lease

John Rollerson & Co Pltff
vs
E T Abbott Deft } In Debt

George E Deneale Pltff
vs
Charles Chandler & al Defts } In Ejectment

Sumfield Lee Pltff
vs
E H Williams Deft } In Lease

Peter S Roller Pltff
vs
R Agnay Deft } In Lease

D Pennybacker Pltff
vs
James Steele Deft } In Lease

Isaac Paul Pltff
vs
Wm P McCall Deft } In Lease

Andrew Heaton Pltff
vs
John Byerly Deft } In Lease

N H Brewer for Pltff
vs
E S Beale & Defts } In Lease

On Motion and for reasons appearing to the Court it is ordered that the aforesaid Causes be continued until the next term

Entsler & Hoot Pleff
vs } In Case
Joseph Ransdel Deft

and.

Joseph Ransdel Pleff
vs } In Case
George W Entsler Deft

On Motion and for reasons appearing to the Court, it is ordered that the aforesaid action cause be Dismissed

Wm E Webster Pleff
vs } In Debt
N S Byrd Deft

Wm R Blair ex Pleff
vs } In Case
Malinda Davis admx Deft

Alexander Cooper Pleff
vs } In Debt
George W Cooper Deft

John G Effinger for Pleff
vs } In Case
Jacob Rohr Sr Deft

Mark Jenkins Pleff
vs } In Case
Wm Schmucker Deft

Mc Mechum & Harney Pleff
vs } In Debt
Michael Hosee Deft On Motion & for reasons appearing to the Court it is ordered that the aforesaid suit causes be continued until the next Term

Addison Royer Pleff
vs
Samuel Royer's admr Deft } In Case

This day came the pleff by his attorney and thereupon came a jury to wit. Christian Meyers, Henry Burke, Daniel Cramer, Joseph B. Rupell, George W. Shaver, Philo Bradley, Joseph Bauserman, John S. Effinger, McClain Kyger, Daniel McVan Pelt, John D. Sellers and Daniel Sink 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 for the plaintiff and assess his damages at the sum of sixty dollars and twenty eight cents with interest thereon from the 17th of March 1858 till paid". It is therefore considered that the pltff recover against the deft $60.28 the damages aforesaid with legal interest thereon from the 17th day of March 1858 till paid, and the costs by the pltff about his suit in this behalf expended to be levied of the goods and chattels which were of Saml Royer dec'd in his lifetime in the hands of W. C. Summon administrator of the estate of the said Samuel Royer dec'd

A. J. VanPelt Pleff
vs
Jno. D. Brock Deft } In Case

Lanham D. Stuart Pleff
vs
John Bowman Deft } In Case

Wm Hewton Pleff
vs
Wm Jones Deft } In Debt

On Motion and for reasons appearing to the Court it is ordered that the aforesaid three causes be continued until the next Term.

B J Hollowell — Pltff
vs
N J VanDeVe — Defts
} In Debt

John Shewalter — Pltff
vs
Coonrad Shewalter — Defts
} In Case

On Motion it is ordered that the aforesaid action causes be continued until the next term

Samuel Bailey — Pltff
vs
Albert Rogers Jr — Defts
} In Debt

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

J P Effinger — Pltff
vs
Andrew Hoover — Deft
} In Debt

This day came the parties by their attornies and the deft by his attorney filed a payment and fixed an account of offsets which he desires to prove upon the trial of this cause and thereupon the judgment obtained in the office is set aside

J B Chapman & Co — Pltff
vs
M M Sibert — Deft
} In Debt

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term

John W Hopkins for — Pltff
vs
Samuel Goode — Defts
} Upon a Suggestion

The same order

Ordered that the names of the Jurors of Harvey Bonar, &c. appointed to work upon Fresno Dist. No 28 of which Jno Dunniviant is Surveyor

Tillinghast & Duffield Pltffs
vs
M M Silbert Deft } In Case

This day came the parties by their Attornies and by consent a jury was waived and the matter in controversy submitted to the Court, and ~~a witness being sworn and examined on the premises fully heard~~ it is considered that the Pltffs recover against the deft $93.58 damages with interest thereon from the 14th day of June 1860 till paid, and the costs by the Pltff in this behalf expended

John O Runcle for Pltff
vs
Reuben Bonar Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit T G Neary, Henry Pulis, D McClain Kyle, John Loversole, John Brunk, Henry Sides, Jr, Wm S Effinger, Joseph Bauserman, Daniel Cronmer, Henry Swartz, John M Hoffman and Daniel Bowman 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 some time returned into Court and not being able to agree were adjourned until tomorrow morning at 9½ O'clock

G W Sanders Pltff
vs
Wm P Bloce Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit Wile Bradley, Francis M Flick, David Link, Samuel M Bowman, Wm H Buttner, D H Wampler

Christian Moyers, Jacob J Thomas, Joseph B Thispell, George W Shaver Wm L Anderson and John P Sellers who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after sometime returned into Court and being unable to agree were adjourned until tomorrow morning at 9½ O'Clock

Ordered that the Court be adjourned until tomorrow morning at 9½ O'Clock

A M Newman

Saturday February 23d 1861

Present

+ A M Newman P.J. + George Fawley + O C Sterling } Gent
+ Archibald Hopkins + O D Horn } Justices

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 Commonwealth. John Evans 50 cents. Wm Kyle 50 cents. John B Sellers 50 cents. George W Shaver 50 cents. Daniel Bowman 50 cents. Joseph B Thispell 50 cents. John Brunk 50 cents. Henry Dilse 50 cents. David Link 50 cents. Henry Stites 50 cents. Henry Swartz 50 cents. Jacob J Thomas 50 cents. Joseph Bauserman 50 cents. John Effinger 50 cents. Daniel Leonner 50 cents. Christian Moyers 50 cents. A M Elich 50 cents. Philo Bradley 50 cents. H G Neay 50 cents. Robert Bowman 50 cents. Wm M Biechimer 50 cents. D H Van Dorst 50 cents. Wm H Buntner 50 cents and John M Coffman 50 cents. It is ordered that the aforesaid allowance be certified to the Auditor of public accounts

Co. absent 15 cents

Jeph English Pltff
vs
Alfred Shrinkel Deft } In Case

This day came again the parties by their attorneys the Defendant and drew their plea and by consent it is considered that the Pltff recover against the deft $109.95 damages with interest thereon from the 21st day of August 1860 till the date hereof and the costs by the Pltff about his suit in this behalf expended

~~300~~
297.

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

✓ John Eversole	$ 4 50	✓ Chas L Headrick	$ 1 00
✓ McClain Kyle	4 50	✓ Jos Bauserman	4 50
✓ John P Seeders	4 50	✓ Jno S Effinger	4 50
✓ Geo W Shaver	4 50	✓ Daniel Leromer	4 50
✓ Daniel Bowman	4 50	✓ Christian Moyers	4 50
✓ Joseph B Triplett	4 50	✓ Francis McGlick	4 50
✓ Wm L Andersen	5 00	✓ Philo Bradley	4 50
✓ John Brunk	4 50	✓ P Gilkey	4 50
✓ Henry Pulse	4 50	✓ Robt Bowman	4 50
✓ David Link	4 50	✓ Wm M Dellhimer	4 50
✓ Henry Sites	4 50	✓ D H VanDeet	4 50
✓ Jamison Bent	1 00	✓ Wm H Burtner	4 50
✓ Henry Swartz	4 50	Jno M Heffman	4 50
✓ Jacob J Harnas	4 50		

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

G W Sanders Pltff
vs
Wm P Bleece Deft } In Debt

This day came again the parties by their attorneys and the jury sworn for the trial of this cause, on yesterday appeared in Court in pursuance to their adjournment and retired from the bar to consider of their verdict and after sometime returned into Court and not being able to agree Philo Bradley one of said jurors was withdrawn and the balance from rendering a verdict were discharged and the cause is continued until the next term for the new trial to be had therein.

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

304
298.

Commonwealth by &c. Pltff
vs
Wm K Gailey &c. Defts } In Debt

This day came the parties by their attornies and the motion of the Defts this cause is continued until the next term and to be then heard by consent it is ordered that

John O Runcle for Pltff
vs
Reuben Bonar Deft } In Debt

This day came again the parties by their attornies and the jury sworn and empannelled on yesterday for the trial of this cause, appeared in the Court in pursuance to their adjournment and retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say We the Jury find for the Plaintiff the sum of Twenty dollars part of the debt in the declaration mentioned with interest from the 1st day of May 1858 subject to a credit of eight dollars of date the 1st of May 1858. It is therefore considered that the Pltff recover against the said Deft aforesaid with legal interest thereon from the 1st day of May 1858 his aforesaid debt and the costs by the Pltff about his suit in this behalf expended. But as this payment is subject to a credit of $8. of date May 1st 1858.

On the Motion of Wm C Ammon Sheriff of Rockingham County and as such administrator de bonis non of Richard Lowster dec'd. It is ordered that Addison Harper the former administrator of said Richard Lowster, dec'd. do within thirty days from this day lay before one of the Commissioners of this Court a statement of his acting & doings as such adm'r.

Commonwealth for And Gooch Pltff
vs
Wm K Gailey &c Defts } In Debt

This day came the parties by their attornies and thereupon came a jury to wit. Philo Bradley, Wm Mick, Davis Sinks, Robt Bowman, Wm C Buettner, Christian Mayers, D O Wampler, Jacob Thomas, Jr B Ruffner

George W. Shaver Wm L. Anderson and John D. Sellers who being elected tried and sworn the truth to speak upon the issue joined and having heard the evidence retired from the bar to consider of their verdict and after some time returned into Court and upon their oaths do say, We the Jury find for the plaintiff the amount of 19.89 ℔ with interest from Jany 21st 1852. It is therefore considered that the pltff recover against the defts $200 Co the debt in the declaration mentioned to be discharged by the payment of $19.89 with leg all interest thereon from the 21st day of January 1852 till payment and the costs by the pltff about in this behalf expended

William Loderman and Emily Loderman who have been duly summoned to appear here as witnesses on behalf of Herman de Lorain for to Solomon Deem being solemnly called and not appearing it is ordered that they be summoned to appear hereon the 1st day of the August term next to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

Hochmans & Song Pltff
vs
B.H. Ralston's exr Deft } In Case

This day came the parties by their attornies and a motion it is ordered that this cause be continued until the next term at the costs of the pltff

John R. Kougler Shff for } Pltff
vs
~~Geo. D. Dixon~~ Levi Shaver Deft } In Debt

This day came the parties by their attornies and thereupon came a jury to wit. Henry Sites, John Brunk, William H. Bartner, D. H. Wampler, Robert Bowman, John M. Hoffman, Jacob J. Thomas, Henry Bulse, Daniel Bowman, J.R.B. Winfree, David Link and A. M. Flick 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

300

Verdict and after some time returned into Court and upon their oaths do say "We the Jury find for the defendant." And thereupon the Pltff moved the Court to set aside the Verdict which motion the Court doth overrule, It is therefore considered that the Defts recover against Jacob Shank for whose benefit this suit was brought the costs him about his defence in this behalf expended

~~Memorandum~~ upon the trial of this cause the Defts excepted to the opinion of the Court delivered upon the trial of this cause and tendered his bill of exceptions which was signed sealed & enrolled and made a part of the record, the Pltff also excepted to opinions of the Court and tendered his bill exceptions which was 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 March next~~

Ruffner & Kipp Pltff
vs
Wm M K Fishback Deft } In Case

This day came the pltff by their attorney and neither party requiring a jury, the Court proceeded to execute the writ of enquiry and doth ascertain the damages to which the pltff are entitled to be $90.63 ~~damages with~~ the time from which interest thereon ~~shall accrue~~ to the 1st day of January 1861. It is therefore considered that the pltff recover against the deft $90.63 the damages aforesaid with legal interest thereon from the said 1st day of January 1861 till paid and the costs by the pltff about their suit in this behalf expended

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

A. M. Newman

2 month

Virginia to wit

At a court held for Rockingham county, at the Court-House there of, on Monday the 18th day of March 1861

Present

\+ A M Newman P J \+ H A Kite \+ S M Harnsberger } Gent
\+ Isaac Wright \+ S H Garber } Justices

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 February 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 Elizabeth Bowman & to Elijah Dundore
2 ✓ Same from Jacob Dundore wife to same
3 ✓ A Deed of Trust from Jas Brannon to B G Patterson for Amanda Brannon
4 ✓ A Deed of Bargain & Sale from Isaac Reedy wife to Catharine Reedy
5 ✓ Same from James Togle wife to Madison Weise
6 ✓ Same from Wm & Webster wife &c to Jacob A Heeling trustee
7 ✓ Same from George Mayers wife to Levi Mayers
8 ✓ Same from George W Yancey & John Weeller
9 ✓ Same from Robert G Coakley wife to Daniel Coakley
10 ✓ Same from A S Rosenberger wife to John H Rhodes
11 ✓ Same from Emanuel Rhodes wife to same
12 ✓ A Deed of Trust from Jno Miswander wife to E S Harrison for Geo W Hogan
13 ✓ Same from W M Layton to Saml Ruebush for S Ruebush &
14 ✓ A Deed of Bargain & Sale from Joseph Matheny to Elijah Matheny
15 ✓ Same from Ann Davison to Kempton Holbrook & Co
16 ✓ Same from Jacob Fulk wife to George W Fulk
17 ✓ Same from Samuel Flory to Abraham Flory
18 ✓ A Deed of Trust from S Pence to M Miller in Trust for Philip Pence
19 ✓ A Deed of Bargain & Sale from W M Miller wife to Solomon M Patterson
20 ✓ Same from Abraham Kontz wife to Jonathan B Shaver
21 A Deed of Trust from Jno Dingledine wife to D Pennybacker for J A Mitchell
22 ✓ A Deed of Bargain & Sale from Alex Carman wife to Wm H Ruffner
23 ✓ A Deed of Trust from Davis Lanaes to R Leckrone in Trust for R H Smith

24 ✓ A Deed of Bargain & Sale from D B Reid & wife to Hiram Manty
25 ✓ Same from Thomas R Keenan & wife to Wm D Nicholas
26 ✓ Same from Jacob L Silent to John H Kerlin
27 ✓ Same from John H Kerlin & wife to John R Koogler
28 ✓ Same from Joseph Frank & wife to Same
29 ✓ Same from John R Koogler & wife to Joseph Frank
30 ✓ Same from James F Lawrence & to DeWitt C Koogler
31 ✓ Same from John Byerly & wife & to George W Yancey
32 ✓ Same from Peter Heenton & wife to Same
33 ✓ Same from Andrew Heenton & wife to A M Long

A Settlement of the accounts of Harvey Kyle committee for Jeremiah Kyle a lunatic, having been filed in the Clerks office of this Court for the time prescribed by law, was presented in Court & no exceptions being offered thereto, the same is confirmed and ordered to be recorded

Same of Richard A Stephens Guardian for Wm L Stephens
The Same order

Same of Joseph Miller Guardian for Abraham Miller &
The Same order

Same of Abraham Glick Guardian for Mary Cook
The Same order

Same of Jacob N Cowen Guardian for Sarah E Reid
The Same order

Same of Same guardian for Philip M Reed
The Same order

Same of Same guardian for Jacob Reed
The Same order

A Settlement of the accounts of John Heinegardner Guardian for Benjamin Heinegardner having been filed with the Clerks office of this court for the time prescribed by law. was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

A Settlement of the estate of Grissom Gordon dec.d

The Same Order

Same of the estate of Charles Nicholas dec.d

The Same order.

Same of the estate of Sarah Grahill dec.d

The Same Order

Same of the estate of David Ryle dec.d

The same order

Same of the estate of Benjamin Stricker dec.d

The Same order

Isaac Reid Pltff
vs
Gideon & Jonas Reid Defts } In Chancery

This cause came on to be heard this 18th day of March 1841 upon the bill & exhibits the answers of the defendants with replication thereto the affidavits of Abraham Reid. Isaac Reid. Daniel B Reid. Daniel Pleasants. Aeyers Spitzer. Sheeron & Hedrick. Abraham Delaplain Perry & Vaughn together with the report of J R Allebaugh Deputy Sheriff and the inventory of the partnership property returned by him & was argued by counsel. upon consideration whereof it is adjudged ordered and decreed by consent of parties. that this cause be referred to Commissioner Merritt Wharton and. to settle up the partnership accounts of the firm of Isaac Reid & Brothers. also the report the debts now due to and from said firm and the assets of said firm

together with such other matters as the Commissioner may think proper or any of the parties may require. And leave is given to either of the parties to examine on oath before said Commissioner any of the other parties touching the matters embraced in this decree and it is further ordered that the rule awarded against the defendants at a former term of this Court be continued until the next term

Ordered that the acting Justices of this County be summoned to appear here on the 2nd day of the next term to act upon applications for Ordinary Licenses & ~~for other purp~~

Thomas L McKinley who has been duly licensed to practice as an attorney at law in the Courts of this Commonwealth and on his motion he is permitted to qualify in this Court and thereupon he took the several oaths required by law

Upon the petition of Wm L Wright for a change in a public road in this County it is ordered that the said petition be referred to John H Sharpe Jesperus Young & Branson M Barnett special viewers to act and report upon the said petition according to law.

The last will and testament of Samuel Baker dec'd was this day again presented in Court and on Motion of Samuel Ruebush & Isaac Baker the executors therein named who made oath thereto according to law and together with William Ruebush and Michael J Moyer who offer their 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. a certificate is granted them for obtaining a probate of the said will in due form

Ordered that George Sanfley Henry Carpenter Elias Brown and Peter Whitmore or any three of them being first sworn for that purpose do appraise the estate of Samuel Baker dec'd and report thereon to the Court according to law

This Court doth certify that Charles A Yancey who wishes to obtain a license to practise as an attorney in the Courts of this Commonwealth, hath resided in this County for last preceding twelve months that he is a person of honest demeanor and upwards of twenty one years of age

On the Motion of G E Ammon Sheriff of this County, Joseph G H Miller is permitted to qualify as his deputy Sheriff, and thereupon the said Joseph G H Miller took the several oaths required by law

Ordered that the Clerk of this Court register John Blackwell a free negro aged 21 years on the 10th of May last, very black, has a spot nearly white on the right shoulder, no brands or marks perceptible and is 5 feet 6 inches high, and was born free in the County of Rockingham

Ordered that the Clerk of this Court register Perry Robinson, a free negro, five feet 6 inches high, of bright copper colour, has a scar on the right shin, aged years and was born free in the County of Rockingham

Towers & Blakemore Pltffs
vs
John C Mackey & Rich'd W Bear Defts } Upon a Suggestion

This day came the Pltffs by their attorney, and the defts having been duly summoned to appear, and being here called, and they being solemnly called and not appearing, it is ordered that they be summoned to appear here on the 1st day of the next term to shew cause if any they can why they shall not be fined and attached for their failure aforesaid

G E Deneale Pltff
vs
A C Bryant Defts } On Motion, it is ordered that this cause be placed upon the docket

The last will and testament of Henry Keezel dec'd was presented in court and proved by the oaths of Allen L Bryan & John L Morrison two of the subscribing witnesses thereto and ordered to be recorded. And on motion of George Keezle the executor therein named who made oath thereto according to law and together with George D Buntner his security (who qualified as to his sufficiency) entered into and acknowledged a bond in the penalty of four thousand dollars conditioned as the law requires, a certificate is granted him for obtaining a probate of the said will in due form

Ordered that Peter Koontz William D Buntner, Archibald Taylor & John M Huffman or any three of them being sworn for that purpose do appraise the estate of Henry Keezel dec'd and report thereon to the court according to law

Ordered that the Clerk of this court register Levi Peck a free negro, 21 years of age, has a scar under the left eyes & on the left hand, a little cross eyed, bright complexion, five feet 9 1/2 inches high, and was born free in the County of Rockingham

George W Cupp's adm'rs Pltff
vs
Geo W Cupp's heirs Defts } In Chancery

On Motion it is ordered that this cause be removed to the circuit courts of this county

Miller &c vs Kyger &c on D Bond, notice &c ordered & awarded
Miller &c vs same — The same order
Kent Barnett & Co vs Mc Coll &c — The same order
Whitmore for &c vs Keenan &c — The same order
Giles vs Buchanan &c — The same order
Lamsberger vs Cole &c — The same order
Ralston &c vs Groves &c — The same order
Piper vs Rhodes &c — The same order
Liggett vs Horn &c — The same order

The Court doth appoint William K Jennings guardian for Henry Miller Jennings & Fannie Harris Jennings orphans of Robert B Jennings decd who are under the age of fourteen years and thereupon the said William K Jennings appeared in Court and together with Samuel D & Miller & Hiram A Kite 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

Mary Ann Shiflett &c Pltffs
vs
Noah G Shiflett &c Defts
} In Chancery

Ordered that the parties to this suit have leave to file the bill and answers and thereupon they were filed

Ann Davison Pltff
against
Wm K Hughes Deft
} In Chancery

This cause came on to be further heard this 18th day of March 1861 upon the papers heretofore read the proceedings heretofore had and the report of John D Kogler Comr by G Miller D.S. for said Kogler to which there is no exceptions and the same is hereby confirmed and the sale made by said Commissioner on the 5th of November 1860 is hereby confirmed and the Court doth further adjudge and order that said Commissioner in this cause the bond filed with his report and collect the same and out of the money collected pay the costs incurred by the Pltff in the prosecution of this suit retaining a commission of 5 per cent and the residue pay to the Pltff and the said Commissioner will report his proceedings to the Court

an agreement between Samuel McRobert Bowman & John McMechan of the one part and Andrew B Brick administrator of R W Thurmond dec'd of the other part. together with an endorsement thereon signed Jacob C Braithwaite. submitting all matters in controversy between the said parties to the final award and determination of Isaac G Coffman. M W Gamble & Charles A Spindle or any two of them. On Motion it is ordered that the said parties shall submit to the award which shall be made in pursuance to said agreement

Commonwealth of the Peace — Plff
vs
David H Andrew — Deft
} Upon recognizance

~~The deft this day appearing in Court in pursuance to his recognizance. and on motion it is ordered that this cause be placed upon the docket~~

B F Bagby — Plff
vs
H M Harris &c — Defts
} Upon a Notice

This day came the plff by his attorney. and it appearing that the defts had had legal notice of this motion. it is ordered that the same be placed upon the docket

John Sanders who stands charged with a felony by him committed in this that he did on the 5th day of February in the year 1861 in this county one silver watch. one gold steel brass key and guard of the value of twenty dollars of the goods and chattels of Anthony Burkholder feloniously did steal take and carry away. was lead to the bar in custody of the sheriff of this county and during witnesses being sworn and examined touching the premises. the court 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 was remanded to jail

~~312~~
309.

Be it remembered that Ira H. Burkholder. Anthony Burkholder James Ralston. Erasmus Moyers. Benjamin D Bowman. Uriah Whitmore. Isaiah Young and Harvey Ralston this day appeared in Court and severally acknowledged themselves to in the sum of $100 each owe and be indebted to the Commonwealth of Virginia, to be levied of their respective goods and chattels, lands and tenements and for the use of the said Commonwealth. Upon this condition that the said Ira H. Burkholder. Anthony Burkholder. Jas Ralston Erasmus Moyers. Benjamin D Bowman. Uriah Whitmore. Isaiah Young and Harvey Ralston, shall make their personal appearance before the Circuit Court of this County on the first day of the next term. then and there to give evidence on behalf of the Commonwealth against John Lanaes. and not to depart thence without the leave of said Court. then this recognizance to be void. otherwise to remain in full force and virtue

Mary Ann Shifflett widow &c Pltff
vs
Noah C Shifflett widow &c Defts } In Chancery

This cause came on by consent to be heard this the 18th day of March in the year 1861 upon the bill of complaint with the exhibits therewith filed and the answer of Noah C Shifflett Ira Shifflett White Shifflett and Mary Shifflett and David Gilmore Guardian &c and the answer of the infants Ira Shifflett. White Shifflett and Mary Shifflett by their guardian ad litem and the depositions of witnesses on consideration whereof the argument of Counsel being heard and the Court being of the opinion that a partition cannot be made by metes and bounds. and that the interest of all parties will be promoted by a sale of the real estate in the bill and proceedings mentioned. doth adjudge order and decree that David Gilmore who is hereby appointed a Commissioner for the purpose shall proceed to make sale of the real estate in the proceedings mentioned at public auction upon the following terms. 1/3 of the purchase money to be paid in 90 days 1/3 in 6 months and 1/3 in twelve months from the day of sale with interest from the day of sale. giving bonds with good personal

security and at same a lien as ultimate security thereof. the time place and time of sale shall be given by posting a notice at the front door of the court house also at four or more public places in the vacinity of the land for four successive weeks. The said Commissioner shall report to this Court

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Overseers of the Poor
vs
David H. Andrew

upon a recognizance charging the said David H. Andrew with being the father of a female bastard child of which Caroline Lesh was delivered

This day came the parties by their attornies and on motion it is ordered that this cause be placed upon the docket and continued until the next term. and thereupon the said David H. Andrew appeared in court and together with John A. Dice. Wm. L. Anderson Samuel Wheelbarger and John Coronshorn acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said David H. Andrew in the sum of one hundred and fifty dollars and the said John A. Dice. Wm. L. Anderson. Samuel Wheelbarger and John Coronshorn ~~jointly pay~~ the like sum of one hundred and fifty 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 David H. Andrew shall make his personal appearance before this Court on the first day of the next term. to abide the order of this court touching the said accusation and not thence depart without the leave of the Court. then the above recognizance to be void. otherwise to remain in full force and virtue

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Steele &c. vs Burkholder &c. on Dft's Bond. Notice proved and execution awarded

Bowman &c. vs Bowman — The same order

Wm Harper's heirs Pltffs
vs
Catharine Grim &c Dfts
} Upon an action of unlawful detainer

On Motion of the plaintiffs by their attorney, and it appearing that this cause has been depending in this court more than three months without a decision being had therein. it is ordered that this cause be removed to the Circuit Court of this County

~~314~~
311.

John A Herring Pltff
vs
Wm A Glasgow Deft } Upon a Motion

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

Sl Menenhall for Pltff
vs
George W Effinger Deft } Upon a Suggestion

The Same order

Peter Acker Pltff
vs
Wm Minnick Deft } Unlawful Detainer

On Motion and for reasons appearing to the court, it is ordered that this cause be continued until the next term at the cost of the deft

A E Heneberger Pltff
vs
W M Mooney Deft } Upon a Notice

The Same order

Same Pltff
vs
Same Deft } Upon a Notice

The Same order

On the Motion of James A Lowman constable, it is ordered that John Robinson John H Ervin and John Dinkle who all claim the proceeds of the sale of about 32 bushels of wheat sold by said Lowman as constable be summoned to appear before this court on the 1st day of its next term to try the right to said proceeds of sale

On the Motion of Henry Neff who made oath thereto according to law and together with Abraham Funk his security (who justifies as to his sufficiency) entered into and acknowledged a bond in the penalty of $1200.00 conditioned as the law requires, a certificate is granted him for obtaining letters of administration in due form upon the ~~estate~~ estate of Samuel Price dec'd.

Upon the Motion of Eva Leedy committee of Polly Leedy, it is ordered that said Eva Leedy be allowed the sum of $375. for the support of said Polly Leedy by said committee before she was appointed committee and the said Eva Leedy is permitted to retain said sum of $375. out of any money belonging to said lunatic in the hands of said committee or may hereafter come into his hands

Speck & Altoffer Pltff
vs
Wm Schmucker Deft } Upon an Attachment

By consent of parties it is ordered that the Sheriff of Rockingham shall after posting a notice of the time place & terms at some public place in Bridgewater, rent at public auction to the highest bidder the real estate of said Schmucker attached in this cause for the term of six months allowing the lessee the privilege of a corn crop & requiring him to give bond and security for the rent & said Sheriff shall report to this court

Addison Royer Pltff
vs
Noah A Royer Deft } Upon a Motion to remove the deft from his office as committee for Jacob Royer

This day came the parties by their attorneys and thereupon by consent the power and authority of the said Noah A Royer as committee for Jacob Royer is revoked, and by like consents the Court doth appoint Yelverton Ammon committee for the said Jacob Royer, and thereupon the said Ammon together with Noah A Royer his security (who justifies as to his sufficiency) entered into & acknowledged a bond in the penalty of One hundred dollars conditioned as the law requires which bond is ordered to be recorded

Noah A Royer Pltff
vs
Jacob Boyer & others Defts } In Chancery

This cause came on this 18th day of March 1861 to be further heard upon the papers formerly read and upon the report of Wm A Newman commissioner to rent the lands in the proceedings mentioned and there being no exceptions thereto the same is confirmed and ordered to be filed

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

A M Newman

Tuesday March 19th 1861

Present

+A M Newman P.J. H A Kite + Isaac Wright } Gent
+S H Conner + L M Hannaberger } Justices

Ordered that the use of the Court-house be granted for the purpose of quartering the Members of the 4th Regiment of Volunteers during their regimental Muster in May next

Keister vs Pully. Dunbar vs Bateman & Bates vs Devault for ca
On Motion continued until the next term

John Shickle & wife Pltff
vs
Wm Dunnough & Defts } Upon a Notice

This day came the parties by their attornies and on the motion of the pltff & for reasons appearing to the Court it is ordered that this cause be continued until the next term at their costs and on the motion of the defts and it appearing to the Court that the pltff are not inhabitants of this State it is ordered that unless they or some one for them do within twenty days give security for costs & as required by law this cause shall be dismissed at the next term

Ann E Ergenbright & others Pltffs
against
Mary J Ergenbright & others Defts. } In Chancery

This cause came on to be further heard this 19th day of March 1861 upon the proceedings heretofore had and the report of Commissioners H. E. Sipe, J. M. McCleary & J. M. Sellers to which there is no exceptions and the same is hereby confirmed. The Court doth further enquire & order that the several sums of money required by the report to be paid to equalize the shares in the slave property, shall be paid by the guardian out of the funds in his hands in conformity with the report and that the costs of this suit be paid out of the funds in the hands of the guardian in equal proportion to be borne by each of the wards, and that this cause be dismissed.

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

A. M. Newman

In the Clerk's office of the County Court of Rockingham March 25th 1861

Andrew B Brick Pltff
vs
John Niswander & George W Cosan Defts } In Debt

This day the defendants appeared in court and confessed judgment for $200. the debt in the writ mentioned with interest and costs It is therefore considered that the Pltff recover against the defts one hundred dollars the debt aforesaid with interest thereon to be computed after the rate of six per centum per annum from the 2d day of May 1860 till paid, and the costs by the Pltff about his suit in this behalf expended

Test

Wm D Grattan Cl.

In the Clerks Office of the County Court of Rochingham March 30 1861

H & S M Ott Pltffs
vs } In Debt
Silas Click Deft

This day the defendant appeared in the office aforesaid and confessed judgment for $46.32 the debt in the writ mentioned and costs

It is therefore considered that the plaintiffs recover against the deft $46.32 the debt aforesaid with interest on $24.06 part thereof from the 25th day of August 1858 and on $22.26 the residue thereof from the 23d day of June 1860 till paid and the costs by the pltffs about their suit in this behalf expended

Test

Wm D Frank DC

318.

Virginia

At a Court held for Rockingham county, at the Court-House thereof on Monday the 15th day of April 1861

Present

+A.M. Newman P.J. +S.M. Harnsberger +H.A. Kiter Gent
+Isaac Wright +Shelton H. Harris } Justices

3rd Month

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 March last, which being examined and inspected by the Court is ordered to be entered on the minutes as follows, to wit

1 ✓ A Deed of Trust from Michael Hoover to J.W. Smith in Trust for R.M. Kyle.
2 ✓ A Deed of Bargain & Sale from Rebecca Grier to Elizabeth Cooper
3 ✓ Same from Brannon M. Parnell & wife to Wm. A. Hoogshead
4 ✓ Same from Henry Neff Trustee &c to Michael H. Lee
5 ✓ A Deed of Trust from Michael Hoke & wife to Wm. D. Pence in Trust for J.D. Beam
6 ✓ A Deed of Bargain & Sale from Morgan Hoogshead & wife &c to John Roadcap
7 Same from Henry J. Shoemaker & wife to Conrad Roadcap
8 Same from Samuel Heatwick to Abraham Garber
9 Same from B.M. Parnell & wife to Wm. S. Wright
10 Same from John Dingledine & wife to Jacob A. Mitchell
11 Same from George W. Mauzy & wife to John H. Berry
12 Same from A.J. Johnson & wife to George J. Kisling &c
13 Same from Henry Neff Comr &c to Rebecca G. Shue
14 Same from Frederick Heeb to Isaac Heeb
15 Same from Robert A. Gray & wife to A.H. & J. Gray Trustees
16 Same from Jackson Coffman & wife to John Lentz
17 Same from Benjamin Beam & wife to Lewis Yankle
18 A Deed of Trust from Robert Black to Jno. Kenicafe in Trust for A. Leuzinger
19 Same from Virginia Ann Lee to Henry Fleming in Trust for E. Huffman
20 A Deed of Bargain & Sale from Joseph Mauzy & wife to John Spitzer &c
21 Same from Allen C. Bryan & wife to Adam Thomas
22 Same from G.W. Mauzy & wife to Joseph Mauzy
23 Same from Jacob Hackley to Jacob B. Hiser

24 A Deed of Bargain & Sale from Wm H Harris & Wm Donaghy & Jas S Harris
25 Same from John Akris wife to Aaron G Solomon
26 A Deed of Trust from A G Solomon to H K Dever In Trust for Hoffman &
27 A Deed of Bargain & Sale from Eli Miller to H & N Jordan
28 Same from Solomon Garber &c to George W Effinger
29 Same from Allan & Bryan wife to Daniel Pence
30 Same from John F Erb & wife to John Leedy
31 A Deed of Trust from E A Shannas to Wm B Shannas In Trust for Bank
32 A Deed of Bargain & Sale from Jonathan Funk to Benj Funk Trustee
33 Same from Philip Liggett to George Nicholas Trustee
34 Same from John Sites wife to Giveon Kratzer
35 Same from Same to Same

A Settlement of the estate of Hannah Granade dec'd having been filed in the Clerk's Office of this Court for the time prescribed by law & was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of the estate of Henry Keller dec'd
The Same order

Same of the estate of John H & Jackson dec'd
The Same order

Same of the estate of Henry Conrad dec'd
The Same order

Mc Harvey Effinger Deff
vs
Margaret A Bear & others Defts
} In Chancery

This cause came on to be further heard this 15th day of April 1861 upon the papers formerly read, the proceedings heretofore had and upon the report of Comr. J W G Smith of date 27 day of March 1861 shewing that said Comr. has collected

of Wm Aloonrad the purchaser a receipt of the Sheriff for Land Tax in the year 1859 upon the real estate of the said John W Bear dec'd which said receipt was exhibited to the Court & which is filed with his said report & amounts to the sum of twenty five dollars & 80 cents also the sum of $708.20/100 in cash which his said sums amount together to the sum of $733.33/100 the amount of the said Aloonrads bond falling due on the 26th day of March 1861 of the cash in hand viz $708.20/100 Com'r Smith has made the following disbursments as appears from satisfactory vouchers exhibited to this Court & filed in sd report viz To M Harvey Effinger the sum of $442.22/100 it being the ballance of the principal and interest to 27th March 1861 of the claims of sd Effinger together with his costs including February sess 1861 the said Smith also has paid to himself $14.66/100 it being his com'rs on $733.33 at 2 per cent leaving still a ballance of $251.17/100 in the hands of said Com'r Smith. also a report of Wm M K Mantzmann Special Commissioner shewing Mrs Margaret A Bear's dower interest to be of the absolute cash value as of date March 26th 1859 the sum of $348.42 being agreed by counsel and it appearing to the Court that the said vouchers as well as the said reports are correct and there being no exception to the said reports the same are hereby confirmed and it is further ordered that J W G Smith Com'r shall out of the sum of $251.17 in his hands first pay to the Clerk of this Court the sum of sixty cents his fee for taxing the pltffs costs taking his receipt therefor and the remainder viz $250.57 he shall pay over to Margaret A Bear widow of John W Bear dec'd taking her receipt therefor as a part payment of her dower interest & shall report his proceedings hereupon to this Court at its present term. and it is further ordered that no further costs shall be charged to the sd M Harvey Effinger pltff in this cause

Ordered that Abraham Mohler administrator de bonis non with the will annexed of John Pirkey deceased pay over to the receiver of this Court the sum of eight hundred and fifty five dollars and fifty six & three sevenths cents coming to Franklin Pankley & Diana Caroline his wife one of the 7 residuary legatees of the said John Pirkey dec'd it being first dividend made among the said residuary legatees on the 3rd day of

April 1841. see settlement of the estate account of said Jno Pirkey dec.d

Ordered that the Overseers of the poor for this county bind to Mrs Elizabeth M Richards a free negro boy named Arthur Moyers infant child of Mary Moyers the said Elizabeth M Richards to learn the said Arthur the trade of a Hotel servant and to keep to said boy when he arrives to the age of 21 years the sum of $25. and a suit of Clothes

On the Motion of Delbert L West who made oath thereto according to law and together with William West and Madison West his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of one thousand dollars conditioned as the law requires. a certificate is granted the said Delbert L West for obtaining letters of administration in due form upon the estate of Heavey West dec.d

Ordered that Edmond Rosenbarger Thomas Moore Samuel Roller and Peter Wise or any three of them do appraise the estate of Heavey West dec.d and report thereon to the court according to law

of

J D Effinger Pltff
vs
E M Pollard & Defts } upon a Notice

On Motion it is ordered that this cause be placed upon the docket

J S & J P Effinger Pltff
vs
Same Defts } upon a Notice

The Same order

Same Pltff
vs
Same & Defts } upon a Notice

The Same order

J P Effinger Pltff
vs
Harris H M & Deft } Upon a Notice

On Motion it is ordered that this cause be placed upon the docket

Same Pltff
vs
Same Defts } Upon a Notice

The Same Order

The last will and testament of George Brannen dec'd was presented in court and proved by the oaths of John A Thomas & Wm G Thompson two of the subscribing witnesses thereto and ordered to be recorded and on Motion of Isaac T Brannen & Rebecca Brannen the executor and executrix therein named who made oath thereto according to law and together with John J Bowman and Benjamin Hoover ~~three of the securities by him produced~~ (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of seven thousand dollars conditioned as the law requires. a certificate is granted them for obtaining a probate of the said will in due form

Ordered that John Zigler. John H Thomas Jonathan Brannen and John J Bowman or any three of them being first duly sworn for that purpose do appraise the estate of George Brannen dec'd & report thereon to the Court according to law

On the Motion of James T Bowman who made oath thereto according to law. and together with James L Keelzer his security (who justified as to his sufficiency) entered into & acknowledged a bond in the penalty of Two thousand and fifty dollars conditioned as the law requires. a certificate is granted the said James T Bowman for obtaining letters of administration in due form upon the estate of Mahala Miller dec'd

George J Kisling who has been duly appointed a Notary Public for this county appeared in Court & together with G T Hopkins his security, entered into and acknowledged a bond in the penalty of $500. conditioned as the law requires, and thereupon the said George J Kisling took the several oaths required by law

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Andrew J VanPelt who has been duly appointed a Notary Public for Rockingham County appeared in Court and together with D H Moffett & R H Gamble his securities, entered into and acknowledged a bond in the penalty of $500. conditioned as the law requires, and thereupon the said VanPelt took the several oaths required by law

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Jacob Shickel &c Pltff
vs
Wm Durrough &c Defts } Upon a Notice

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

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D S Jones &c Pltff
vs
J B Yost &c Defts } In Chancery

The attachment last awarded in this cause against Wm Sommers being returned not executed, it is ordered that a new attachment be awarded against him, to be directed to the Sheriff of Harrison County and made returnable here on the first day of the next term

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S J Hannsberger Pltff
vs
Hannias Powell Defts } Upon an attachment

On Motion it is ordered that this cause be placed upon the docket

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Overseers of the Poor vs D H Andrew. On Motion it is ordered that this cause be continued until the next term at the costs of the Pltff

An Instrument of writing purporting to be the last will & testament of William Black dec'd was presented in court and there being no subscribing witness thereto, Wm C Whitmore was sworn and proved to the satisfaction of the court that the said instrument of writing and the signature thereto is wholly in the hand writing of the said William Black it is therefore ordered that the said writing be recorded as the true last will and testament of William Black and it appearing to the court that Elizabeth Black the executrix therein named refuses to take upon herself the birthen of the execution thereof and thereupon on motion of Adam Shawalter who made oath thereto according to law and together with Jacob Moyers & his security (who justified as to his sufficiency) entered into and acknowledged a bond in the penalty of ten hundred dollars conditioned as the law requires a certificate is granted that said Adam Shawalter for obtaining letters of administration in due form with the will annexed of the said William Black dec'd

Ordered the Jessups Young, Samuel Long & Peter Whitmore do appraise the estate of William Black dec'd and report thereon to the court according to law

Benjamin Wenger, Jacob Wenger & Christena Wenger children of Ephraim Wenger, being over 14 years of age appeared in court and with the approbation of the court made choice of the said Ephraim Wenger as their guardian, and the court doth appoint the said Ephraim Wenger guardian for his children John & Susanna Wenger who are under the age of 14 years and the said Ephraim Wenger appeared in court and together with John B Kepler Samuel Wenger & James G Heltzel his securities (who justified as to their sufficiency) entered into and acknowledged a bond in the penalty of $5000 cc conditioned as the law requires which bond is ordered to be recorded

John C Hopkins for Pltff
vs
Samuel Good Deft } Upon a Suggestion
On Motion & for reasons appearing to the Court it is ordered that this cause be dismissed

~~327~~
323.

Emanuel Rhodes Pltff
vs
Robert Walton & Defts } Upon a Suggestion

This day the deft Michael Graham this day filed his answer in this cause and the trial is continued until the next term

Peter Mick jailer of this County, presented in court an account against the Commonwealth amounting to $86.55 which was sworn to, examined and allowed by the Court and ordered to be certified to the Auditor of Public accounts

Ordered that the Clerk of this court register Joseph Harrison a dark mulatto aged years, five feet 8½ inches high, has a scar on the left arm and was born free in the County of Rockingham and Josephine Harrison a light mulatto, aged years, five feet seven inches high and was born free in the County of Rockingham

Ordered that John A Showalter be authorized to purchase a sledge hammer for the use of the road for which he is surveyor

Be it remembered that David H Anderson Harvey N Jordan Samuel Wheelbarger and Wm A Anderson appeared in court and acknowledged themselves to owe and be indebted to the Commonwealth of Virginia the said David H Anderson in the sum of one hundred and fifty dollars, and the said Harvey N Jordan Samuel Wheelbarger & Wm A Anderson jointly in the like sum of one hundred and fifty dollars to be levied of their respective goods and chattels, lands and tenements and for the said Commonwealth. Yet upon this condition that the said David H Anderson shall make his personal appearance before this court on the first day of the next term and abide the order of this court touching the accusation of Caroline Lark charging the said David H Anderson with being the father of a bastard child of which she was delivered, and not depart thence without the leave of the said Court then this recognizance to be void otherwise to remain in full force and virtue

~~328~~
324.

Peter Dick jailor of this County presented in court an account against the Commonwealth amounting to $56.30 which was sworn to in court was examined and allowed by the court and ordered to be certified to the auditor of Public accounts. and the court doth further certify that the said allowance is reasonable and that the Lunatic's mention in said account have no estate out of which the said ~~account~~ amounts could be made

James T Lowman Pleff
vs
John Robinson Defts } Upon a Notice

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term at the cost of deft John H Erwin.

Charles Batis Pleff
vs
Zachariah Crawford Defts } Unlawful Detainer

This day came the parties by their attornies and on motion and for reasons appearing to the court it is ordered that this cause be dismissed, and that the defts recover against the pleff. the costs by them about their defence in this behalf expended

Conrad Long Appellant
vs
Henry Mace's committee Appellee } Upon an appeal

On Motion and for reasons appearing to the court it is ordered that this cause be continued until the next term at the cost of the appellee

The last will and testament of Malinda Hall dec'd was presented in court and proved by the oaths of Wm McK Hartmann and JK Smith the subscribing witnesses thereto and ordered to be recorded and on the motion of William Peters the executor therein named who made oath thereto according to law and together with William McK Hartmann his security (who justified as to their sufficiency) entered

into and acknowledged a bond in the penalty of six hundred dollars conditioned as the law requires. a certificate is granted the said William Peters for obtaining a probate of the said will in due form

Ordered that Henry T Wardman Littleton W Gamble and Joseph T Rohr after being first sworn for that purpose do appraise the estate of Malinda Hall dec'd and report thereon to the Court according to law

Isaac Reid Appellant
vs
Gideon Reid Appellee
} upon ~~an~~ appeal ~~from~~ the ~~judgment~~ judgment of a Justice

This day came the ~~parties by~~ their attorneys ~~and the Court~~ not having time to hear all the evidence the ~~cause is continued~~ until to-morrow

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

A. M. Newman

Tuesday April 16th 1861

Present

+A M Newman P J + Isaac Wright + S McCamberger
+ H A Kite + S McCarnier
} Gent Justices

Ordered that the Clerk of this Court procure for the use of the Justices of this County. nine execution books

A Lyon & others Plffs
vs
McCarney Effinger & others Defts
} In Chancery

This cause came on to be further heard this 16th day of April 1861 upon the papers formerly read the proceedings heretofore had. and the petition of M Antoinette Sams and of Mary D Effinger

~~334~~
326.

and the report of Comr. Wm M'K Wartmann, shewing a final settlement of the accounts of J.W.G. Smith, as admr. of Daniel Smith dec'd and as Comr for the sale of the lands of the said decedent, and being argued by counsel it is ordered, adjudged & decreed, that the said report of Comr. Wm M'K Wartmann, shewing that J.W.G. Smith Comr & admr has paid over to each of the heirs of said decedent, the full amount to which they were severally entitled after payment of the debts of the decedent, the deferred payments on the lands sold bearing interest as of this date, & that J.W.G. Smith being charged with value as of date April 11th 1861, and there being no exceptions to the said report the same is hereby confirmed. the petition of Mrs Mary Antoinette Tams, & Mrs Margaret D. Effinger praying that their interests in the lands of the said Daniel Smith dec'd may be paid over to their respective husbands Wm Hy Tams and M. Harvey Effinger, is granted and the action of Comr. J.W.G. Smith, in paying over the same to their respective husbands, as ascertained by their receipts therefor set forth in Comr Wartmanns report & exhibits to this court is also confirmed. It is ordered that the report of Comr. Wm M'K Wartmann, shewing the settlement in full of the accounts of J.W.G. Smith Comr. & admr as aforesaid, be admitted to record in the Clerk's office of this court. It is also ordered that J.W.G. Smith Comr. & admr do pay the costs of this suit out of the money retained by him for that purpose & it is decreed that this cause be dismissed

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Ordered that at an election to be held on the fourth thursday in May next for a member to congress of the United States for the district of Virginia of which this County composes a part, the members to the next Legislature of Virginia, and for two justices of the peace for this County in the 6th District in the place of Andrew Hench dec'd & in District No 8 in the place of Geo Brenner dec'd it is ordered that the same Commissioners & officers appointed at the last June term as superintend the said election, except that at Port Republic B.A. Kemper & Joseph Altaffer Constn in the place of Stephen H. Linsenger & Reuben Altaffer, at Bowmans Mill Joseph W. Kratzer officer, in the place of Jacob H. Swank, junr at Timberville Dennis Miller Commissioner in the place of George Brenner dec'd & at Spurrels Store A.C. Fleek in place of E. Roadcap

Wm H. Barley Pltff
vs
John Byerly Deft } In Debt
Upon an Attachment

This cause came on to hear and this 16th day of April 1861 and it appearing by the report of S R Allebaugh D S R C that he has made sale of the life estate of John Byerly in pursuance of previous order of this court & that W H Barley became the purchaser at the price of $70. it is ordered that the said S R Allebaugh collect the amount of said purchase and apply the same 1st to the costs of sale & the costs of suit & apply the residue towards the satisfaction of plaintiffs debt. and the said S R Allebaugh is authorized to make a deed to said Barley for said interest in said land

Present

+ Asher Argabright + Wm S Miller + Benjamin Hoover + Madison + Moore + Wm W Carpenter + E R Moyer + Archibald Hopkins Jr + Abram S Funk + George Fawley + O P Coon + Robert Black + Peter P Eamman + M D Harris + Josiah S Miller + Peter Paul + John S C Hopkins + Douglas Mantz

Upon the petition of D Pennybacker. Wm Williams. John Scanlon Wm D Covington. John H Berry. Wm Shewalter. John A Neill John W Coates M H See who have paid the tax imposed by law. a license is granted them to keep houses of Public Ordinaries in this county and the court doth certify that they are persons of good character not addicted to drinking or gaming and will probably keep houses orderly useful and such as the law requires

Upon the petition of Geo W Staley. John Hulse, Curtis Yates. Madison West

who have paid the tax imposed by law. a license is granted them to keep houses of Private Entertainment in this county. the court doth certify that they are persons of good character not addicted to drinking or gaming and will probably keep houses orderly useful and such as the law requires

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328.

Upon the application of Wm J Moyer hoeffer. Ed S Wm Kemper Mem K A Brown

who have paid the tax imposed by law to enable them to sell by retail ardent Spirits at their stores in this county, the Court doth certify that they are persons of good character and that their stores are proper places to retail ardent Spirits

Upon the application of Lewis Leopold, James Kavanaugh, & J Sullivan for licenses to keep ~~houses of~~ Public Ordinarys at their house in this County, upon consideration whereof the Court doth refuse said applications

Upon the application of James W P Gaither for license to retail ardent Spirits at ~~their~~ his ~~store~~ house in this County. The same order

The Committee appointed by the Board of Overseers of the Poor for this county for the purpose of purchasing a farm &c., made a report, and on consideration whereof the Court doth refuse to confirm the purchase referred to in said report

On the Motion of Jacob S Piper, it is ordered that the estate of John Dannels be committed to the Sheriff of this County for administration according to Law

Ordered that the sum of Twenty eight hundred dollars be appropriated by the County of Rockingham for the benefit of the 1st Regiment of Virginia Volunteers now under the command of Col S B Gillam and the Batallion of Cavalry now under the command of Maj Patterson — Nineteen hundred dollars of said appropriation to be for the benefit of the 1st Regiment and the remainder for the benefit of the Batallion and for the purpose of making this order effective it is further ordered that John H Roshlin, Ed H Warren B G Patterson & Wm Newman be & they are hereby appointed a committee who shall forthwith procure the Bonds of the County of Rockingham for the said sum of $2800.00 in sums of $25.50 & $100. bearing interest from the date & payable on the

~~615~~

1st day of June 1863. and the Sheriff of the County shall receive said bonds in payment for the County taxes. and said bonds shall be signed by said committee & be ~~countersigned by said committee~~ & be countersigned by the Clerk of the County Court. and said committee shall dispose of said bonds on the best terms they can and apply the proceeds in the purchase of such Equipments as shall be necessary for the comfort of the said Volunteers

It is ordered to be entered of record. that it will be considered sufficient cause to revoke any license to person to keep Public Ordinaries by this Court for such persons to open their bars for Sunday for the purpose of selling ardent spirits. and further this order be published. inserted one time in each newspaper published in Harrisonburg

Wm Ammon. Joseph T Logan. C Miller. B M Rice ~~R Hoakley~~
Wm T Long Henry Neff S R Allebaugh Deputies for John R Koogler late Sheriff of this County returned into court a list of delinquents in the property and capitation tax for Rockingham County for the year 1860 which being sum to. was examined. allowed by the Court and ordered to be certified to the auditor of public accounts

Wm Ammon. Joseph T Logan. C Miller. John T Long. B M Rice. Deputies of John R Koogler late Sheriff of Rockingham County. returned into court a list of delinquent lands in this County for the taxes due thereon for the year 1860 which being sum to. were examined allowed and ordered to be certified to the auditor of Public accounts

Absent all the Justices except. A M Newman P J. Kiracofe A Kite Stephen M Harnsberger Isaac Wright & S H Carrier Gent Justices

Wm K Koogler late sheriff of this County presented in court an account against the Commonwealth amounting to $3.10 which being sum to was examined allowed by the court and ordered to be certified to the auditor of public accounts

~~331~~
330.

The Sheriff reported the following named free negroes as delinquent for taxes due by them viz. Marcellus Gibson. Jos Eagle alias Harrison A Bradford. Calvin Hall. Hey Maddux. Wm Moore. Jno Poindexter Jasen Peters. Wm Strother. Samuel Maddux. Legrand Sampson. Stanfield Jackson. Henry Allen. Jno Ed Berne. Whit Spangler. Wm Spencer and Arch Strother, George Strother it is ordered that the Sheriff do hire out said free negroes according to law

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S J Hamsberger Pltff
vs
Honorias Powell Deft
} upon an attachment

This day came again the pltff by his attorney and the deft still failing to appear. a witness being summoned and examined and the court are of opinion that the said attachment was fairly sued out and that the pltff demand is just it is considered by the court that the pltff recover against the deft $38.35 with legal interest thereon from the 26th day of November 1860 till paid and the costs by the pltff about his attachment in this behalf expended. and it appearing to the court that the personal estate upon which the said attachment was levied is not sufficient to satisfy the claim of the plaintiff. It is ordered that W D Covington constable who levied the said attachment after advertising the time place & terms of sale for three successive weeks at three or more public places in the vicinity of said levy. proceed to make sale of the interest of Honorias Powell in the real estate devised to him by Robert Powell dec'd upon which the said attachment was levied. upon a credit of six months requiring bond with good personal security & retaining a lien as ultimate security

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R & W Bowman & Co Pltff
vs
R W Hammond's adm'r Deft
} upon an award

This day came the parties by their attorneys. and the persons to whom this cause was referred made their award in the words & figures following to wit "Know" ye by consent of parties the said award is entered into & made the judgment of the Court. It is therefore considered that A B Brick

Dan'l of R W Thurmond &c. recover against Jacob R Brathwaite $5000 with legal interest thereon from the day of 185 . the freight and the costs by the said Pltff in this behalf expended

Ignacio B Reid &c. Appellants
vs
Isaac Reid Appellee
} Upon an appeal from the judgment of a Justice

This day came the parties by their attornies and sundry witnesses being sworn and examined and the Court upon mature deliberation are of opinion that there is error in the judgment aforesaid. It is therefore considered that the said judgment be reversed and annulled, and that the appellants recover against the appellee their costs by them in this behalf expended

Thomas L Yancey Trustee Pltff
vs
Thos K Hamsbergen & John N Hill Defts
} Upon a motion to try the right to certain property levied upon under the execution of the defts against Addison Hearsper, and claimed as the property by the plaintiff as trustee under a deed of trust executed by said Hearsper

This day came the parties by their attornies and the they being fully heard the Court upon deliberation are of opinion that the property levied upon is subject to the lien of the execution of Thomas K Hamsbergen against Addison Hearsper it is therefore considered that the Defts recover against the Pltff their costs about their defence in this behalf expended

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

A M Newman

Wednesday April 17th 1861

Present

A M Newman P J & A Kite & T M Hamsbergen } Court
Isaac Wright & H Carnes } Justices

Ordered that the Sheriff of this County, summon all the acting Justice of this County, to appear here on Monday next to act upon an appropriation for the benefit of the Volunteers of this County

Peter Acker Pltff
vs
William Minnick Deft } Def on a writ of Unlawful detainer

This day came the parties by their attorney and thereupon came a jury to wit. Wm Jones, Joseph Hogue, S. M. Bowman, R. C. Minnick, James Steele, Peterson Hanson, James Roadcap, Thos J. Butler, George Roadcap, Wm M. Bell, Zimmer, Jas Crickenberger, & W. J. Nicholas who being elected tried and sworn the truth to speak upon the issue joined, and having fully heard the parties 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 that the defendant unlawfully withholds the premises in the summons mentioned from the plaintiff", and thereupon the defendant moves the Court to set aside the said verdict and grant him a new trial which motion the Court doth overrule. 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. Memorandum. On the trial of this cause the defendant by his attorney, tendered his bill of exception to the action of the Court in refusing to set aside the verdict and grant a new trial, which bill was signed sealed and enrolled by the Court and ordered to be made a part of the record

Thomas L Agency Trustee Pltff
vs
Thos K Ramsburgers & Jas M Bell Defts } Def on a Motion &c

This day came again the parties by their attorneys, and the Pltff tendered a bill of exceptions to the opinion and action of the Court upon the trial of this cause which bill was signed sealed and enrolled and ordered to be made a part of the record in this cause

Ordered that all the causes on the docket not tried or otherwise disposed of during the present term be continued over until the next term

Ordered that the Court be adjourned until tomorrow at 12 O'Clock

A. M. Newman

Thursday April 18th 1861

Present

+A M Newman P J + Stephen M Harnsberger } Gent
+H. A Kite + S H Garrison + Isaac Wright } Justices

The Sheriff having reported the following named free negroes as delinquent for taxes due by them viz John Amos, Miller Harrison John Hackley & John Carnacle. it is ordered that they be hired out as the law directs

Present + Robert Black + Wm S Miller + D Argabright + J S Roller + Jno H Hopkins + Archibald Hopkins + L R Mayer + Benj Hoover + W D Harris + P M Carman + Madison Morris + Jonathan S Sheck + Peter Paul + Dorias Mauck + B P Hearn

Ordered that a sum not exceeding ten thousand dollars be appropriated for the use of the Volunteers of this county in lieu of the appropriation of $2000. made by this Court on Tuesday last. that the said appropriation be expended under the control & management of A M Newman Jno H Hopkins A B Mick & Isaac Hardesty. and for the purpose of raising said sum the said Committee shall execute the bond of the County in such sums as they or either of them shall deem best. said bonds to be made payable and otherwise to conform to the requirements of the order of Tuesday last

Upon the petition of Lewis Shofer for license to keep a ordinary. on consideration whereof the Court doth refuse the said petition

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

A. M. Newman

Virginia

At a Court held for Rockingham County at the Court House thereof on Monday the 20th day of May 1861

Present + Anderson M Newman P.J.

+ Madison Moore Lewis Wilt Wm Adam N Fulk G Yankee

1st Month

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 April 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 Wm R Sperks Exor to Samuel Frank

Same from Jacob Cole To Hayette Cole

Same from Abraham Burkholder & Wife to Joseph Cline

Same from E. J. H Warren Comr to William Wolfe

Same from John D Wingfield & Wife to Robert Walton

A Deed of Trust from Wiley Sheffield to J. K. Miller In Trust for Robt A Gibbons

A Power of Attorney from Elizabeth S Scott to John Kenney

Same from C. J. Burris to The Same

A Deed for Personal Estate from John W West to Elizabeth West

A Deed of Trust from John Robeson to John Cowan in Trust for I. N Cowan

A Marriage Contract between Jacob Cole and Elizabeth Haught

A Deed of Bargain & Sale from John C Woodson Comr To E. J. H Warren

A Deed of Trust from Joseph Randel To E J H Warren In Trust for David Flook

A Deed of Bargain & Sale from Benjamin Bowman To Samuel Bowman

Same & Samuel Bowman to John Bowman

A Deed of Trust from Benjamin & Samuel Bowman to John Bowman In Trust for J. Crawford

A Deed of Bargain & Sale from Joseph Hunter to John Miller

Same from Solomon H Patterson to William Beard

Same from Stephen Roadcap & Wife To George Roadcap

Same from Mary M Hawkins To P. A Clarke

Same from Jacob Cole to Bushrod Rust Trustee for Melchoir Wood

Same from Joshua C Price & Wife To Edmond J. Rosenberger

A Deed of Bargain & Sale from James W West to Madison West

Same from Henry Bushong & to James Dove

Same from James Dove & Wife To Abraham Bushong &

Same from Daniel Sanger & Wife To Solomon Miller

Same from Sarah Lofland & Wife To Joseph Rhodes

Same from Samuel Rowe & Wife to Elizabeth Brannon

Same from Erasmus Fletcher & Wife to Daniel G Thorne

Same from Peter Neff Comr To John H Rhodes

Same from I. D Williamson Jr & Wife To Edmund Rosenberger

Same from Daniel May & Wife To Micajah Sheffield

Same from John Emswiller & Wife to Saml Emswiller

Same from Wm J. Furry to Charles A Furry Trustee for Ed. H Furry

A Deed of Trust from Jackson Hoard To Charles S Warden Trustee for John Jones

A Deed of Bargain & Sale from Henry A Rhodes & Wife To Thomas Hoard

Same from Benjamin Bowman & Wife To Samuel Wagner

Same from Samuel Wagner & Wife to Benjamin Bowman

Same from Phelander Herring & Wife To Philip Heser

A Deed of Loan from Philip Heser to Mary J Painter

A Settlement of the Estate of Catharine Hondysheil Deceased having been filed in the Clerks Office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of the Estate of Leonard Tutwiler Deceased

The same order

Same of the Estate of Anna Parker Deceased

The Same order

Same of the Estate of John Parker Sen Deceased

The Same order

Same of the Estate of Daniel May Deceased

The Same order

A Settlement of Benjamin Hoover & Thomas L Gainey Trustees of of Nancy Bare under a deed of Trust was returned into Court and ordered to be recorded

A Settlement of the accounts of Jacob Amrine Guardian of the heirs of I. Ergenbright deceased having been filed in the Clerks office of this Court for the time prescribed by law was presented in Court and no exceptions being offered thereto the same is confirmed and ordered to be recorded

Same of Henry A Healwoode Guardian for Mary Margaret Magdalene Healwoode

The Same order

Same of Samuel Hardley Guardian for Perry R Pickering

The Same order

Same of George Lohr Guardian of Catharine Lowery

The Same order

Same of Jackson Horn Guardian of Abraham L Brunk

The Same order

Same of Jackson Marty Guardian of Ann R Thomas

The Same order

Same of Abram Marty Guardian of the Heirs of Reuben Marty deceased

The Same order

Same of Jackson Horn Guardian of John F Shoemaker

The Same order

On the Motion of Charles A Yancy Esqr and he having taken the usual oaths prescribed by Law is admitted to practice as an Attorney in this Court

Hamilton vs Woodson & Bryan upon a Notice & Notice acknowledged & Docketed & Continued

On the Motion of Abram A Kite the Executor named in the Will of Caleb Thomas deceased

The Last Will and Testament of Caleb Thomas deceased was presented in Court and was proved by the oaths of Henry C Hunt and Wm C Kite two of the Subscribing witnesses thereto and ordered to be recorded and on the Motion of Abram A Kite the Executor therein named who made oath thereto and entered into

together with Wm C Pate his security who Justifies as to his sufficiency entered into and acknowledged a bond in the penalty of One Thousand Dollars Conditioned as the law requires whereupon is granted the said Abram A Pate for obtaining a probate of the said Will in due form, an acts is ordered

Ordered that John Simmons be appointed Guardian for Jacob Williams Enderby Frances Deputy infant Children of of Abraham Deputy deceased who together with Wm Simmons and Mary Simmons his securities who Justifies as to their sufficiency entered into and acknowledged a bond in the penalty of Two Thousand Dollars Conditioned as the law requires

Ordered that Joseph Bazzaman be appointed Guardian for Frances Bazzaman Infant Child of Bazzaman who together with Charles R Rush his security entered into and acknowledged a bond in the penalty of $300 Conditioned as the law requires

Ordered that the Clerk of this Court register Susan Payne Woman of Color 9 years of age has a scar back of the left ear Bright Mulatto five feet four inches high and was born free in the County of Rockingham as appears by the Indenture of Jacob Hundley and furnish the said Susan Payne a Copy of said Register according to Law

Ordered that the Clerk of this Court register Nancy Taylor 35 years according to Law and furnish the said Nancy Taylor with a Copy of said Register

Robert Craig who has been duly appointed a Notary Republic for Rockingham County appeared in Court and together with M Harry Effinger his security entered into and acknowledged a bond in the penalty of $500 Conditioned as the law requires and thereupon the said Robert Craig took the several oaths required by Law

On the Motion of Dan'l Bowman who made oath thereto according to law and together with Isaac N Bowman his security who Justified as to his Sufficiency entered into and acknowledged a bond in the penalty of Twenty Thousand Dollars Condetioned as the law requires a Certificate is granted the said Dan'l Bowman for obtaining Letters of administration on the Estate of Geo. R Bowman Deceased it is therefore ordered that Joseph M Moore Joseph Moore Abraham Garber and Jacob Miller or any three of them being first sworn do appraise the Estate of the said Geo. R Bowman and make report to the Court

Ordered that Rebecca Bowers be appointed Guardian for Geo. Bowers Infant Child of Thos Bowers Deceased who together with Abraham Bowman & Isaac N Bowers her securityp who Justified as to their sufficiency entered into and acknowledged a bond in the penalty of $1200 Condetioned according to law

It appearing to the Court that William Sawtley Executor of Reuben Allaffer has become a person of unsound mind & his powers as such Executor are revoked and on the Motion of Martin J Allaffer he is permitted to qualify as administrator with the will annexed of said Reuben Allaffer who thereupon with Michael J. Hoffer George W Kemper and Aris Scott who Justified as to their sufficiency entered into and acknowledged a bond in the penalty of $400 Condetioned as the law requires a Certificate is granted the said Martin J. Allaffer for obtaining Letters of administration on the Estate of the said Reuben Allaffer as deceased

The Last Will and Testament of Solomon Huffman was this day presented in Court and proved in full by the subscribing Witnesses and on motion of Daniel Huffman it is ordered until the next term for proof of the Codicil thereto

Wm Marshall Jailor of Augusta County for arresting Reuben Brown charged with Larceny in Rockingham County amounting

to $7.10 cents which being examined & allowed by the Court is ordered to be Certified to the Auditor of Public accounts

The Last Will and Testament of Nancy Ware deceased was presented in Court and was proved by the oaths of Jackson Roads and Michael H Harris Jun of the Witnesses thereto together with the Codicil thereto which was also proved by the oaths of J O Hensel & Michael H Harris two witnesses thereto and ordered to be recorded John A Herring the Executor named in said Will appeared in Court and refused to qualify Whereupon on the Motion of Samuel Merkel who together with Thomas Rees and Andrew Rogers (who Justifies as to their sufficiency) entered into and acknowledged a Bond in the penalty of $10000 conditioned as the law requires a Certificate is granted the said Samuel Merkle for obtaining Letters of administration on the Estate of the said Nancy Ware in due form and it is ordered that Albert P Clarke George Kerr Silas Kellam & Michael H Harris or any three of them being first sworn do appraise the Estate of the said Nancy Ware and make report to the Court

Absent A M Newman

On the Motion of Andrew B Inch Administrator of Richard W Thurman it is ordered that Anderson M Newman be appointed a special Commissioner to examine state and settle the Estate accounts of the said Richard W Thurman with the said Administrator and make report to the Court

On the Motion of Andrew Horton Executor of Peter Horton deceased it is ordered that Anderson M Newman be appointed a special Commissioner to examine state and settle the Estate accounts of the said Peter Horton with the said Executor and make report to the Court

On the Motion of Andrew B Inch Guardian of Albert C Lemon and Isabella Lemon it is ordered that Anderson M Newman be

D S Rentch . Pltff
v
Margaret Crawford Deft } Unlawful Detainer

On the Motion of the Pltff. it is ordered that this cause be placed upon the docket

The last will and testament of John Layman decd was presented in Court and proved by the oath of Jonas Reed one of the subscribing witnesses thereto. and it appearing that Perry H Baugher Wm L O Houston the other subscribing witnesses thereto are not within the reach of the process of this Court. Jonas Reed and Shelton H Carrier were sworn and examined. and proved that the signatures of said Perry H Baugher and Wm L O Houston thereto are their genuine signatures and thereupon it is ordered that the said will be recorded

The last will and testament of James Hensley decd was presented in Court and proved by the oaths of William S Smith & John B Amiss the subscribing witnesses thereto and ordered to be recorded. and there being no executor named in said will on the Motion of John B Amiss who made oath thereto according to law. and together with Wm S Smith 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 a certificate is granted him for obtaining letters of administration in due form upon the estate of said James Hensley decd with his will annexed

The Court doth appoint Jesse Moyers guardian for Virginia Frances Scothron & Michael J Scothron orphans of Michael Scothron decd who are under the age of 14 years. and thereupon the said Jesse Moyers appeared in Court and together with Samuel R Allebaugh 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

The last will and testament of Fannie McGarvey decd was presented in Court. and proved by the oaths of Geo O Conrad & Mary McGarvey the subscribing witnesses thereto and ordered to be recorded. and on the motion of

Amanda J Landsman an Orphan of John Landsman deceased
Over 14 years of age appeared in Court and made choice of
Wesley Landsman as her Guardian and thereupon the said
Wesley Landsman appeared in Court together with John
H Hopkins as security and entered into and acknowledged
a Bond in the penalty of $200 Conditioned as the law
directs

Present Robt Blair Gent

Theodrick Norton who stands charged with a felony by him
committed in this that he did on the 9th of May 1861
in the said County did feloniously steal take and carry
away one Horse the property of Andrew Ganley
of the value of One hundred & fifty Dollars
was led to the bar in custody of the Sheriff of this County
and Sundry Witnesses being sworn and examined touching
the premises the Court are of opinion that a felony has
been committed and 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
was remanded to Jail

Be it Remembered that Andrew Ganley & Benjamin
this day appeared in Court and severally acknowledged
themselves to owe and be indebted to the Commonwealth of
Virginia in the sum of $100 each to be levied of their respective
goods and Chattles Lands and Tenements and for the use
of the Commonwealth to be rendered Yet upon this Condition
that the said Andrew Ganley & Benjamin Moore shall
make their personal appearance before the Circuit Court
of this County on the first day of the next term thereof There
to give evidence on behalf of the Commonwealth against
Theodrick Norton and not depart thence without leave of said
Court then this recognizance to be Void or else to remain
in full force and Virtue

Thereupon a Subpoena Roadcap issued to Indiana to Hardin to have
to file a special plea

John Scott who stands Charged with a felony herein Committed in this that he did on the 23 Day of March 1861 in this said County did feloniously steal take Away one Barrel and a Twenty three Gallons of Apple Brandy of the Value of Twenty Three Dollars the property of George Airy appeared in Court in discharge of his Recognizance and was led to the bar in Custody of the Sheriff of this County and Sundry Witnesses being sworn and examined touching the premises the Court are of Opinion that the prisoner is not Guilty and that he be discharged

Charles A Yancy who has been continued in the office of a Notary Public for this County appeared in Court and entered into bond and with B F Patterson his security in the penalty of $500 Conditioned as the law directs which bond is ordered to be entered

Ordered that all the acting Justices of this County be summoned to appear here on the 3rd Monday of June Court next for the purpose of laying the County Levy and all such other matters that shall come before the Court

Ordered that the Tax for Chas Yancy office Judgment set and payment of Loan to file a special plea & Issue Continued

Ordered that all the Causes set for trial of this Court which have not been tried & Continued be Continued until the Next Term

Ordered that the Justices of this County release from his Custody Martha a Slave belonging to Thomas Moore and Delivered to his present Master Harris B Reed upon his paying his Jail fees

Ordered that this Court be adjourned until the Third Monday in June Next

A M Newman

In the Clerks office of the County Court of Rockingham
June 6th 1861

Central Bank of Virginia Pltff
agst
Levi Shaver George E Vernale } In Debt
& John P Brock Deft

This day the Defendants appeared in the office aforesaid and confessed Judgment for $2390.78 Cents and $2.66 Cts Charges of Protest in the writ mentioned Therefore

It is therefore considered that the Plaintiff recover against the Defendants $2390.78 Cents the debt aforesaid with interest thereon from the 30th day of April 1859 till paid and $2.66 Cents Charges of Protest and the costs by the Plaintiff in this behalf expended

Teste

J W Gambill C R C